

OHR000176107
3-19-13
JMS



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 12, 2013

Mr. Jack Babbit
9119 White Oak Lane
Westerville, OH 43082

Dear Mr. Babbit:

**Re: [NOV-RTC] NJB Automotive CDO Complaint #4425,
2/25/2013, Delaware County (nonnotifier)**

Thanks for your time during my visit to the NJB Automotive facility at 10877 Fancher Road east of Westerville on February 25, 2013. The purpose of my visit was to investigate a complaint Ohio EPA had received concerning the management and disposal of used oil from your business. Ohio's laws under Chapter 3745 of the Ohio Administrative Code and Chapter 3734 of the Ohio Revised Code establish a system for safe and responsible management of used oil and hazardous wastes. This letter summarizes our findings.

One violation was noted, but has now been abated/resolved:

Used Oil Container Marking, OAC Rule 3745-279-22(C)(1): Containers for accumulating/ storing used oil must be clearly marked as "Used Oil".

A 55-gallon drum of used oil in the shop lacked the proper marking.

This problem was corrected by your personnel during my visit

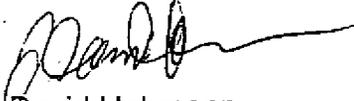
In addition, please note the following other comments or observations:

- Used oil was being collected for proper recycling, and we saw no evidence to support allegations of improper disposal of this waste.
- Your business appeared to be a conditionally exempt small quantity generator.
- Ohio EPA will assign an internal tracking ID number to your facility pursuant to this inspection visit.

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Thank you for your continued attention to compliance. If you have any questions, do not hesitate to contact me by phone at (614) 728-3885.

Sincerely,



J. David Hohmann
Division of Materials and Waste Management
Central District Office

c: CDO File

JDH/nsm NJB NOV RTC

"Notice: Ohio EPA's failure to list specific deficiencies/violations in this letter does not relieve your company from having to comply with all applicable regulations."

USED OIL INSPECTION CHECKLIST

GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes: [N/A]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)] <i>RMK: This problem was corrected by facility personnel prior to the end of the inspection.</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] <i>RMK: No visible evidence of releases was noted during the inspection.</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: <i>RMK: N/A</i>	
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GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] <i>RMK: N/A</i>	

COLLECTION CENTERS AND AGGREGATION POINTS *RMK: N/A no oil collected from other generators or DIY-ers.*