



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Kozlowski, Director

September 20, 2010

**RE: AUTO COLLISION AND FRAME WORK, INC.
NON-NOTIFIER (FKA OHD 981 778 251)
CUYAHOGA COUNTY
CESQG NOV**

Mr. Lenny Reale
Auto Collision and Frame Work, Inc.
11201 Franklin Blvd.
Cleveland, Ohio 44102

Dear Mr. Reale:

Please thank Mr. Dwayne Casper, manager of Auto Collision and Frame Work, Inc. (Auto Collision) for accompanying me during Ohio EPA's August 27, 2010, compliance inspection of Auto Collision at 11201 Franklin Blvd., Cleveland, Ohio. I inspected Auto Collision to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). I also inspected Auto Collision for compliance with Ohio's universal waste rules.

Auto Collision is an auto body and frame repair company. As part of its auto painting operations, the facility generates hazardous waste spray gun cleaner solvent (D001, F003, F005). Mr. Casper indicated the facility generates no more than five gallons of waste solvent every two months. The solvent is collected in a five gallon container which, when full, is cycled through a small on-site still where the solvent is recovered and then re-used. The hazardous waste generated by this process is a small, solid, still bottom "puck" (F005) which Auto Collision has been managing as a solid waste. The facility also generates spent universal hazardous waste lamps which Mr. Casper indicated were also being disposed of as a solid waste.

Auto Collision was found to be in violation of the following hazardous waste regulations found in Chapter 3745 of the Ohio Administrative Code. In order to correct this violation, you must do the following and send me the required information **within 30 days** of your receipt of this letter:

- 1. Waste Evaluation, OAC 3745-52-11:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51. Auto Collision violated this regulation by disposing of spent lamps (primarily fluorescent lamps) as solid waste without determining whether or not the lamps were a hazardous waste. The spent fluorescent lamps contain mercury or other hazardous metals and may therefore be a hazardous waste.

To abate this violation, submit documentation indicating how Auto Collision will manage the spent lamps in compliance with Ohio's hazardous and/or universal waste regulations. As an alternative to determining whether your particular waste lamps are hazardous waste, you may wish to manage them as Universal Waste. In general, this would involve saving the waste lamps in a properly labeled ("used lamps" and date accumulation began) and closed container (such as a cardboard box) and having them recycled by a lamp recycler. Please be advised, however, that universal wastes may be accumulated at the property for no longer than one year.

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2. **Off-Site Shipment of Hazardous Waste; ORC 3734.02 (F):** The MSDS for the gun cleaner (JT501) used by Auto Collision indicates the material is a solvent blend containing 30% to 60% toluene. When a waste, this material would have the waste codes D001, F003, and F005. The still bottoms from the recovery of this material are hazardous waste and retain the F005 waste code.

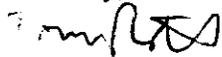
During my inspection, Mr. Casper indicated Auto Collision is disposing of the still bottoms with the facility solid waste. This is a violation of ORC 3734.02 (F) which prohibits the transportation of hazardous waste to a solid waste landfill. To return to compliance with this regulation, indicate in your response letter the new procedure to facilitate the proper accumulation and disposal (to a permitted Treatment, Storage, and Disposal Facility) of the hazardous waste still bottoms (F005).

Enclosed you will find a copy of the checklists that I completed as a result of the inspection. I have also included Ohio EPA's publication *Identifying Your Hazardous Waste*.

Please be advised that the Auto Collision property is assigned hazardous waste ID number OHD 981 778 251 and lists the generator name as MAACO Auto Painting. I have enclosed Ohio EPA's RCRA Subtitle C Site Identification form for you to complete and submit if you desire to put the ID number into Auto Collision's name. For further information, visit <http://www.epa.state.oh.us/dhwm/notiform.aspx>.

Should you have any questions, please feel free to call me at (330) 963-1231. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Tom Roth
District Representative
Division of Hazardous Waste Management

TR:cl
Enclosure

ec: Harry Sarvis, DHWM, CO
Nyall McKenna, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO

cc: Marlene Kinney, DHWM, NEDO

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.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>