



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

Re: Laube's Transmission & Service Center
Hancock County
Hazardous Waste
Notice of Violation-Partial Return to Compliance

May 9, 2013

Mr. Jason Laube, Owner
Laube's Transmission & Service Center
110 Crystal Avenue
Findlay, Ohio 45840

Dear Mr. Laube:

On April 30, 2013, Wendy Miller and I conducted a compliance evaluation inspection at Laube's Transmission & Service Center (LTSC) located at 13146 Main Street in Weston, Ohio. We inspected LTSC to determine its 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). Pollution prevention options were also discussed during this inspection. This letter will explain the violations we found and what you need to do to correct these violations.

LTSC is a full-service transmission repair shop. LTSC generates used oil which is stored in a tote and picked up by DISC Environmental. LTSC has one parts washer and a soap and water steam cleaning cabinet. LTSC adds solvent to the parts washer as needed and has not changed out the filter on the unit. The steam cabinet has an oil skimmer that separates out the oil washed off of the transmission parts. No painting is done at the facility. LTSC also generates spent fluorescent bulbs, which are managed as solid waste.

At the time of our inspection, LTSC was operating as a non-generator of hazardous waste.

We found the following violations of Ohio's hazardous waste laws:

1. Waste Evaluation: OAC Rule 3745-52-11:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

LTSC failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

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Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. A copy of Fluorescent Lamps: What You Should Know, was given to you at the time of our inspection. I recommend that you review this document and contact me if you have any questions.

To abate this violation, LTSC must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If LTSC plans to manage the spent fluorescent bulbs when generated as universal waste, please submit the name of the facility where you plan to recycle the bulbs. Managing the spent fluorescent bulbs as universal waste eliminates the need for analytical testing.

2. Labeling: OAC Rule 3745-279-22(C)(1):

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "used oil."

LTSC had one storage tote and two portable containers of used oil that were not properly labeled.

At the time of our inspection, LTSC properly labeled the tote and portable containers with the words "used oil".

Therefore, this violation is considered abated.

A copy of the fact sheet, The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, was given to you at the time of our inspection. Please review this information and contact me if you have any questions.

During our inspection, we discussed the wastes you may generate in the future (i.e. steam cabinet sludge, spent parts washer solvent and sand filter bag) and how to properly evaluate these wastes prior to disposal. A copy of the fact sheet, Identifying your Hazardous Waste, was given to you at the time of our inspection. Please review this information and contact me if you have any questions.

Ohio EPA will issue an EPA ID number to track our inspection activity. LTSC cannot use this number for manifesting hazardous waste shipments. If LTSC wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, you must complete and submit a Notification of Regulated Waste Activity form (*EPA Form 9029 (Rev. 9/5/2010)*) to Ohio EPA. This form is available on our web page at <http://www.epa.ohio.gov/portals/32/pdf/EPA9029.pdf> or you can call me at (419) 373-3066 or the Division of Materials and Waste Management, Central Office, Reporting, Analysis & Data Management Unit (RADMU) at (614)728-8961 and we will mail you a copy.

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Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Enclosed you will find a copy of the checklists that were completed during the inspection.

LTSC needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **14 days** of receipt of this letter, LTSC 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 melissa.boyers@epa.ohio.gov.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Materials and Waste Management

/cg

Enclosures

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

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)
Melissa Boyers, DMWM, NWDO

Notice:

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, LTSC is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to RCRAInfoData@epa.state.oh.us.

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: Name: Laube's Transmission & Service Center Website: (Optional) <hr/> Street Address: 110 Crystal Avenue City, Town, or Village: Findlay State: OH County Name: Hancock Zip Code: 45840 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none; text-align: center;"><input checked="" type="checkbox"/></td> <td style="border: none; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
Private	County	District	Federal	Indian	Municipal	State	Other										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>										

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Jason MI: Last Name: Laube Title: Owner Phone Number: 419-425-8674 Phone Number Extension: E-Mail Address: Fax Number: Fax Number Extension: Street or P.O. Box: City, Town or Village: State: Zip Code:
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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	Name of Site's Legal Owner: Owner Type: Private County District Federal Indian Municipal State Other <input type="checkbox"/> <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State: Owner Phone #: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): Operator Type: Private County District Federal Indian Municipal State Other <input type="checkbox"/> <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State: Operator Phone #: Country Zip Code:
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VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE			
<input checked="" type="checkbox"/> Not a HW Generator	<table style="width:100%; border: none;"> <tr> <td style="border: none; width:50%;"> <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment. </td> <td style="border: none; width:50%;"> <input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator </td> </tr> </table>	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
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TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)

(CHECK ALL BOXES THAT APPLY)

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

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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

- | | | | |
|------------|---|--|--------------------------------------|
| Announced | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

Name of Inspector(s)
Melissa Boyers

Name of Inspector(s)
Wendy Miller

Date of Inspection/Time
 (mm/dd/yyyy) (hh:mm)
04/30/2013 1:40

Comments:

52-11 cited for fluorescent bulbs. Facility plans to manage them as universal waste.

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Laube's Transmission & Service Center **Facility Type:** LQG/SQG/CESQG/TSD **EPA ID#:**

<i>Description of Waste</i>				<i>On-Site Management</i>			<i>Off-Site Management</i>
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small>	Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small>	EPA Waste Code	QTY Generated per Month	Type of Accumulation / Storage <small>(e.g. container, tank, etc)</small>	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Waste Location <small>(Include map if possible)</small>	Name, state, and type of activity occurring at the facility.
1	Lighting	Spent Fluorescent Bulbs					Currently managing as a solid waste.
2	Transmission Service & Repair	Used Oil		Tote		Inside the Shop.	DISC Environmental Burned for Energy Recovery
3							

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

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 type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

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"/>

*NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. **Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.***

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"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

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)]	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)]	
a.	Stopped the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input checked="" 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 checked="" 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 checked="" 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:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.		Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? DISC Environmental	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]			
	a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

13.		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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
14.		Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
15.		Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.