



State of Ohio Environmental Protection Agency

Southwest District Office401 E. Fifth St.
Dayton, Ohio 45402TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.usTed Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korfeski, Director

March 22, 2007

River Road Auto Parts
Mr. Melvin Shapiro
6095 River Road
Cincinnati, Ohio 45233

Dear Mr. Shapiro:

On March 14, 2007, Ohio EPA and the Cincinnati Health Department conducted a joint inspection of River Road Auto Parts. Rick Thornburg and Matt Clayton represented the Cincinnati Health Department. Harry Smail, Holly Hillyer, both from the Division of Solid and Infectious Waste Management, and I represented the Ohio EPA. The purpose of my visit was to determine your facility's compliance with Ohio's hazardous waste laws and regulations.

Based on the inspection, Ohio EPA has determined that River Road Auto Parts has violated the following hazardous waste regulations:

- 1. Waste management - standards for small quantity handlers of universal waste, Ohio Administrative Code (OAC) 3745-273-13(A)(1):** A small quantity handler of universal waste must manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows: A small quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

River Road Auto Parts failed to comply with this Rule by not placing leaking or damage batteries in closed containers.

To return to compliance, immediately place all batteries that show evidence of leakage, spillage, or damage in closed containers.

2. **Labeling/marking – standards for small quantity handlers of universal waste, OAC 3745-273-14(A):** Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste – Battery(ies)," "Waste Battery(ies)," or "Used Battery(ies)."

River Road Auto Parts failed to comply with this Rule by not properly marking or labeling the universal waste batteries.

To return to compliance, immediately label or mark each battery or container with one of the phrases required by this rule.

3. **Employee training for small quantity handlers of universal waste, OAC 3745-273-16:** A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the site.

River Road Auto Parts failed to comply with this Rule by not properly training employees.

To return to compliance, immediately inform employees of proper handling and emergency procedures for universal waste batteries.

4. **Response to releases – standards for small quantity handlers of universal waste, OAC 3745-273-17(A)&(B):** A small quantity handler of universal waste must immediately contain all releases of universal wastes and other residues from universal wastes. A small quantity handler of universal waste must determine whether any material resulting from the release is hazardous waste, and if so, must manage the hazardous waste in compliance with all applicable requirements of Chapters 3745-50 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code. The handler is considered the generator of the material resulting from the release, and must manage it in compliance with Chapter 3745-52 of the Administrative Code.

River Road Auto Parts failed to comply with this Rule by not containing releases from several damaged batteries.

To return to compliance, properly contain any damaged batteries and any residues.

General Comment

During the inspection, you were unable to recall the name of the used oil transporter or collection center where River Road Auto Parts sends its used oil. Please locate this information to verify that River Road's used oil is properly transported and managed off-site.

Mr. Melvin Shapiro
March 22, 2007

I will conduct a reinspection of River Road Auto Parts within 30 days of receipt of this letter. If you have any questions, please call me at (937) 285-6093.

Sincerely,



Cathy L. Altman
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM-SWDO/SWDO File
Holly Hillyer, DSIWM
Matt Clayton, Cincinnati Health Department

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.

