

**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

January 19, 2011

**RE: AUTO SALVATION LLC
550 OHIO AVENUE, RAVENNA
NOTICE OF VIOLATION**

CERTIFIED MAIL

Al Brunner
Auto Salvation LLC
550 Ohio Ave.
Ravenna, OH 44266

Dear Mr. Brunner:

Jarnal Singh and Robert Almquist met with you on January 7, 2011 at Auto Salvation LLC located at 550 Ohio Avenue, Ravenna, Ohio. The purpose of this was to investigate a complaint and to determine if Auto Salvation was in compliance with Ohio's hazardous waste, used oil, and solid waste laws.

The complaint alleged that hundreds of gas tanks were on the property including some that had been crushed by heavy equipment and that were leaking gasoline onto the ground. It also alleged that automotive fluids were released onto the ground, over a thousand tires were on the property, and garbage and automotive parts were in the stream.

We did see gas tanks but because of the snow cover we could not tell whether there was any evidence of gas that had leaked onto the ground. We will come back to inspect for this when there is no snow on the ground. You said that all gas is drained from the gas tanks and used in equipment or vehicles. You also showed us a drum stored inside that would be used to store waste gasoline if it could not be used for some reason. We did see scrap tires, and the regulations regarding this are discussed below. There was what looked like a seasonal stream on one edge of the property. Some scrap tires were seen there. We will look closer at this area when we come back when there is no snow cover.

We gave you a list of registered scrap tire haulers, a copy of the rule OAC 3745-27-60 and Ohio EPA fact sheets pertaining to management and handling of scrap tires in Ohio. You stated you do not utilize the services of a scrap tire transporter and that used tires that are not re-saleable are placed in cars (4 tires per car) and are sent to an auto shredding facility in Cleveland. A scrap tire pile was observed located approximately in the center of the yard. This pile measured approximately 20x30 feet by 6 feet high and was in compliance with the scrap tire storage requirements contained in OAC 3745-27-60. However, other scrap tires observed at the site, notably those strewn in the tree line along the eastern property line, were not stored in compliance with the storage requirements.

Ohio Administrative Code (OAC) 3745-27-61(A)(2)(c) permits businesses that remove tires from motor vehicles in the ordinary course of business to have a single scrap tire storage area that occupies no more than twenty-five hundred square feet. Thus, scrap tires located

on your property that are not stored within a single 2500 square feet basal area are in violation of:

- i) **OAC 3745-27-60(B)** which states in part, "*The storage of scrap tires in any amount outside or inside a trailer, vehicle, or building shall be deemed a nuisance, a hazard to public health or safety, or fire hazard unless the tires are stored in accordance with...*" the standards contained in OAC 3745-27-60(B):
- ii) **Ohio Revised Code (ORC) Section 3734.03** which states in part, "*No person shall dispose of solid wastes by open burning or open dumping,*" and
- iii) **OAC 3745-27-05(C)** which states "*no person shall conduct, permit or allow open dumping.*"

Scrap tires which are not stored in compliance with OAC 3745-27-60(B) and 3745-27-61(A)(2)(c) i.e. those which are not stored within a 2500 square feet basal area pile are considered to be open dumped and are a nuisance, a hazard to public health and safety and a fire hazard. In order to correct the above referenced violations, scrap tires that are dumped along the property perimeter, and those scattered around the site, must either be placed within the allowed 2500 square feet (maximum 6 feet high) pile or they must be removed from the property by a registered scrap tire transporter. A list of registered scrap tire transporters was provided during the January 7, 2011 inspection.

In addition to the above requirements, OAC 3745-27-60(C) requires that scrap tires be kept in a manner that prevents mosquitoes from living or breeding in them. Scrap tires must either be kept dry (by covering etc.) or they must be treated with mosquito control (pesticide or larvicide etc). Mosquito control records must be maintained at the premises for inspection by Ohio EPA and/or the health department. A copy of rule OAC 3745-27-60 was provided during the January 7, 2011 inspection.

Please submit a written response within 15 days of your receipt of this letter, identifying what actions have been or are being taken to correct the above cited violations. Failure to correct these violations may result in enforcement action being taken against you by this Agency.

This facility generates used oil from vehicle oil changes. It is poured into a funnel and pipe inside which leads to an outside tote. This used oil is shipped to Akron Canton Waste Oil in Canton, Ohio. I received from them a copy of their manifest showing 210 gallons picked up on November 8, 2010. A copy of this manifest is enclosed.

A parts washer containing gasoline is used to clean parts. You may want to start using a solvent that is safer than gasoline. Gasoline is highly flammable and also fairly toxic if breathed in or if adsorbed through your skin. Ohio EPA's Office of Compliance Assistance

Al Brunner
Auto Salvation LLC
January 19, 2011
Page 3

and Pollution Prevention (OCAPP) may be able to suggest alternate solvents. They can be contacted at (800) 329-7518, or <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/ocapp>.

The parts washer containing gasoline was recently emptied for the first time in two years. The waste from this was emptied into the used oil tote. This is allowed as long as the total amount of hazardous waste (waste gasoline is a hazardous waste) generated during that month is less than 220 pounds.

