



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

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

CERTIFIED MAIL: 70063450000190561607

November 21, 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, I conducted an inspection of Ron's Garage in Glouster, Ohio to determine Ron's Garage's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). Ohio EPA sent a Notice of Violation letter, dated August 10, 2007, specifying the violations observed during the inspection. On September 19, 2007, I returned to Ron's Garage to determine your progress in returning to compliance with the previously cited violations. A second Notice of Violation was issued to you on October 4, 2007. On October 29, 2007, you were sent a third Notice of Violation.

On November 14, 2007, you contacted me by phone to say that you had cleaned up the ground and marked your barrels. During this call, you also asked for more information about companies that recycle fluorescent lamps. In a follow up conversation with you on November 19, 2007, I referred you to the *Computer, Fluorescent Lamp and Ballast Recyclers* list that was enclosed with Ohio EPA's October 4, 2007 Notice of Violation. You stated that you did not have this list and requested that I send you another copy. A copy of this list is enclosed. To date, Ron's Garage failed to respond to the August 10, 2007, October 4, 2007, and October 29, 2007 Notice of Violation letters, with documentation that demonstrates that a return to compliance with the violations cited in these letters. Ron's Garage remains in violation of the following:

- (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. The fact sheets *Fluorescent Lamps: What You Should Know* and *Universal Waste Rules for Handlers of Lamps* were enclosed with the August 10, 2007 Notice of Violation. These fact sheets were to provide you with more background on the regulation of fluorescent lamps.

During my September 19, 2007 visit, you stated that the fluorescent lamps we saw being stored in the two boxes and the 15-gallon drum were from a school that was being torn down about four years ago. You said that some of the lamps worked and some were burned out. During my visit, we talked about outlets for recycling your waste lamps. A list of businesses that offer fluorescent lamp recycling services was enclosed with the October 4, 2007 Notice of Violation.

In order to return to compliance with this rule, you must immediately determine whether or not your burned out 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 recycle them as a universal waste, as described in the fact sheets included in Ohio EPA's August 10, 2007 letter.

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. If you will be managing the lamps as a hazardous waste, provide the name and US EPA Hazardous Waste ID number of the hazardous waste disposal facility you will use and describe the arrangements that have been made with the disposal facility. If you choose to manage your waste lamps as a universal waste, provide the name of the recycling company you will use and describe the arrangements that have been made with the recycling facility.

- (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.

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." When I arrived at the garage on September 19, 2007, the drums had still not been labeled. During this second visit to your facility, used oil was also being stored outside along the block walls next to the driveway in ten unlabeled 5-gallon metal cans.

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.

On September 19, 2007, I observed a new release of used oil onto the ground next to your newly purchased used oil storage tote. It appeared that used oil was being spilled when poured into the tote. The spilled used oil had not been cleaned up and properly managed.

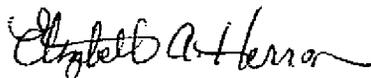
In order to return to compliance with this rule, Ron's Garage must cleanup and properly manage the ground where the used oil was spilled. To avoid continued spilling around the tote, Ron's Garage should find a better way to transfer used oil into the tote that is less likely to result in spills. Demonstrate your compliance with this rule by providing photographs of the ground around the used oil storage tote.

Please submit the above requested documentation to this office **within 15 days** of receipt of this letter demonstrating that all violations have been abated.

Please note that Ohio EPA considers these violations serious in nature and the company's failure to respond to this and past Notices of Violation may result in referral of Ron's Garage's violations to our Central Office Enforcement Section for consideration of escalated enforcement.

Should you have any questions, regarding this letter, please contact me at (740) 380-5248.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EAH/mlm

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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Ron Sikorsk, Sr.
 Ron's Garage
 12 High St.
 Gloucester, OH 45732

2. Article Number

(Transfer from service label)

7006 3450 0001 9056 1607

PS Form 3811, February 2004

Domestic First-Class Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Ron Sikorsk*

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

Ron Sikorsk

1/20/04

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

7006 3450 0001 9056 1607

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Postage	\$ 5.38
Certified Fee	2.65
Return Receipt Fee (endorsement Required)	2.15
Restricted Delivery Fee (endorsement Required)	
Total Postage & Fees	\$ 5.38



Sent To: Mr. Ron Sikorsk, Sr., Ron's Garage
 Street, Apt. No. or P.O. Box: 12 High St.
 City, State, ZIP+4: Gloucester OH 45732

PS Form 3800, August 2006

See Reverse for Instructions