



STATE OF WEST VIRGINIA  
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES  
WASTE MANAGEMENT SECTION

1356 Hansford Street  
Charleston, West Virginia 25301  
Telephone (304)348-5929

GASTON CAPERTON  
Governor

July 12, 1990

J. EDWARD HAMRICK III  
Director

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

LARRY W. GEORGE  
Deputy Director

Pennzoil Products  
1015 Barlow Drive  
Charleston, WV 25333

ATTN: Bill Haynes, Terminal Manager

Dear Mr. Haynes:

Enclosed is a copy of the **Compliance Evaluation Inspection" (CEI) Report** completed on your facility by representatives of the Chief of the Waste Management Section. This report is based on the inspection conducted on May 17, 1990.

In this report, please refer to the **"Compliance Evaluation"** for those violations detected during the course of this inspection.

A copy of this report has been referred to the Administrative Unit of this Division for further action, and also a copy is being transmitted to the United States Environmental Protection Agency (U.S. EPA), Region III, Philadelphia, Pennsylvania.

Thank you for your assistance and cooperation during this inspection. If you have any questions concerning the inspection or the attached report, please feel free to contact this office at (304) 348-5989.

Sincerely,

A handwritten signature in cursive script, appearing to read "H. Michael Dorsey".

H. Michael Dorsey  
Assistant Chief for  
Compliance Monitoring

HMD/kw

Enclosures

cc: Janemarie Newton, U.S. EPA Region III  
Administrative Enforcement  
Chris Gatens, Inspector  
File

P 857 812 395

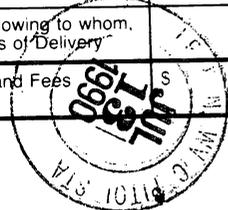
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

**CMS** (See Reverse)

Sent to <b>Bill Haynes</b>	
<b>Pennzoil Products</b>	
Street and No. <b>1015 Barlow Drive</b>	
P.O., State and ZIP Code <b>Charleston, WV 25333</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985



**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)

**CMS** (Extra charge)

3. Article Addressed to:  <b>Pennzoil Products</b> <b>1015 Barlow Drive</b> <b>Charleston, WV 25333</b>  <b>ATTN: Bill Haynes</b>	4. Article Number <b>P 857 812 395</b> Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature - Address <b>X</b> <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent <b>X</b>	
7. Date of Delivery <b>7/16/90</b>	

FY 1989 HAZARDOUS WASTE COMPLIANCE MONITORING AND ENFORCEMENT LOG

Calif. List  
 First 3rd

1. EPA ID: Non-Notifier  
 2. HANDLER NAME: Pennzoil Products  
 3. ADDRESS: 1015 Barlow Drive, Chas., WV 25333

4. Data Entry  
 New   
 Update

5. DATE OF INITIAL EVALUATION WHICH IS THE BASIS FOR THIS REPORT: 11  
 5a. AGENCY RESPONSIBLE FOR EVALUATION: Put code in box 5  
 E = EPA  
 S = State  
 C = Contractor/EPA  
 O = Other  
 B = Contractor/State  
 X = Oversight

6. TYPE OF EVALUATION COVERED BY THIS REPORT: Select Evaluation Type and insert in box: 1  
 1 = Compliance Eval. Inspection (CEI) 4 = Comp GUM Eval (CHE)  
 2 = Sampling Inspection 5 = Compliance Sched. Eval  
 3 = Record Review 11 = Case Dev. Inspection  
 12 = O&M Inspection

7. DATE OF EVALUATION COVERED BY THIS REPORT (enter only if different from 5): 11

7a. Eval. Comments: \_\_\_\_\_

8. CLASS and VIOLATIONS

Key	Violations								
	Class of Violation	GUM	C/PC	Fin. Reg	Pt. B	Onpl. Sch	Manifest	Land-Ban	Other
'X' = Violations, no Specialties							X		X
'B' = Violations & Specialty									
'S' = Same Viol./Specialty							O		O
'Z' = Pending determination									
'O' = No Viol or Specialty found									
Acceptable Codes									
		X	X	X	X	X	X	X	X
		S	S	S	S	S	S	S	S
'I' = No-insurance only		Z	Z	Z	Z	Z	Z	Z	Z
'C' = CA Schedule Violation		O	O	O	O	O	O	O	O
'H' = HPV		H	H	I*	H	C	H	H	H
				B*		B			
'.' = Class I only				H		H			

8a Viol. Comment: Numerous violations (See Compliance Evaluation)

9. ENFORCEMENT ACTIONS:

Class	Area of Viol./rel. (use code)	Type (use code)	Date Action Taken	Compliance Dates			Penalty		Resp. Ag. (use code)
				Scheduled	Actual	Assessed	Collected		

Codes for Types of Enforcement Actions:  
 03 = Warning Letter  
 04 = Admin. Complaint  
 05 = Final Admin. Order  
 10 = Informal  
 11 = Filled Civil Action  
 12 = Filled Criminal Action  
 18 = Civil Referral to AG/DOJ  
 19 = Final Judicial Order  
 15 = CA Init. Admin Order  
 16 = CA Final Admin Order  
 21 = Notice of Non-comp.  
 22 = FFCA  
 23 = Fed. Fac. Referral to HQ  
 Resp Agcy Codes:  
 E = EPA  
 S = State  
 X = EPA Oversight

enforc. Comment: \_\_\_\_\_



## COMPLIANCE EVALUATION INSPECTION

Date Inspected: May 17, 1990  
Inspected By: Christopher Gatens  
Tom Fisher  
Date Prepared: May 21, 1990  
Prepared By: Christopher Gatens  
Subject: Pennzoil Products, Charleston, WV  
EPA Identification Number: Non-Notifier

On May 17, 1990 Tom Fisher, Unit Leader, and I conducted a Compliance Evaluation Inspection of Pennzoil Products in Charleston, West Virginia. Upon arrival for this unannounced inspection at 1:00 P.M., we met with Terminal Manager, Bill Haynes. Mr. Haynes was advised of our authority and the reason for the inspection was explained.

Pennzoil Products of Charleston, WV is a bulk storage facility for Pennzoil fuels and lubricants. The facility houses several large capacity tanks for gasoline, kerosene, and diesel storage. Hazardous waste is generated at the facility when sludge from large gasoline storage tanks is cleaned out. The sludge is classified as a D001 characteristic ignitable and the facility would be a large quantity generator of hazardous waste.

We began the inspection of the facility in Mr. Haynes' office. It was determined that the facility did not have an EPA Identification Number as a hazardous waste generator and records show that the facility had never applied for a provisional EPA I.D. number, either. In discussion with Mr. Hayes on hazardous waste generation, he stated that the facility hired a contractor, Petroclean, Inc. of Carnegie, Pennsylvania to clean sludge from several large tanks in early March, 1990. A copy of the

incomplete shipping manifest #32290, for the material was received from Mr. Haynes. The manifest described the material as Waste Combustible Liquid, Nos with the waste code of D001. He estimated the quantity of material to be about 6500 gallons. In the near future, Pennzoil plans to rebuild the 4 bottoms of the bulk storage tanks at the facility and anticipates sludge removal during the work. Two large storage tanks are scheduled to be cleaned within a month.

A physical inspection of the facility was conducted. The area around the bulk storage loading rack was viewed. At this location, the facility collects product spillage from tanker truck loading operations and accumulates it in 55 gallon drums. Various amounts of diesel, gasoline, kerosene, and oil spillage are mixed together in the drums and picked up by Safety Kleen Corporation about once a year. The last pick up of such material was in 1989 and Safety Kleen shipped it as waste oil. Two full drums of mixed material were present at the loading rack and 5 full drums were located in the storage garage and analyzed for flash point. A split of the sample was offered to Mr. Haynes and accepted. The flash point of our sample was found to be less than 60 degrees Fahrenheit, thus making it hazardous waste. The accumulation state date was not present on the drum and the container was not labeled with the words "Hazardous Waste".

We concluded the inspection with a brief discussion in Mr. Haynes' office. Requirements for a large quantity generator of hazardous waste were explained. It was noted that the facility did not have a detailed

contingency plan. A copy of the EPA Form 8700-12 was submitted to him for notification of hazardous waste activity. At this time we thanked him for his time and cooperation and departed the facility.