You also had a drum stored outside that is used to collect used oil that is not good quality used oil (like that which is put into the tote mentioned above). You had an open funnel in this drum. This drum should be kept closed to avoid you having to pay to dispose of rainwater that gets into it and to avoid spills from the drum overflowing. The following document is enclosed:

[The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, 2006](http://epa.ohio.gov/portals/32/pdf/Used_Oil_Generators_Guidance.pdf)
http://epa.ohio.gov/portals/32/pdf/Used_Oil_Generators_Guidance.pdf

A checklist outlining the used oil rules is also enclosed.

The following used oil violation was found:

1. OAC rule 3745-279-22(C) - Used oil labels.
This rule requires containers and aboveground tanks for used oil to be labeled or marked clearly with the words "Used Oil".

Auto Salvation violated this rule by having a tote and a drum of used oil that were not labeled as used oil. When we do our follow-up inspection we will make sure these are labeled.

The following additional documents were given to you during the inspection:

[Environmental Compliance Guide for Motor Vehicle Salvage Yards, 2003](http://www.epa.ohio.gov/portals/41/sb/publications/salvageguide.pdf)

<http://www.epa.ohio.gov/portals/41/sb/publications/salvageguide.pdf>

[National Mercury Vehicle Switch Removal Program – Ohio, 2010](http://epa.ohio.gov/ocapp/sb/switch_removal_program.aspx)

http://epa.ohio.gov/ocapp/sb/switch_removal_program.aspx

[Does My Small Business Need a Storm Water Permit?, 2010](http://www.epa.ohio.gov/portals/41/sb/publications/stormwaterpermit.pdf)

<http://www.epa.ohio.gov/portals/41/sb/publications/stormwaterpermit.pdf>

[Do You Know Where Your Floor Drains Go? 2010](http://www.epa.ohio.gov/portals/41/sb/publications/floordrains.pdf)

<http://www.epa.ohio.gov/portals/41/sb/publications/floordrains.pdf>

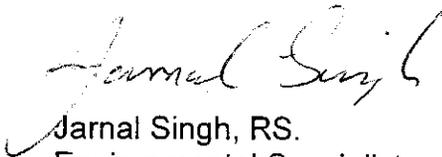
Al Brunner
Auto Salvation LLC
January 19, 2011
Page 4

Phil Rhodes of Ohio EPA's Division of Surface Water has determined that your facility does not have a General Storm Water Permit. Facilities such as yours are required to obtain this permit. Please call him at (330) 963-1136 for help in applying for one.

You can find copies of the regulations and other information on the Ohio EPA web page at <http://www.epa.ohio.gov/>. If you have any questions, please contact Robert Almquist at (330) 963-1217, or robert.almquist@epa.state.oh.us, or Jarnal Singh at (330) 963-1276, or jarnal.singh@epa.state.oh.us.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,



Jarnal Singh, RS.
Environmental Specialist
Division of Solid and Infectious Waste Management



Robert Almquist
Division of Hazardous Waste Management

RA/JS/cl
Enclosures

ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO
Phil Rhodes, DSW, NEDO

cc: Marlene Kinney, DHWM, NEDO

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from its obligation to comply with all applicable regulations.

Send to Central Office

**Ohio Environmental Protection Agency
RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No.	EPA ID Number:		Website: (Optional)	
Site Name	Name: Auto Salvation LLC			
Site Location Information	Street Address: 550 Ohio Ave.		State: OH	
	City, Town, or Village: Ravenna		Zip Code:	
	County Name: Portage		Indian Municipal State Other	
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>
NAICS code(s) www.census.gov/epcd/www/naics.html				
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Al		MI:	Last Name: Brunner
	Title:			
	Phone Number: 330-296-2729		Phone Number Extension:	
	E-Mail Address:			
	Fax Number: 330-298-0758		Fax Number Extension:	
	Street or P.O. Box:			
	City, Town or Village:		Zip Code:	
Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Tim O'Grady		Date Became Owner (mm/dd/yyyy):	
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
	Street or P.O. Box:			
	City, Town or Village:		Owner Phone #: 216-299-1162	
	State:		Country:	Zip Code:
	Name of Site's Operator: Art Schroeder		Date Became Operator (mm/dd/yyyy):	
	Operator Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
	Street or P.O. Box:			
	City, Town or Village:		Operator Phone #: 614-561-4603	
	State:		Country:	Zip Code:

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)

(CHECK ALL BOXES THAT APPLY)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-57-200 through 3745-52-216. (Check the boxes) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

- | | | | |
|------------|------------------------------|--|---|
| Announced | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Containers | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |

Name of Inspector(s)
Robert Almquist

Name of Inspector(s)
Jarnal Singh, DSIWM

Date of Inspection/Time
 (mm/dd/yyyy) (hh:mm)
01/07/2011

Comments:

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	--	---

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks, or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

[Facility Name/Inspection Date]

[ID Number]

ON-SITE BURNING IN SPACE HEATER		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
GENERATOR TRANSPORTATION		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).</i>		
COLLECTION CENTERS AND AGGREGATION POINTS		
13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.</i>		