



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

September 27, 2013

Mr. Bruce Kidder, Superintendent  
Frontier Local School District  
44870 State Route 7  
New Matamoras, Ohio 44767

Frontier Local School District  
Frontier High School  
Notice of Violation/NOV  
OHD987056561  
RCRA C – Hazardous Waste  
Washington County

Dear Mr. Kidder:

On September 18, 2013, Ohio EPA inspected Frontier Local School District's Frontier High School/Middle School in New Matamoras, Ohio. The purpose of the inspection was to determine 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). Frontier Local School District was represented by Rob McPeck

I found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following within **21 days** of the date of this letter:

**(1) OAC Rule 3745-279-22(C) and (D), Used Oil Storage Requirements for Generators:** (C) Containers of used oil must be labeled with the words "Used Oil"; (D) Upon detection of a release of used oil to the environment, a used oil generator must stop the release, contain the released used oil, clean up and properly manage the released used oil and materials used to clean up the used oil, and if necessary, repair or replace any leaking used oil storage containers prior to returning them to service for used oil storage.

(C) Eight 55-gallon drums and one 250-gallon tank of used oil behind the bus garage at the high school/middle school were unlabeled. These were labeled during the inspection.

(D) Used oil had spilled onto the ground around and under the drums and tank, saturating soils.

To correct (D) above, you must immediately implement a method of transferring used oil into containers or tanks in such a way so that spills no longer occur (an industrial funnel with a lid could be used). In addition, you must clean up all ground where used oil was released by excavating all oil-contaminated soils until the ground is no longer visibly contaminated with used oil. You must photograph the excavated area and submit photos to me as documentation that this has been done. The oil-contaminated soils should be taken to a licensed municipal solid waste landfill or placed in your solid waste dumpster. If taken to a landfill, a copy of the landfill receipt should be submitted to me as documentation. In addition, you must

immediately send all used oil offsite for recycling to a legitimate used oil recycler who has an EPA ID number, and submit copies of receipts to me as documentation that this has been done. Please also submit receipts to me for your previous offsite shipment of used oil.

For information on the proper used oil management, and a list of used oil recyclers, see:

[http://epa.ohio.gov/portals/32/pdf/used\\_oil\\_generators\\_guidance.pdf](http://epa.ohio.gov/portals/32/pdf/used_oil_generators_guidance.pdf)

<http://epawebapps.epa.state.oh.us/Recyclers/jsp/results.jsp?category=17>

## COMMENTS

1. An aged 55-gallon drum of what was identified by Mr. McPeek as diesel fuel was leaking into the soil behind the bus garage. Please immediately stop the leak, re-containerize the fuel, clean up any contaminated soils by placing them in your dumpster or disposing of them at a licensed municipal solid waste landfill, and send me documentation that this has been done. Please also determine if the remaining diesel fuel in the drum will be used up as fuel or disposed of, and submit a description to me of what you plan to do with it. Note that if the fuel is a waste, it may be a hazardous waste and must either be recycled or disposed of as such by a legitimate recycler or disposal company. If you need information on this option, please let me know.
2. Fluorescent lamps, green tipped or otherwise, may not be disposed of in the dumpsters of any of your schools without first identifying if they are a hazardous waste. If hazardous, they must either be recycled as a universal waste, or disposed of as a hazardous waste. Ohio EPA recommends that all spent fluorescent lamps be recycled. This is because even if they have been evaluated and are below the regulatory limits for mercury, each lamp generated by your schools still contains small amounts of recoverable mercury and other metals. Below is a link to a fact sheet on the proper management of spent fluorescent lamps as a universal waste, which includes a list of lamp recycling companies. Please submit to me either a legitimate waste evaluation of your spent lamps as described in the fact sheet below, or a description of how your entire school system will recycle its spent lamps in accordance with Ohio universal waste rules:  
  
<http://epa.ohio.gov/portals/41/sb/publications/Lampcompliancechecklist.pdf>
3. Several spent lead acid batteries were observed stored on the ground behind the bus garage. Prior to recycling, please store batteries on concrete or blacktop, and under roof to avoid weathering.
4. Following the inspection of the high school/middle school, Ohio EPA also inspected Lawrence, New Matamoras and Newport Elementary Schools, accompanied by Mr. McPeek. All four schools had notified the Ohio EPA in 1993

that they were small quantity generators of hazardous waste. Based on my inspection, none of the four schools is a generator of hazardous waste. The hazardous waste ID numbers for the three elementary schools has now been deactivated by Ohio EPA, however, the ID number for the high school will remain active in our records for administrative purposes only, even though we acknowledge that the school is a nongenerator of hazardous waste. The bus garage at the high school/middle school continues to be a generator of used oil and all four schools may be generators of universal waste spent lamps, depending on the outcome of comment #2 above.

