



# Oregon

Northwest Region

Kate Brown, Governor

Department of Environmental Quality

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December 13, 2017

Joe Stanaway  
EcoLube Recovery LLC, dba American Petroleum Environmental Services  
11535 N Force Avenue  
Portland, OR 97217

RE: Warning Letter with Opportunity to Correct  
EcoLube Recovery  
2017 - WLOTC - 3088  
Solid Waste Disposal Site Permit Number 1591  
Multnomah County

Dear Mr. Stanaway:

On November 1, 2017, Mr. Eric Spencer of EcoLube Recovery sent information to DEQ regarding material accepted into tank 12 at the EcoLube Recovery dba American Petroleum Environmental Services (APES). On November 20, 2017, DEQ followed up with a visit to the facility. The information provided by Mr. Spencer included the following:

- Analytical results dated July 18, 2017 show used oil in jail tank 3 contained 5.55 mg/kg of PCBs
- Analytical results dated July 19, 2017 of a re-test of the used oil in jail tank 3 showed a PCB concentration of 4.14 mg/kg
- Analytical results of samples from the four truck loads that had been emptied into jail tank 3. This testing showed that truck PDX #15 contained used oil with a PCB concentration of 20.0 mg/kg
- Truck # 15 picked up 7 shipments of used oil and 1 shipment of antifreeze from seven facilities. These shipments ranged in quantity from 100 to 500 gallons.
- Daily transfer log showing the PCB containing used oil was transferred from jail tank 3 to tank 12 on October 6, 2017
- Analytical results from jail tank 3 and PDX #15 after these units were decontaminated with clean distillate appear to show these units were properly decontaminated
- All PCBs detected were Aroclor 1254

On September 27, 2017, the facility was issued DEQ Solid Waste Disposal Site Permit Number 1591. This permit contains condition 2.3 which states "The permittee must not accept used oil with detectable PCB concentrations of 2 ppm or greater".

Based upon review of data provided by you and our site visit of your facility, DEQ has concluded that EcoLube Recovery LLC dba American Petroleum Environmental Services, Inc. is responsible for the following violations of Oregon environmental law:

VIOLATIONS:

- (1) OAR 340-093-0040 prohibits disposal of solid waste at sites not permitted by DEQ to receive that waste. Your facility accepted used oil containing PCB concentrations above 2 ppm when you transferred the used oil from jail tank 3 to tank 12. **This is a Class I violation per OAR 340-012-0065(1)(c).**
- (2) Permit condition 2.3 also requires APES to immediately notify DEQ if used oil containing over 2 ppm of PCBs are inadvertently accepted into the facility. APES did not notify the DEQ Solid Waste Program. **This is a Class II violation per OAR 340-012-0053(2).**

Class I violations are the most serious violations; Class III violations are the least serious.

DEQ is concerned that additional violations may have occurred or will occur, including violations of TSCA and/or RCRA. To maintain compliance with TSCA and RCRA regulations, please work with Michelle Mullin of US EPA Region 10 to ensure compliance with TSCA regulations and with Laurey Cook of DEQ to ensure compliance with RCRA requirements. Please perform any corrective actions required for these programs. Michelle Mullin can be reached at 206-553-1616 or email at [Mullin.Michelle@epa.gov](mailto:Mullin.Michelle@epa.gov)

**Corrective Action(s) Requested**

Violations #1 and 2:

- 1) Immediately cease placing any additional materials into tank 12 until the tank has been fully emptied and decontaminated.
- 2) Immediately cease accepting any used oil with PCB concentrations above 2 ppm. If used oil with detectable concentrations of PCBs is detected in the jail tanks, please inform EPA, DEQ hazardous waste, and DEQ solid waste programs to determine follow up actions.
- 3) Update the site's Operations Plan to include proper receiving, rejection, and management protocols for used oil and spent antifreeze as well as procedures for notifying DEQ. Please submit a draft of the revised Operations Plan to Heather Kuoppamaki at [kuoppamaki.heather@deq.state.or.us](mailto:kuoppamaki.heather@deq.state.or.us) by January 5, 2018

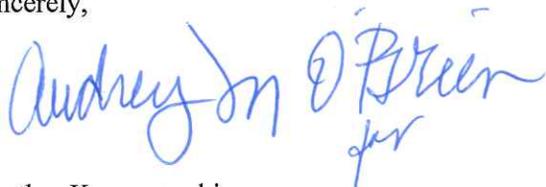
Should these violations remain uncorrected or should you repeat any of these violations, this matter may be referred to DEQ's Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a Department order. Civil penalties can be assessed for each day of violation.

If you believe any of the facts in this warning letter are in error, you may provide information to me at the office at the address shown at the top of this letter. DEQ will consider new information you submit and take appropriate action.

December 13, 2017  
Joe Stanaway  
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DEQ endeavors to assist you in your compliance efforts. Should you have any questions about the content of this letter, please feel free to contact Heather Kuoppamaki in writing or by phone at 503-229-5125.

Sincerely,

A handwritten signature in blue ink that reads "Audrey O'Brien" with "for" written below it.

Heather Kuoppamaki  
Senior Environmental Engineer

Cc: Audrey O'Brien, Manager, Environmental Partnerships, DEQ Northwest Region  
Office of Compliance and Enforcement, DEQ Headquarters  
Eric Spencer, EcoLube Recovery  
Kristi Hunt, EcoLube Recovery  
Michelle Mullin, EPA Region 10  
Meghan Dunn, EPA Region 10  
Laurey Cook, DEQ NWR EP

