

Region 4 Compliance Data Entry Form - Side A

Raleigh
(Rev. 8/97)

96

FACILITY INFORMATION:	Submittal Information	Initial Date	Corrected Date
	By-	-	-
EPA ID Number:	RCRA Comp. Section:	___/___/___	___/___/___
NO ID NUMBER PC5000000200	Received:	___/___/___	___/___/___
	Entered/Returned:	___/___/___	___/___/___

Facility Name: A.J. TATE & Son Oil Co. City: Burlington, NC

EVALUATION DATA: New: ___ Change: ___ Delete: ___ (___ : Required)

Agency: Date: Mo. 06 Day 21 Year 00 Type: CSE Control Number Data Entry Personnel:

--	--	--	--	--	--	--	--

Person: 008 Reason:

Evaluation Comments: (74) 1: Facility Determined to be in Compliance w/NOV Doctet# 200-083
2: Clean Up Completed by EPA-ERRB

SNC DETERMINATION: If this evaluation resulted in a SNC determination, fill in this block. (NOTE: SNC determinations are SNY/SNN evaluations. The SNY/SNN evaluation can also be submitted later on a separate form.)

Facility is (Check one) Date of determination: ___/___/___
 a SNC (SNY evaluation) Same as above eval.: ___/___/___
 or - no longer a SNC (SNN eval.) - or - ___/___/___

VIOLATION DATA: New: ___ Change: ___ Delete: ___

#1 Agency: Type: GGR Date (mdy) Determined: 02/09/00 Class:
 Priority: Branch: 011 Person: 008 Seq. Number (Data Entry): 025
 Return to Compliance: 06/01/00 --- Scheduled --- --- Actual ---
 Reg. Type: SIR Reg. Description (30): 40CFR262.11

#2 Agency: Type: GPT Date (mdy) Determined: 02/09/00 Class:
 Priority: Branch: 011 Person: 008 Seq. Number (Data Entry): 025
 Return to Compliance: 06/01/00 --- Scheduled --- --- Actual ---
 Reg. Type: SIR Reg. Description (30): 40CFR262.12

#3 Agency: Type: Date (mdy) Determined: 02/09/00 Class:
 Priority: Branch: 011 Person: 008 Seq. Number (Data Entry): 025
 Return to Compliance: 06/01/00 --- Scheduled --- --- Actual ---
 Reg. Type: SIR Reg. Description (30): 15A NCAC 13A.0109(a)

RCRA REINSPECTION REPORT

X - VIOLATION NOTED NA - NOT APPLICABLE

Facility Name: Former A.J. Tate & Son Oil Company
Location: 3148 Fleming-Graham Road, Burlington, Alamance County
Mailing Address: C/O Hazel Poteat, P.O. Box 3452, Burlington, N.C.
27215

EPA ID#: N/A **Phone Number:** Hazel Poteat (336)226-0606
Contact/Title: Ms. Hazel Poteat & Ms. Dorine Tate
Inspection Date: June 21, 2000 **Last Inspection:** February 9, 2000
Status: Closed Facility **Type of Inspection:** CSE
Inspector(s): Jesse Wells-WCS, Steve Phibbs, WMS- 6/21/00
Present at Inspection: None

Type of Business: A.J. Tate & Son Oil Company was the site of a former used oil marketer. On September 23, 1999, Mr. Brent Rockett, Waste Management Specialist with the NCDENR Winston-Salem Office conducted an initial investigation of the A.J. Tate and Son Oil Company property due to a complaint being filed with the Section. The property is located at 3148 Fleming-Graham Road near Burlington in Alamance County, N.C. Mr. Rockett observed areas where materials suspected to be used oil had been released onto the land surface. Mr. Rockett also noted that the facility was in violation of requirements as outlined in 40 CFR 279.40 through 40 CFR 279.47 (Subpart E), "Standards for Used Oil Transporter and Transfer Facilities".