5. You will receive a letter under separate cover regarding the three elementary schools.

You must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 21 days of the date of this letter, your company is requested to provide documentation to this office including the steps taken to abate the violations and address comments 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 [donna.goodman@epa.ohio.gov](mailto:donna.goodman@epa.ohio.gov).

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

If you have any questions, please contact me by telephone at (740) 380-5293 or by e-mail at [donna.goodman@epa.ohio.gov](mailto:donna.goodman@epa.ohio.gov).

Sincerely,



Donna Goodman  
Inspector  
Division of Materials and Waste Management

DG/mr

**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.***

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

<b>Site EPA ID No.</b>	EPA ID Number: <b>OHD987056561</b>	
<b>Site Name</b>	Name: <b>Frontier Local School District Frontier High School</b>	Website: (Optional)
<b>Site Location Information</b>	Street Address: <b>44870 State Route 7</b>	
	City, Town, or Village: <b>New Matamoras</b>	State: <b>OH</b>
	County Name: <b>Washington</b>	Zip Code: <b>45767</b>
<b>Site Land Type</b> (check only one)	Private <input type="checkbox"/> County <input type="checkbox"/> District <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	<b>611110</b>	

<b>Facility Representative</b>	First Name: <b>Bruce</b>	MI:	Last Name: <b>Kidder</b>
Additional names can be recorded in number 12	Title: <b>Superintendent, Frontier Local School District</b>		
	Phone Number: <b>740-865-3441</b>	Phone Number Extension:	
	E-Mail Address:		
Only provide address information if it is different than the site address	Fax Number:		Fax Number Extension:
	Street or P.O. Box: <b>44870 State Route 7</b>		
	City, Town or Village: <b>New Matamoras</b>		Zip Code: <b>45767</b>
	State: <b>OH</b>		

<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: <b>Frontier Local School District</b>	Date Became Owner (mm/dd/yyyy):
	Owner Type:            Private <input type="checkbox"/> County <input type="checkbox"/> District <input checked="" 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: <b>44870 State Route 7</b>	
	City, Town or Village: <b>New Matamoras</b>	Owner Phone #:
	State: <b>OH</b>	Country:    Zip Code:
	Name of Site's Operator:	Date Became Operator (mm/dd/yyyy):
	Operator 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:

<b>VIOLATIONS CITED?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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<b>TYPE OF HANDLER - MARK "X" AS APPROPRIATE</b>		
<input checked="" type="checkbox"/> Not a HW Generator	<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

**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 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       Yes     No      Additional Facility Representatives:      **Rob McPeck, Maintenance Coordinator**  
  
 Tanks             Yes     No  
 Containers       Yes     No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
<b>Donna Goodman</b>		<b>9/18/2013 10:00 AM</b>

**Comments:**  
**Tanks and containers only of used oil.**

## PROCESS, WASTE, P2 SUMMARY SHEET

**Facility Name:** Frontier Local Schools **Facility Type:** non generator **Date of Inspection:** 09/24/2013 **EPA ID#:** OHD987056561

Waste Generated		On- or Off-Site Management			P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Bus Maintenance	Used oil	Varies, accumulated behind bus garage		Recycled offsite	recycled
2	Lighting	Spent lamps unevaluated	varies		Managed as solid waste in dumpster	Recommend recycling

### REMARKS/GENERAL INFORMATION

**General Process Information:**

The Frontier High School/Middle School's bus garage generates used oil. Spent fluorescent lamps are generated by the school but not recycled. No hazardous waste is being generated.

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

Notified in 1993 as an SQG but had never been inspected.

**Additional P2 remarks and information:**

Recommended that spent fluorescent lamps be recycled.

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:** NA

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

*NOTE: 1. 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.*

*2. Inspectors can check BUSTR's web-site at [https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/PublicInquiry.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp) to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at:*

*[https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/SearchByCounty.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp).*

**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"/>
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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"/>
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*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"/>
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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"/>
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*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"/>
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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"/>
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*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"/>
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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"/>
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8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] <b>Tanks and containers were unlabeled but were labeled during the inspection.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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a.	Stopped the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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b.	Contained the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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c.	Cleaned up and properly managed the used oil and other materials? <b>Spills of used oil on the ground had not been cleaned up.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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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"/>
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ON-SITE BURNING IN SPACE HEATER		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
GENERATOR TRANSPORTATION		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	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"/>
<i>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).</i>		
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"/>
<i>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.</i>		