



State of Ohio Environmental Protection Agency

Central District Office

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

June 28, 2007

Re: **Germain Lexus**
CESQG, non-notifier
Franklin County, CDO
NOV

Mr. Todd Shook
Germain Lexus
4130 Morse Crossing
Columbus, OH 43213

Dear Mr. Shook:

On June 20, 2007, I visited Germain Lexus to investigate a complaint regarding management of potential hazardous waste at your Service Center located at 4490 Sunbury Road. I evaluated your facility'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). During the inspection I also helped you identify ways to prevent pollution by reducing waste.

One violation of Ohio's hazardous waste laws was noted. In order to correct the violation, actions noted below must be taken and a response with related information sent to me **within 30 days** of your receipt of this letter:

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

Used aerosol cans were not being evaluated prior to disposal to solid waste garbage cans. A can of a spray cleaner product in the garbage containing liquid contents ("danger—extremely flammable, harmful or fatal") was not empty and was still under pressure. It was removed from the trash and you indicated something else would be done with it.

- These materials must be either evaluated and managed as potential hazardous waste, or else properly emptied (with a safe, commercially available can puncturing device that collects the liquid residues in a drum for proper evaluation, management and disposal).
- Alternatively, refillable aerosol cans may be used that could eliminate this waste stream from being generated at all, and would facilitate bulk purchases of the liquid products being dispensed, often at considerable cost savings to your business.

Please advise me of the action(s) taken to correct this problem.

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

Mr. Todd Shook
Germain Lexus
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General Comments

There was no evidence to support other allegations of possible hazardous waste materials being disposed to your dumpster. In general, housekeeping practices in your shop appeared to be proactive and good. On June 21, 2007, I emailed you links to two fact sheets with best management practices for auto repair shops. One of them also described concerns about knowing where drains go, and not discharging wastes that could reach waters of the state without a permit. I also emailed you on June 22, 2007, the names of two aerosol can puncture device manufacturers, and some tips about refillable cans, which I believe would be your best option for waste reduction in your shop to address the above noted violation.

During my visit, we also noted that about half a gallon per minute of runoff water with soap residues was flowing out the entrance of the automated vehicle washing facility behind your shop, and flowing into a storm drain that is believed to go to Alum Creek, which is nearby across Sunbury Road. We discussed how this needs to be prevented because even biodegradable soaps will kill fish. You indicated that you will probably re-slope or berm the area to contain the process water and direct it back into the system sump. Consideration should be given to finding a solution that works during all seasons, since I don't know if the existing drain/plate near the entrance may have problems with ice blocking in the winter time. If the car wash recirculates the water more than once through the system, fixing this problem may save you money in city water usage and sewer discharge fees. If you have any questions about how to resolve this matter, or about the rules pertaining to such discharges, contact Harry Kallipolitis of the Central District Office's Surface Water Division at 614-728-3844.

Enclosed is a copy of checklists that I completed for this inspection. If you have any questions, feel free to phone me at 614-728-3885, or email me at david.hohmann@epa.state.oh.us. You can find copies of the rules and other information online at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



J. David Hohmann
Division of Hazardous Waste Management
Central District Office

Enclosure

c: Scott Greenhalgh, Parts & Service Director
Harry Kallipolitis
Tammy McConnell
CDO File

"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."

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS

COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET

CESQG: $\leq 100\text{Kg}$. (Approximately 25-30 gallons) of waste in a calendar month or $< 1\text{ Kg}$. of acutely hazardous waste.

NOTE: To convert from gallons to pounds: $\text{Amount in gallons} \times \text{Specific Gravity} \times 8.345 = \text{Amounts in pounds}$.

Safety Equipment Used: N/A

WASTE EVALUATION

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

GENERATOR CLASSIFICATION

2. Does the generator produce $< 100\text{ kg}$. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

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 N/A

TREATMENT OF HAZARDOUS WASTE [N/A]

REMARKS

Waste aerosol cans were not being evaluated, and needed to be emptied prior to disposal in the solid waste garbage. Refillable aerosol cans were recommended, or a puncturing device, or management as hazardous waste.

