



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

Re: **General Service Garage Inc.**
OHD981537624
Auglaize County
DMWM, NWDO
Partial Return to Compliance

June 19, 2013

Mr. Todd Ruck
General Service Garage Inc.
P. O. Box 1327
Hilliard, Ohio 43026-6327

Dear Mr. Ruck:

Thank you for sending the responses to my April 30, 2013, Notice of Violation (NOV). Your response was received by the Ohio Environmental Protection Agency (Ohio EPA) on May 17, 2013, May 29, 2013, and May 30, 2013, and included a cover letter, emails, and a receipt from Safety-Kleen Systems, Inc. (SK).

The following is a summary of the violations observed during the April 15, 2013, compliance evaluation inspection and the facility's compliance with respect to each violation. In order to correct these violations you must do the following and send me the required information **within 14 days of your receipt of this letter.**

Violations:

1. **Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste Determination:**
"Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

General Service Garage Inc. (GSGI) failed to adequately evaluate the waste streams listed below to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11.

- a. **Spent lamps**-On May 17, 2013, Ohio EPA received documentation that GSGI will be managing the spent lamps as universal waste. These lamps will be taken to All-Phase Electric Supply in Lima, Ohio to be recycled.

Therefore, this violation is considered abated on May 17, 2013.

- b. **Used oil absorbent**-GSGI uses a kitty litter type absorbent to clean up used oil spills around the facility. The waste used oil absorbent is then disposed of by being thrown into the trash. GSGI generates approximately 50 pounds of this waste stream every month.

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In order for GSGI to determine whether the used oil absorbent exhibits any hazardous waste characteristics, GSGI must obtain a chemical analysis of a representative sample of the waste. GSGI will need to contract the services of an environmental laboratory to analyze these materials. GSGI must determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation & Recovery Act (RCRA) metals and TCLP volatile organic compounds (VOCs) of the waste. If any of the wastes can be considered a liquid, then GSGI must also determine the flashpoint and pH of the wastes.

Please note that the used oil absorbent should not be sampled and analyzed until GSGI considers the material to be a waste. To abate this violation GSGI shall submit the analytical results indicating the proper evaluation of the waste for Ohio EPA's review. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, GSGI must also submit information as to what treatment, storage, or disposal facility the waste will be sent to.

Once Ohio EPA acknowledges GSGI's proper characterization of the wastes, GSGI must dispose of the wastes at a proper disposal facility. GSGI must then submit the appropriate manifest documents or shipping papers indicating proper disposal of the wastes to Ohio EPA.

Please notify me at least five days prior to sampling so that I may be present.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

On May 29, 2013, Ohio EPA received documentation that GSGI will sample and analyze the used oil absorbent when it becomes a waste. This sampling should take place within the next month. Please see the above information for details concerning the waste sampling and analyses which need to be performed.

2. OAC Rule 3745-279-22 (C)(1)-Abated on April 15, 2013.

Additional Information Requested to Determine Compliance:

1. **Used oil tank secondary containment**-During the inspection, Mr. Cox indicated that once a year the secondary containment system surrounding the 1000-1200 gallon used oil tank is cleaned out by Safety-Kleen. However, Mr. Cox didn't know if the material removed from the secondary containment is removed as used oil or waste. Mr. Cox stated that all paperwork for this removal is kept at the Hilliard office.

On May 30, 2013, Ohio EPA received documentation that records show the last time the secondary containment system was cleaned out was in 2010 by Safety-Kleen Systems, Inc. (SK). According to the documentation, this material was managed as a used oil and was shipped to SK's facility in Fort Wayne, Indiana to be recycled.

At this time, this general concern is considered addressed.

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GSGI needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, GSGI is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to kara.reynolds@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, GSGI is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Please send all correspondence **within 14 days of receipt of this letter**, to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/llr

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Lisa Gifford, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO (with checklists)

NOTICE:

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