



**Environmental
Protection Agency**

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

March 21, 2011

**RE: B & B RECYCLING
PORTAGE COUNTY
RCRA / NON-NOTIFIER
COMPLAINT #7382**

Terry Tomer
B & B Recycling
Owner/Operator
4794 Cummings Road
Ravenna Township, OH 44266

Dear Mr. Tomer:

On March 2, 2011, Ohio EPA's Division of Hazardous Waste Management (DHW) conducted a complaint investigation of the B & B Recycling facility (B & B) located at 4794 Cummings Road, in Ravenna Township. B & B is a scrap metal recycling yard and a generator of used oil and spent lead acid batteries.

The purpose of this inspection was to investigate a complaint regarding possible mismanagement of used oil and batteries, and to determine B & B's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). B & B was represented by Boris Alexoff while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the B & B facility and a review of written documentation.

Based upon this inspection, Ohio EPA has determined that B & B has violated the following state hazardous waste regulations:

1. **OAC Rule 279-22(C)(1) Used oil requirements for generators:** *"Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."*

At the time of this inspection, Ohio EPA observed one, two-hundred fifty gallon container of used oil which was not labeled as "Used Oil". Upon observation of this violation, Ohio EPA provided Mr. Alexoff with Used Oil labels and instructed him to label the container. Ohio EPA therefore considers this violation abated and no further action is required.

The complaint regarding used batteries was determined to be unfounded. B & B collects used batteries for recycling and manages them properly on pallets and under cover.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (*i.e.* source reduction). For those wastes and pollutants that are generated, the second is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment and improve your public image by implementing pollution prevention programs. The Office of Compliance Assistance and Pollution Prevention provides compliance and pollution prevention assistance on environmental issues related to air, land and water. Their web site is: <http://www.epa.state.oh.us/opp/ocapp.html>.

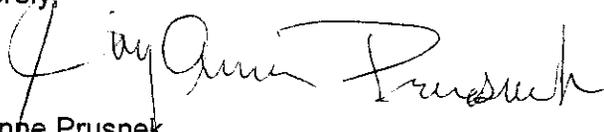
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The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you have not already, we encourage you to sign-up for this free service. You can find more information at the following Web link: <http://www.epa.state.oh.us/dhwm/listserv.html>.

Failure to list specific deficiencies in this communication does not relieve B & B from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve B & B from liability for any past or present violations of the state's hazardous waste laws.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:cl

~~Enclosure~~

cc: Marlene Kinney, DHWM, NEDO
ec: Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO