



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Logan, Ohio 43138

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

August 10, 2007

**ATHENS COUNTY  
GENERAL FILE  
(RON'S GARAGE)  
DHWM/SEDO  
NON-NOTIFIER**

Mr. Ron Sikorski, Sr.  
Ron's Garage  
12 High Street  
Glouster, OH 45732

Dear Mr. Sikorski:

On July 27, 2007, we (Elizabeth Herron and Joe Holland) inspected Ron's Garage in Glouster, Ohio to determine Ron's Garage's compliance with Ohio's hazardous waste, used oil, and solid waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC).

This inspection was conducted in response to a complaint about the garage's used oil management practices, which was received by Ohio EPA. During the inspection, we were accompanied by Patrick Hudnall of Ohio EPA-Division of Surface Water and Mike Cooper of Athens City-County Health Department. Ron's Garage was represented by your son, Ron Sikorski, Jr. This letter will explain violations identified in the inspection and what you need to do to correct the violations.

**Hazardous Waste and Used Oil Violations**

The following violations of Ohio's hazardous waste laws were found. In order to correct these violations, you must do the following and send Elizabeth Herron the required information **within 30 days** of your receipt of this letter:

1. **OAC Rule 3745-52-11, Hazardous Waste Determination:** Any person who generates a waste must evaluate that waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC 3745-51.

At the time of the inspection, Ron's Garage was storing waste fluorescent lamps in a 15 gallon drum located inside the building. These fluorescent lamps had not been evaluated to determine whether they are hazardous waste. Enclosed with this letter are the fact sheets *Fluorescent Lamps: What You Should Know* and *Universal*

*Waste Rules for Handlers of Lamps.* These fact sheets will provide you with more background on the regulation of fluorescent lamps.

In order to return to compliance with this rule, you must immediately determine whether or not your waste lamps are a hazardous waste. If the waste lamps you have are hazardous, you will then need to decide whether to dispose of the lamps as a hazardous waste or manage them as a universal waste, as described in the enclosed fact sheets. Please call me if you would like more information to assist you in your decision. I would be glad to talk with you about these two options in greater detail. **To demonstrate your compliance with this rule, provide a written response stating what your waste determination for the lamps is and how you will manage your waste lamps in the future.**

2. ***OAC Rule 3745-279-22(B), Used Oil Storage Requirements for Generators:*** Containers and aboveground tanks used to store used oil at generator facilities must be: (1) In good condition (no severe rusting, apparent structural defects or deterioration); and (2) Not leaking (no visible leaks).

At the time of the inspection, Ron's Garage was storing used oil in 55-gallon drums located outside, in front of and behind the building. Some of these containers were rusted and in poor condition. Staining and dead vegetation around the containers indicated that there had been leaks from the containers.

In order to return to compliance with this rule, Ron's Garage must inventory all their used oil storage containers, to determine which containers are in poor condition and leaking or have the potential to leak. All containers that are in poor condition must be taken out of service and replaced with containers in good condition. **To demonstrate your compliance with this rule, provide a written response detailing what actions you have taken to ensure that all used oil storage containers are in good condition.**

- 3.. ***OAC Rule 3745-279-22(C), Used Oil Storage Requirements for Generators:*** Containers and above ground tanks used to store used oil must be labeled with the words "Used Oil

At the time of the inspection, Ron's Garage was storing used oil in 55-gallon drums located outside, in front of and behind the building. None of these drums were labeled with the words "Used Oil."

In order to return to compliance with this rule, all containers at Ron's Garage that contain used oil must be labeled with the words "Used Oil." **Please demonstrate your compliance with this rule by submitting photographs of the labeled containers with your response to this letter.**

4. ***OAC Rule 3745-279-22(D), Used Oil Storage Requirements for Generators:*** Upon detection of a release of used oil to the environment, a generator must perform the following cleanup steps: (1) Stop the release; (2) Contain the released used oil; (3) Clean up and manage properly the released used oil and other materials; and (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

Ron's Garage has released used oil to the environment through the deliberate disposal of used oil on the ground. Used oil from the maintenance of vehicles was poured at the edge of the cement slab floor, which is next to the garage's hydraulic car lift. The oil was poured through a removable piece of metal pipe. The pipe was used to direct the flow of oil to the ground between the building's wall and the floor slab. The opening between the wall and the slab was visibly saturated with oil.

Ron's Garage was also storing used oil in 55-gallon drums located outside, in front of and behind the building. Some of these containers were rusted and in poor condition. Staining and dead vegetation around the containers indicated that there had been leaks from the containers that had not been cleaned up and properly managed.

In order to return to compliance with this rule, Ron's Garage must immediately cease disposal of their used oil on the ground. All ground where used oil was disposed, spilled or leaked must be cleaned up and the oil contaminated soil and materials properly managed. **Notify Ohio EPA five days in advance of performing the cleanup to provide Ohio EPA the opportunity to observe the cleanup work. Ron's Garage must document all cleanup work and provide copies of all landfill disposal receipts for all used oil contaminated soil and materials that are removed during the cleanup.**

As stated above in item number 2, all containers that are in poor condition must be taken out of service and replaced with containers in good condition. **To demonstrate your compliance with this rule, provide a written response detailing what actions you have taken to ensure that all used oil storage containers are in good condition.**

5. ***OAC Rule 3745-279-24, Off-site Shipments of Used Oil by Generators:*** Used oil generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

Ron's Garage was not having their used oil transported by transporters with U.S. EPA identification numbers. Used oil generated by Ron's Garage was either disposed of on the ground or given to individuals who reportedly used the oil to burn their trash or to oil their roads. Ohio law prohibits the open burning of both used oil and trash, and prohibits the use of used oil as a dust suppressant.

Ron's Garage must immediately stop providing their used oil to individuals who do not have a U.S. EPA identification number. Enclosed is a list of companies with U.S. EPA identification numbers who collect and transport used oil for recycling. **To demonstrate your compliance with this rule, provide a written response detailing how you will comply with this rule in the future.**

### **Solid Waste Violations**

We also observed that the facility has a number of scrap tires stored behind the business. Please be advised that scrap tires are a solid waste and must be properly stored and managed in accordance with OAC Rule 3745-27-60. Improper storage of scrap tires is considered open dumping of solid waste and is a violation of Chapter 3734 of the Ohio Revised Code (ORC) and Chapters 3745-27 of the Ohio Administrative Code (OAC). Specifically:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.

In addition, OAC Rule 3745-27-60(B) states that "The storage of scrap tires in any amount outside or inside a trailer, vehicle, or building shall be deemed a nuisance, a hazard to public health or safety, or fire hazard unless the tires are stored in accordance with the following standards":

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OAC Rule 3745-27-60(B)(1) states that sufficient drainage shall be maintained such that water does not collect in the area where scrap tires are stored. Your scrap tires are not being stored with sufficient drainage such that water does not collect in the tires

The scrap tire pile is in violation of OAC Rule 3745-27-60(B) and is a nuisance, a hazard to public health or safety, and a fire hazard.

All scrap tires must be removed to an approved facility for proper disposal. Enclosed is a list of registered transporters of scrap tires who may be available to remove the scrap tires. The closest registered transporter to your business is Dave Campbell Scrap Tire in South Zanesville. All tire removal work must be documented with disposal receipts.

Enclosed you will find a copy of the checklists completed for the inspection. Should you have any questions, regarding hazardous waste or used oil violations please call Elizabeth Herron at (740) 380-5248. For questions regarding solid waste please contact Joe Holland at (740) 380-5439. You can find copies of the rules and other information Ohio EPA's web page at <http://www.epa.state.oh.us> Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp>.

Sincerely,



Elizabeth A. Herron  
Environmental Specialist  
Division of Hazardous Waste Management



Joe Holland  
Environmental Specialist  
Division of Solid and Infectious  
Waste Management

EAH/JH/jg

Enclosures

cc: Mike Cooper, Athens City-County Health Department  
Joe Holland, Ohio EPA, SEDO, DSIWM  
Patrick Hudnall, Ohio EPA, SEDO, DSW

**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.

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Ron's Garage Facility Type:  LQG  SQG  CESQG  used oil Date of Inspection: 07/27/07 EPA ID#: non-notifier

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	vehicle maintenance	used oil	unknown, estimated 2-3 oil changes per week, oil is stored in drums or poured on the ground			Ron's Garage is considering installing a used oil burning furnace.
2	battery replacement	spent lead acid batteries	varies	Interstate Battery picks them up for recycling	recycled	
3	lighting	spent fluorescent lamsp	varies	currently stored on-site		recycling
4						
5						
6						
7						

8							
53							

**REMARKS-GENERAL INFORMATION**

**General Process Information:**

Ron's Garage is a vehicle service station.

**Regulatory/Enforcement History** (if applicable):

facility has not been previously inspected

**Additional P2 remarks and information:**

Ron's Garage was given a used oil generator fact sheet during the inspection.

Would this facility be interested in a P2 assessment?  Yes\*  No \*If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to  
[tammy.mcconnell@epa.state.oh.us](mailto:tammy.mcconnell@epa.state.oh.us) or mail it to Tammy  
McConnell, Central Office

Site EPA ID No.	EPA ID Number: Non-notifier									
Site Name	Name: Ron's Garage					Website: (Optional)				
Site Location Information	Street Address: 12 High Street									
	City, Town, or Village: Glouster					State: OH				
	County Name: Athens					Zip Code: 45732				
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>		
NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>										
Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Ron			MI:	Last Name: Sikorski					
	Phone Number:				Phone Number Extension:					
	E-Mail Address:									
	Fax Number:				Fax Number Extension:					
	Street or P.O. Box:									
	City, Town or Village:					State:			Country:	Zip Code:
	Name of Site's Legal Owner:								Date Became Owner (mm/dd/yyyy):	
Legal Owner and Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
	Street or P.O. Box:									
	City, Town or Village:				Owner Phone #:					
	State:				Country:			Zip Code:		
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):					
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
	Street or P.O. Box:									
	City, Town or Village:				Operator Phone #:					
State:				Country:			Zip Code:			
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
Type of Generator										
<input type="checkbox"/> Not Regulated				<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator						
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste						
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator						
<input type="checkbox"/> Small Quantity Generator (SQG)										
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)										
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace						
<input type="checkbox"/> Underground Injection Control Facility				<input type="checkbox"/> Small Quantity On-Site Burner Exemption						
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption						
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste										

**Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))**

<input type="checkbox"/> <b>Small Quantity Handler of Universal Waste</b>	<input type="checkbox"/> <b>Large Quantity Handler of Universal Waste</b> (accumulates 5,000 kg. or more)
<input type="checkbox"/> <b>Destination Facility for Universal Waste</b>	

(Check all boxes below that apply for each of the three types of facilities above)		Used Oil Activities (Indicate Type(s) of Activity(ies))	
	<b>Generated</b>	<b>Accumulated</b>	
<b>Batteries</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <b>Used Oil Generator</b> <input type="checkbox"/> <b>Off-Specification Used Oil Burner</b> <input type="checkbox"/> <b>Used Oil Transporter</b> <input type="checkbox"/> <b>Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil</b>
<b>Pesticides</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Transfer Facility</b> <input type="checkbox"/> <b>Used Oil Fuel Marketer to Off-Specification Used Oil Burner</b>
<b>Thermostats</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Processor</b>
<b>Lamps</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Re-refiner</b>

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

<b>Announced</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Additional Facility Representatives:</b>
<b>Tanks</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Other Comments: also present during inspection: Mike Cooper, Athens City-County Health Department; Joe Holland, Ohio EPA DSIWM; and Patrick Hudnall, Ohio EPA-DSW</b>
<b>Containers</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Elizabeth Herron		7/27/2007 10:00 AM

OPTIONAL CERTIFICATION: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<b>Signature of Owner, Operator, or an Authorized Representative</b>	<b>Name and Title (Print)</b>	<b>Date (mm/dd/yyyy)</b>

# CONDITIONALLY EXEMPT SMALL QUANTITY (CESQG) GENERATOR REQUIREMENTS

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: >1,000 Kg. (~300 gallons) of waste in a calendar month or >1 Kg. of acutely hazardous waste in a calendar month.

## WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11]  Yes  No  NA

## GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]  Yes  No  NA

*NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG").*

## OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]  Yes  No  NA

## TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a :
- a. Container that meets 3745-66-70 to 3745-66-77?  Yes  No  NA
  - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)  Yes  No  NA
  - c. Drip pad that meets 3745-69-40 to 3745-69-45?  Yes  No  NA
  - d. Containment building that meets 3745-256-100 to 3745-256-102?  Yes  No  NA

*NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.*

*NOTE: If waste is treated to meet LDRs, use the LDR checklist.*

## REMARKS

# USED OIL GENERATOR REQUIREMENTS

**NOTE: (Short Version) - This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.**

## PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so:  Yes  No  NA
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)]  Yes  No  NA
2. Is used oil being used as a dust suppressant? [3745-279-12(B)]  Yes  No  NA
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)?  Yes  No  NA

## USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)]  Yes  No  NA
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  No  NA
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)]  Yes  No  NA
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]  Yes  No  NA
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]  Yes  No  NA
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release?  Yes  No  NA
- b. Contained the release?  Yes  No  NA
- c. Cleaned up and properly managed the used oil and other materials?  Yes  No  NA
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?  Yes  No  NA

10. Does the generator burn used oil in used oil fired space heaters? [3745-223] If so:  Yes  No  NA
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?  Yes  No  NA
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?  Yes  No  NA
- c. Are the combustion gases from heater vented to the ambient air?  Yes  No  NA
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24]  Yes  No  NA

**USED OIL COLLECTION CENTERS AND AGGREGATION POINTS**

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]  Yes  No  NA
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]  Yes  No  NA
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]  Yes  No  NA

**WASTE EVALUATION**

15. Have all wastes generated at the facility been evaluated? [3745-52-11]  Yes  No  NA

**REMARKS**