### COMPLIANCE EVALUATION

1. The facility has failed to notify the Chief of Waste Management of hazardous waste activity in violation of **Section 4.1.1** of the West Virginia Hazardous Waste Management Regulations, hereinafter titled "the Regulations".
2. The facility has failed to make a hazardous waste determination of loading rack spillage material, contained in drums at the loading rack and at the storage garage, in violation of **Section 6.1.2** of the Regulations.
3. The facility has offered for transportation hazardous waste without having received an EPA identification number in violation of **Section 6.1.3.a** of the Regulations.
4. The facility has failed to properly complete a hazardous waste manifest in violation of **Section 6.2.1.a** of the Regulations, as referenced by **40 CFR Part 262.21 and the Appendix to 40 CFR, Part 262**. In reference to manifest document number 32290, the facility did not complete items 1, 12, 13, 15, 16, 17 and 20 sufficiently.

5. The facility does not have a detailed contingency plan in case of any emergency, in violation of **Section 6.3.5.a.5** of the Regulations, as referenced by **Subpart D in 40 CFR, Part 265**.
6. The facility has stored hazardous waste on site greater than 90 days in violation of **Section 6.3.5.a** of the Regulations.
7. The facility has failed to mark a container of hazardous waste with an accumulation start date in violation of **Section 6.3.5.a.2** of the Regulations.
8. The facility has failed to mark a container of hazardous waste with the words "Hazardous Waste" in violation of **Section 6.3.5.a.4** of of the Regulations.

**WASTE MANIFEST**

Document No. 3-2-2-90

of 1 not required by Federal law.

Generator's Name and Mailing Address

**Pennzoil Products**  
**1015 Barlow Drive, Charleston, WV 25333**

A. State Manifest Document Number

B. State Generator's ID

C. State Transporter's ID **PADO98431885**

D. Transporter's Phone **(412) 279-9556**

E. State Transporter's ID

F. Transporter's Phone

G. State Facility's ID

H. Facility's Phone **(216) 623-8383**

4. Generator's Phone (304) 346-8222

5. Transporter 1 Company Name  
**Petroclean, Inc.**

6. US EPA ID Number  
**P.A.D. 098431885**

7. Transporter 2 Company Name

8. US EPA ID Number

9. Designated Facility Name and Site Address

**Research OIL Company**  
**2777 Broadway Avenue**  
**Cleveland, OH 44115**

10. US EPA ID Number  
**O.H.D.O.O.4.1.7.8.6.1.2**

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)

12. Containers

13. Total Quantity

14. Unit Wt/Vol

15. Waste No.

HM

a.  **Waste Combustible Liquid, NDS**  
**Combustible Liquid, NA1993, RQ(100/45.4)**

No.

Type

**FF**

**G**

**0001**

b.

c.

d.

J. Additional Descriptions for Materials Listed Above

**Material in section 11a is fuel oil and water from tank cleaning.**

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information

**Acceptance Number:**

**16. GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name

Signature

Month Day Year

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name

Signature

Month Day Year

**GENERATOR'S COPY**



# TECHNICAL TESTING LABORATORIES

A DIVISION OF COMMERCIAL TESTING & ENGINEERING CO.

## LABORATORY ANALYSIS REPORT

DNR-St. Albans, WV/Gatens, Chris M.

Laboratory Number K8524

Respectfully  
Submitted:

STA. 01 DRUM B STORAGE  
GARAGE

Sampled by CLIENT  
Date Received 05/18/90

Date Sampled 05/17/90

ANALYSIS FOR REQUESTED PARAMETERS  
ALL RESULTS ARE ON AN AS RECEIVED BASIS

PARAMETER	RESULT	MDL	UNITS	METHOD	ANALYZED	
					DATE/TIME/ANALYST	
Flash Point(Pensky-Martens Closed Cup)	<60	--	F	SW1010	05/30/90 08:42	MH

REF: USEPA; Test Methods For Evaluating Solid Waste; SW-846, 3rd Ed.; Nov, 1986.