



Environmental
Protection Agency

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

June 24, 2011

Mr. Mike Jenkins
MJ USA
4760 Cleveland Avenue
Columbus, OH 43231

Re: **MJ USA**
Complaint Investigation – Compliance Evaluation Inspection
Franklin County
Notice of Violation & Return to Compliance

OH R000 164459

Dear Mr. Jenkins:

On June 21, 2011, Ohio EPA received a complaint regarding MJ USA located at 4760 Cleveland Avenue in Columbus, Ohio. The complainant alleged that MJ USA employees were improperly managing used oil and gasoline by pouring them down the drain. Ohio EPA completed a complaint investigation/compliance evaluation inspection (CEI) and was represented by Cole Miller and me, while you represented MJ USA. The complaint investigation/CEI consisted of discussions with you and a review of business operations.

Based upon the findings of the complaint investigation/CEI, it has been determined that MJ USA was operating in violation of the following used oil rule, as found in the Ohio Administrative Code (OAC):

OAC Rule 3745-279-22(C), Labels: Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

At the time of the investigation, the containers used for management of used oil were not appropriately labeled as required.

On this day and in our presence, the containers used for management of the used oil were appropriately labeled. **No further action regarding this violation is needed and MJ USA is returned to compliance.**

As we discussed, I have enclosed the following guidance documents for your review:

The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil; Recyclers and Environmental Service Providers;
Ask the Inspector – May I throw my used oil filters in the trash?; and
Universal Waste Rules for Handlers of Lamps.

Central District Office
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 728 3778
614 | 728 3898 (fax)
www.epa.ohio.gov

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Also enclosed, please find a copy of the used oil checklist completed as a result of the complaint investigation.

As a separate issue, we discussed that a new sanitary sewer main was recently made available near your property. Enclosed, you will also find information regarding persons to contact in conjunction with your need to connect to the sanitary sewer system.

Should you have any questions or need additional information, I can be reached by telephone at 614-728-5037. If you have questions in regard to connecting to the sanitary sewer system, you can contact Cole Miller by telephone at 614-728-3846.

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

Respectfully,



Randy Sheldon
Environmental Specialist
Division of Materials and Waste Management
Central District Office

Enclosures

c: Brad Hauser, DMWM, CO
Cole Miller, DSW, CDO
~~DMWM, CDO, etc~~

RS/nsm 6-11nov

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 brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: _____ Name: MJ USA		Website: (Optional) _____					
Site Location Information	Street Address: 4760 Cleveland Avenue							
Site Land Type (check only one)	City, Town, or Village: Columbus		State: OH					
NAICS code(s) www.census.gov/epcd/www/naics.html	County Name: Franklin		Zip Code: 43231					
	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"/>

Facility Representative	First Name: Michael		MI: J	Last Name: Jenkins	
Additional names can be recorded in number 12	Title: Owner				
Only provide address information if it is different than the site address	Phone Number: 614-478-8697		Phone Number Extension: _____		
	E-Mail Address: _____				
	Fax Number: _____		Fax Number Extension: _____		
	Street or P.O. Box: 4760 Cleveland Avenue				
	City, Town or Village: Columbus				
	State: OH		Zip Code: 43231		

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: Michael J Jenkins		Date Became Owner (mm/dd/yyyy): 10/16/2009					
	Owner Type: <input checked="" type="checkbox"/> 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
	Street or P.O. Box: 4760 Cleveland Avenue							
	City, Town or Village: Columbus				Owner Phone #: 614-478-8697			
	State: OH		Country: USA		Zip Code: 43231			
	Name of Site's Operator: Michael J Jenkins		Date Became Operator (mm/dd/yyyy): 05/06/1999					
	Operator Type: <input checked="" type="checkbox"/> 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
	Street or P.O. Box: 4760 Cleveland Avenue							
	City, Town or Village: Columbus				Operator Phone #: 614-478-8697			
	State: OH		Country: USA		Zip Code: 43231			

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE
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<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<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"/> Small Quantity Generator (SQG)
		<input checked="" 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

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

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input checked="" type="checkbox"/> Lamps

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

<input checked="" type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> 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.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> 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)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
R Sheldon, DMWM	C Miller, DSW	06/22/2011 11:00 AM

Comments: