REGION 1

BOSTON, MA 02109

Dated as indicated on electronic signature

Greg Masekwic, Owner
Meineke Car Care Center
1022 Union Ave.
Laconia New Hampshire 03246

Re: U.S. Environmental Protection Agency ("EPA") September 18, 2024, Site Inspection Report for Compliance with the Oil Pollution Prevention Regulations (40 C.F.R. Part 112)

Dear Mr. Masekwic,

On July 10, 2024, EPA was notified of an oil spill to Lake Winnipesaukee from Meineke Car Care Center located at 1022 Union Avenue in Laconia, New Hampshire (the "Facility"). A National Response Center report indicates waste oil spilled and flowed from a tank in the Facility's maintenance garage into a nearby storm drain which flows to Lake Winnipesaukee. On August 28, 2024, EPA contacted a representative for the Facility and indicated that EPA would be inspecting the Facility on September 18, 2024.

On September 18, 2024, EPA conducted the site inspection at the Facility under the authority of the federal Clean Water Act ("CWA"). The purpose of the inspection was to view Facility oil storage and transfer operations and review the Facility's applicability under the federal Oil Pollution Prevention Regulations at Part 112.

According to Facility personnel, a waste oil tank leaked and discharged oil onto the maintenance garage floor during the night. The following morning, Facility personnel discovered that the oil escaped the maintenance garage and flowed into a storm drain in front of the garage. According to New Hampshire Department of Environmental Services ("NHDES") oil flowed off the property and into Lake Winnipesaukee. NHDES personnel indicated that the oil spill resulted in a visible sheen in Lake Winnipesaukee.

Facility personnel informed EPA's inspectors that the Facility does not have a federal oil Spill Prevention, Control, and Countermeasure ("SPCC") plan. At the time of the inspection, EPA inspectors did not observe oil storage capacity greater than the regulatory threshold amount of 1,320-gallons under 40 C.F.R. §112.1(d)(2)(ii).

Attached to this letter is the inspection report and pictures taken during the inspection (some of which may contain comments shown in parentheses).

Please note, this letter does not in any way limit the EPA from taking further enforcement actions, including the pursuit of penalties, for the oil discharge mentioned above.

If you have any technical questions regarding this letter or the inspection report, contact Ms. Oakes at (617) 918-1060 or by email at oakes.karissa@epa.gov. If you have any legal questions regarding this matter, please have your attorney contact Mr. Jaegun Lee at (617) 918-1511 or by email at lee.jaegun@epa.gov. We are also providing a link to EPA's Small Business Resources Information Sheet.[1] Finally, please confirm your receipt of this correspondence by providing an email response.

Sincerely,

NEWTON TEDDER Digitally signed by NEWTON TEDDER Date: 2024.11.21 17:38:57 -05'00'

Newton Tedder, Manager
Water Technical Unit 1
EPA Region 1, Enforcement and Compliance Assurance Division

cc: Cameron Simmons, NHDES, cameron.a.simmons@des.nh.gov Karissa Oakes, EPA Region 1, oakes.karissa@epa.gov
Jaegun Lee, Enforcement Counsel, EPA Region 1, lee.jaegun@epa.gov

Enclosures: (electronic)
CWA Inspection Report and Pictures

[1] https://www.epa.gov/compliance/small-business-resources-information-sheet

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Date: *Dated as shown on electronic signature(s)*

Subj: Facility Inspection Report under Clean Water Act ("CWA")

I. Facility Information

A. Facility Location: Meineke Car Care Center, #1541 (the "Facility")
1022 Union Ave.
Laconia, NH 03246

B. Facility Contacts: Greg Masekwic, Owner
1022 Union Ave.
Laconia, NH 03246
(603) 527-8592,
mandg@meineke603.com

C. From: Karissa Oakes

KARISSA OAKES Digitally signed by KARISSA OAKES Date: 2024.11.20 15:42:34 -05'00'

II. Background Information

A. Date(s) of inspection: September 18, 2024

B. Weather Conditions: 75 Degrees Fahrenheit, Sunny

C. US EPA CWA Inspectors: Karissa Oakes
Joseph Canzano

D. Federally Enforceable Requirements Covered During the Inspection:

- Oil Pollution Prevention Regulations, 40 C.F.R. Part 112

III. Type and Purpose of Inspection

The purpose of the site inspection was to view company operations associated with oil storage and transfer activities, locations where portable and/or mobile oil storage containers are positioned, spill containment controls, drainage paths and outfalls to surface waters. Additionally, the EPA inspection team reviewed information associated with the July 10, 2024, oil spill to Lake Winnipesaukee.

IV. Disclaimer

Unless otherwise noted, this report describes conditions observed by EPA inspector/s, and/or obtained through records provided to and/or information reported to EPA by Facility representatives and as understood by EPA. This report may not capture all operations and activities ongoing at the Facility. This report does not make final determination/s on potential areas of concern and/or deficiencies. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigations.

V. Pre-inspection Facility File/Information Review

On July 10, 2024, EPA received a report of an oil spill from the National Response Center ("NRC"), Incident Report ("IR").[1] The oil spill was reported by the State of New Hampshire Department of Environmental Services ("NHDES"). The IR noted a spill of waste oil from a 330-gallon tank. Oil flowed from the tank into Lake Winnipesaukee via a private storm drain. NHDES emergency response units reported observing a sheen and removing oil from Lake Winnipesaukee.

On August 28, 2024, EPA Inspector Karissa Oakes notified the owner, i.e., Mr. Greg Masekwic, that EPA would be conducting an inspection at the Facility on September 18, 2024.

IV. Facility Description

According to information in the public domain, Meineke Car Care Centers, Inc., more commonly known as Meineke, is a franchise-based international automotive repair chain with 966 locations nationwide. Parent organizations are identified as Driven Brands, Inc., Driven Brands Holdings.

Meineke provides limited automotive repairs and fluid change. The Facility is located in Laconia, New Hampshire. This Facility stores and consumes various types of automotive oils, including waste oils in aboveground containers/tanks.

The Facility is located adjacent to Lake Winnipesaukee. Facility runoff/storm drain/s flow into a municipal drainage channel that flows into Lake Winnipesaukee. The automobile service building is about 3,800-square feet in area with an office, customer seating area, and a garage with six service bays.

V. Opening Conference and Facility Inspection

On September 18, 2024, the EPA inspection team (Joseph Canzano and Karisa Oakes) arrived at the Facility at approximately 10:00 a.m. The inspection team presented

[1] Report No1404251

credentials and requested permission to conduct an inspection under the Clean Water Act in response to the spill. Mr. Masekwic granted the inspection team access. Mr. Masekwic identified himself as the owner and operator of the business and would accompany the team on the inspection to answer questions. Mr.Paul Audet identified himself as a manager and indicated he would be taking notes during the inspection.

Inspector Oakes informed Mr. Masekwic that EPA is conducting the inspection as a result of an oil spill on July 9, 2024. EPA Inspectors also informed Mr. Masekwic that the EPA received a spill report from the NRC. Inspector Oakes explains to Mr. Masekwic EPA will evaluate the Facility's applicability under EPA's Oil Pollution Prevention Regulations, specifically for the need to implement and develop a federal oil Spill Prevention, Control, and Countermeasures ("SPCC") plan. Mr. Masekwic informed the inspection team that the Facility did not have an SPCC plan and total oil storage capacity at the Facility is less than 1,320-gallons.

Mr. Masekwic escorted the inspection team through the building and vehicle maintenance garage bays. EPA inspectors began to ask questions about the spill from July 9th, specifically the cause of the spill. Mr. Masekwic showed EPA inspectors a 275-gallon waste oil tank and a hole/puncture in the bottom of the tank. Mr. Masekwic informed EPA inspectors that the tank is single-walled and did not have secondary containment. Oil spilled from the tank onto the concrete floor of the garage, and then flowed by gravity out of the garage, under a garage door, and into a storm drain located directly in front of the garage bay doors.

Mr. Masekwic informed EPA inspectors that he immediately removed the tank from service and purchased a new tank that has secondary containment. Mr. Masekwic indicated that the tank will be scrapped following an inspection by his insurance company. EPA inspectors observed a small hole, estimated less than ¼-inch in diameter, at the bottom of the tank. Mr. Masekwic explained that the spill occurred overnight, and an employee discovered the spill upon arriving in the morning. Mr. Masekwic was unsure of the exact amount that spilled from the tank and storm drain because he did not know the amount of oil in the tank prior to the spill. Mr. Masekwic informed EPA inspectors that employees received some spill response, reporting and safety training. Mr. Masekwic informed EPA inspectors that he contacted the company's response contractor to clean up the spill. The company's clean up contractor contacted NHDES on July 10, 2024, when they arrived on scene.

EPA Inspectors continued their site walk to the back wall of the maintenance garage to the location where the waste oil tank was located at the time of the spill. Inspectors observed, in the same location, a new 275-gallon waste oil tank. The new tank replaced the old tank. The new tank was in a plastic containment tub capable of containing the entire volume of the tank. Located next to the tank, inspectors observed a drum storage area with (3) 55-gallon steel drums containing automotive oils. Inspectors also observed a (1) 55-gallon drum containing product/new antifreeze/coolant, two (2) 55-gallon drums

containing waste/used antifreeze, and a (1) 55-gallon drum containing automatic transmission fluid. Additionally, inspectors observe a (1) 330-gallon double wall tank containing synthetic motor oil, a (1) 110-gallon single wall tank and a (1) 170-gallon single wall tank containing product/new engine motor oils. Mr. Masekwic showed inspectors a spill kit which is kept near the drum storage area. In total, the inspection team observes 1,100-gallons of oil storage in aboveground storage containers 55-gallons or greater.

Mr. Masekwic showed EPA inspectors the storm drain in front of the maintenance garage where the waste oil entered. Mr. Masekwic told the inspection team that the garage floor, pavement, storm drain and piping, and outfall was cleaned since the spill and an oil hood was installed in the storm drain. Mr. Masekwic informed the inspection team that the storm drain is owned by the Facility, and the outfall for the drain discharges directly to a small stream, which also receives municipal road runoff, that flows into Lake Winnipesauke. Mr. Masekwic described to the inspection team DES and the clean up contractor's efforts to remove oil from infrastructure, stream and surrounding soil, including scrubbing of rocks, and intermittent checkpoints to ensure the oil was fully removed. Boom was also placed in Lake Winnipesaukee in certain locations around the mouth of the stream, and an oil skimmer was used to remove 1,500-gallons of oil-impacted water. All cleanup actions were completed by July 10, 2024. EPA inspection team did not observe residue oil/sheen or smell the odor of petroleum

C. Closing Conference

Mr. Masekwic told EPA inspectors that he would try to calculate the amount of waste oil that spilled from the tank and entered the storm drain and would send via email that value to EPA. Ms. Oakes told Mr. Masekwic that EPA will provide him with an inspection report within 60-days.

EPA departed at approximately 11:30 AM.

VI. Inspection Photos

Photo Log Slide #	**Image Descriptions**
1	Failed Waste Oil Tank with Hole
2	Replacement/New Tank with Containment
3	Synthetic Motor Oil Tank
4	110-Gallon & 170-Gallon Motor Oil Totes
5	Oil Drum Storage Area
6	Antifreeze/Coolant & Windshield Washer Fluid Tanks
7	Motor Oil Drum
8	Spill Kit
9 & 10	Oil Drums
11	Storm Drain

12	Interior Storm Drain with New Oil Hood Shield
13	Outfall and Headwall
14	Spill Path to Lake Winnipesaukee
15	Oil Staining on Pavement