No other hazardous waste was accumulated at the time of the inspection. Safety Kleen was servicing the parts washers (as "continued use").

USED OIL INSPECTION CHECKLIST (Short Version)

PROHIBITIONS

- | | | | | |
|----|--|-----|----|-----|
| 1. | Is used oil being managed in a surface impoundment or waste pile? | Yes | No | N/A |
| 1a | If so: 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 | N/A |
| 2. | Is used oil being used as a dust suppressant? [3745-279-12(B)] | Yes | No | N/A |
| 3. | Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? | Yes | No | N/A |

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 | N/A |
| 5. | Does the generator of used oil containing $> 1,000\text{ ppm}$ total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] | Yes | No | N/A |
| 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 | N/A |
| 7. | Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] | Yes | No | N/A |
| 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 | N/A |
| 9. | Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] | | | |
| 9a. | Stopped the release? | Yes | No | N/A |
| 9b. | Contained the release? | Yes | No | N/A |
| 9c. | Cleaned up and properly managed the used oil and other materials? | Yes | No | N/A |
| 9d. | Repaired or replaced the containers or tanks prior to returning them to service, if necessary? | Yes | No | N/A |
| 10. | Does the generator burn used oil in a used-oil-fired space heater? [3745-279-23] If so: [N/A] | Yes | No | N/A |
| 10a. | 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 | N/A |
| 10b. | Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? | Yes | No | N/A |

Germain Lexus -- complaint investigation, Non-notifier. 06/20/2007

CESQG (02/07) and Used Oil Generator (short version 11/04)

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- | | | | | |
|------|---|-----|----|-----|
| 10c. | Are the combustion gases from heater vented to the ambient air? | Yes | No | N/A |
| 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 transport or tolling agreements)? [3745-279-24] | Yes | No | N/A |

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS [N/A]

- | | | | | |
|-----|---|-----|----|-----|
| 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 | N/A |
| 13. | Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] | Yes | No | N/A |
| 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 | N/A |

WASTE EVALUATION [Addressed on CESQG Checklist above]

REMARKS

Used Oil was accumulated in a properly marked aboveground indoor rectangular tank, for pickup and recycling / fuels blending by Central Ohio Oil company, a registered transporter. Other wastes appeared to be properly evaluated.

Used oil filter "hot draining" procedures could be improved by puncturing the dome end of the filter in order to release all of the trapped liquid contents.

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 or mail it to Tammy
McCConnell, Central Office

2. Site EPA ID No.	EPA ID Number: unassigned								
3. Site Name	Name: Germain Lexus				Website: (Optional)				
4. Site Location Information	Street Address: 4490 Sunbury Rd				State: OH				
	City, Town, or Village: Columbus				Zip Code: 43213				
	County Name: Franklin								
5. 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"/>	
6. NAICS code(s) www.census.gov/epcd/www/naics.html	811118		811198		811111				
7. Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Todd			Mt:	Last Name: Shook				
	Phone Number: 614-554-4450				Phone Number Extension:				
	E-Mail Address: tshook@germain.com								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box: 4130 Morse Crossing								
	City, Town or Village: Columbus				State: OH		Country: USA		Zip Code: 43213
	Name of Site's Legal Owner:				Date Became Owner (mm/dd/yyyy):				
8. 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:			
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<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)									
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility									

10B. Universal Waste Activities (Indicate types of universal waste managed (check all boxes that apply))		
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste		
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))
	Managed	<input checked="" type="checkbox"/> Used Oil Generator
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner
11. 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 if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.		
12. 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 type="checkbox"/> No	Additional Facility Representatives: Scott Greenhalgh (Parts & Service Director)
Tanks	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other Comments: One violation, cited for 3745-52-11 : Waste evaluation of non-empty aerosol cans. NOV issued by CDO.
Containers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
13. Name of Inspector(s)		Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
David Hohmann		6/20/2007 11:00
14. 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.		
Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)