On October 19, 1999, Mr. Rockett met with Mr. and Mrs. A.J. Tate to inform them of his findings and to provide them information to bring the facility into compliance. On or about late November or December 1999, the Section was informed that A.J. Tate and Son Oil Company ceased operations.

Due to the closure of the facility, Ms. Hazel Poteat, identified to the Section as a contact for the facility, was sent by certified mail, correspondence dated December 2, 1999, which outlined specific closure recommendations to properly close the facility. The correspondence directed that the closure activities be completed within thirty (30) days.

On February 9, 2000, Steve Phibbs and I inspected the Tate property. We were met on site by Ms. Poteat and a Mr. John Blackwell. It was determined that no closure activities had been initiated by the Tate family. At the time of the inspection we observed approximately seventeen (17) above ground tanks, three (3) 55-gallon containers, one large mobile storage tank marked "Waste Oil" and several other smaller containers. Several areas of

suspected oil discharges were also noted in and around the tanks, containers, and the land surface in general. As a result of our findings Imminent Hazard NOV Docket # 2000-083 was issued to the facility. As a result of the NOV approximately 6500 gallons of used oil was removed from the site by United Oil Brokers on or about February 15, 2000. Ms. Poteat had also performed other cosmetic work (cutting and clearing of trees) to the property. Ms. Poteat sent a letter to the Section dated March 23, 2000, outlining what actions had been taken and to request an extension to the compliance dates outlined in the IMNOV. In previous discussion with Ms. Poteat, both by phone and correspondence, she was informed to attempt to obtain written estimates from environmental contractors in the area to bring the facility in compliance with the NOV.

Ms. Poteat drafted a letter to Ms. Jill Burton, Acting Section Chief, dated May 9, 2000 informing the Division that funds to initiate any cleanup of the property were not available. Along with the letter was one written estimate from Shamrock Environmental Corporation. Ms. Poteat estimated, based on Shamrock's estimate and I believe other verbal estimates, that the cost of cleanup would be between \$75,000 - \$100,000.

Upon receipt of Ms. Poteat's correspondence, contact was made with the EPA Emergency Response and Removal Branch (ERRB) concerning cleanup of the A.J. Tate property. Based upon site conditions ERRB began an immediate removal of waste materials from the Tate property. The removal activities began on or about May 23, 2000. In discussion with Mr. Fred Stroud, ERRB, on June 16, 2000 approximately 30,000 gallons of used oil and 1000 yards of contaminated soil were removed from the property. The used oil and used oil sludges were reportedly taken by A&D Environmental, High Point, N.C. to either be recycled or disposed. Mr. Stroud indicated that the cleanup was complete. A report of ERRB's cleanup effort on the Tate property is expected in about 30 days. A copy of the final report has been requested and once received will be included as a part of the file. A follow up inspection of the site was conducted by Mr. Steve Phibbs on June 21, 2000. It was determined by Mr. Phibbs that the cleanup was complete and no further action was deemed necessary. A barrier has been placed across the property to hopefully limit access to the property and thus prohibit any illegal disposal activities to occur in the future.

Based upon the actions of the ERRB, IMNOV Docket # 2000-083 has been complied with and no further action is required by the NCDENR-HWS.

Waste Generated: Used oils and associated contaminated soils

Manifests: Not Evaluated- Shipments of Used Oil directed by EPA-ERRB

Waste Minimization: N/A.

Inspection Records: N/A

Contingency Plan: N/A

Training Records: N/A

Biennial Report Submitted? N/A

Emergency Preparedness: N/A

Site Deficiencies: None - Facility determined to be in compliance with IMNOV Docket # 2000-083 due to actions completed by U.S. EPA ERRB. Compliance with IMNOV Docket # 2000-083 does not preclude cost recovery efforts against a specific party or parties determined to be responsible for the site.

J.W. Kelly 6/27/00
Inspector (Date)

Mailed To Facility
Facility Contact