



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

July 1, 2008

RE: B2 AUTO / PICK-A-PART  
STARK COUNTY  
COMPLAINT # 7064  
SECOND NOTICE OF VIOLATION

Chris Barth  
Pick-A-Part and B2 Auto Crusher Facilities  
127 E. Keystone  
Alliance, OH 44601-1718

Dear Mr. Barth:

On April 17, 2008, you were sent a Notice of Violation for items determined not to be in 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). No response has been received to this Notice of Violation based on a March 26, 2008 site inspection conducted by myself, representing the Ohio EPA's Division of Hazardous Waste Management.

### Visual Inspection

Your two facilities sell and recycle various automotive parts and other scrap metal. Parts storage is largely located on the ground. Some storage was observed on racks or placed inside trailers. The trailers and buildings at the site were not inspected. Observations indicated that some minor oil leaking does occur to the ground locally at the 127 E. Keystone site and to a greater degree at the 327 E. Keystone facility. Numerous gas tanks were observed at both facilities. It was reported that gasoline was drained and used. Lead acid batteries were reported collected weekly and sent for recycling. Tires were observed at both facilities locally with a significant quantity piled in the southeast corner of the 327 E. Keystone facility.

### NOTICE OF VIOLATIONS

The following violations of Ohio's hazardous waste regulations were found during the inspection. In order to abate the violations you must do the following **within 30 days** of your receipt of this letter:

- 3. OAC 3745-279-22(D) Response to Releases of Used Oil:** "Upon the detection of a release of used oil to the environment, a generator shall...clean up and manage properly the released used oil..."

There are several locally stained areas on the ground below transmissions, engines/vehicles and at used oil containers in the 127<sup>th</sup> street facility and in broader areas of operation at the 327<sup>th</sup> Street facility. You failed to prevent and cleanup, when needed, releases of used oil.

You must clean up the releases and modify management practices to eliminate the cause of the releases. Soils contaminated with used oil can typically be disposed to a municipal solid waste facility. You must take management steps to ensure collection of all fluids and recognition and cleanup of releases when they occur. You must inform employees of these procedures and provide to me in writing that: 1) employees have been so trained, 2) fluid management procedures have been implemented, and 3) stained, oily areas have been cleaned up. Generalized regulations for understanding management of used oil were previously presented in a *Fact Sheet* on "The Regulation of Used Oil" and a "Compliance Screening Checklist".

Prior to crushing operations, vehicles should be drained at a common location where fluids are properly captured. Provisions to capture residual fluid from crushing should also be made.

#### **NOTICE OF CONCERNS**

In addition to the above violations, the following concerns, recommendations and potential violations were noted:

1. Under Ohio EPA's Storm Water Program, recycling facilities, including scrap yards, battery reclaimers, salvage yards, and automobile junkyards and those classified as SIC 5015 and 5093, are required to obtain NPDES permit coverage. You may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) in which facility stormwater issues are described and Best Management Practices (BMP's) are developed and implemented to minimize stormwater issues.
2. Based upon information from the inspection, you may be in violation of Ohio air pollution regulations. OAC 3745-19-04 (B) states that fires shall not be used for waste disposal purposes, and shall be the minimum size sufficient for their intended purpose; the fuel shall be chosen to minimize the generation and emission of contaminants. Materials that may not be burned anywhere in the state include: rubber, grease, asphalt, petroleum and petroleum made products such as tires, auto parts, plastics or plastic coated wire. The disposal of solid or fluid waste by open burning is prohibited. A burn drum was observed that appeared to have some wastes inside. At the time you indicated that workers used the drum for warmth. Be advised that only clean fuel must be used.
3. The Ohio EPA observed numerous used tires stored at the facility in the southeast corner of the 327 E. Keystone facility. You reported that there had been a large pile of tires between the two buildings and that you had been working on the removal. Ohio EPA reviewed aerial photographs. It appears that the tires from between the buildings had been moved to the corner. Based on the number of tires present you appear to be in violation of Ohio's Scrap Tire Rules. In general, scrap tires should be kept dry by inside storage or covered, if stored outside. Otherwise, mosquito control must be applied to prevent mosquitoes from living and breeding. Tire piles must be separated by appropriate fire lanes that are kept free of litter, debris and vegetative matter. Tires must be kept at least 50 feet from possible ignition sources.

Tires that are removed from vehicles (both on and off rims) are defined as scrap tires. A tire that is still on a vehicle is not defined as a scrap tire. Fact Sheets, "How Do Ohio's Scrap Tire Rules Affect Generators of Scrap Tires?" and "Mosquito Control at Scrap Tire Facilities" are enclosed. Also enclosed is a list of "Ohio EPA Registered Scrap Tire Transporters".

The Ohio EPA Division of Solid and Infectious Waste and the Stark County Health Department have been notified of this matter.

4. **Mercury switches** were used for convenience lighting in hoods and trunks in older models and in some anti-lock braking systems of many vehicles manufactured till 2003. You were currently considering the removal of mercury switches prior to crushing. You should locate and remove mercury switches from vehicles prior to crushing or sending offsite as scrap.

**Provide a statement or procedure that indicates mercury switches will be removed and sent for recycling.** Recycling locations may be found at: <http://www.epa.state.oh.us/ocapp/mercuryswitches.pdf> or may be taken by one of the facilities listed on the enclosed sheet. Additional mercury switch information is also found at: <http://www.epa.gov/mercury/switch.htm>. A state of Ohio program will provide licensed auto salvage yards \$3.00 for each mercury switch removed prior to dismantling or crushing of vehicles.

5. The following are links for coolant recycling opportunities:  
<http://www.cuvahogaswd.org/business/recdirectory.asp>  
<http://www.epa.state.oh.us/opp/auto/antfrez1.html>  
<http://www.epa.state.oh.us/opp/auto/antfrez2.html>.

You can find copies of the rules and other information on the DHWM's web page at: <http://www.epa.state.oh.us/dhwm>. Other useful information from the Ohio EPA about pollution prevention may be found at: <http://www.epa.state.oh.us/opp/>.

Please submit the requested documentation to my attention within **30 days** of receipt of this letter. A Site Identification Form, a Used Oil Inspection Checklist and the CESQG checklist were previously provided. Should you have any questions, please feel free to contact me at (330)963-1146 or at [ron.shadrach@epa.state.oh.us](mailto:ron.shadrach@epa.state.oh.us).

Sincerely,



Ronald J. Shadrach  
Environmental Specialist  
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO  
Dean Stoll, DSW, NEDO  
Josh Adams, DSIWM, NEDO  
cc: Stark County 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.