



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

April 17, 2008

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

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

Dear Mr. Barth:

On March 26, 2008, representing the Ohio EPA's Division of Hazardous Waste Management, I conducted a complaint investigation of your Pick-A-Part facility at 127 E. Keystone and the B2 Auto Crusher facility at 327 E. Keystone in Alliance. The complaint alleged that oils, gasoline, antifreeze and battery acids are leaking onto the ground at these sites. An employee, (Marshall) represented the 127 E. Keystone site and you represented the 327 E. Keystone site during the investigation. Your facility was inspected to determine 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).

Visual Inspection

Your 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:

1. **Used Oil Storage Requirements for Generators (Labels), OAC 3745-279-22(C):** B2 / Pick-A-Part failed to properly label containers of oil at both facilities.

This violation was abated when the containers were labeled as "used oil". Please ensure all containers are labeled and remain properly labeled at both sites.

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 127th street facility and in broader areas of operation at the 327th 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 are presented in the enclosed *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 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 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 dollars for each mercury switch removed prior to dismantling or crushing of vehicles.

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

Enclosed for your use is a copy of the Ohio EPA's Environmental Compliance Guide for Motor Vehicle Salvage Yards regulations that apply to your activities. Also enclosed is a Motor Vehicle Salvage Yard Waste Management Chart for you use. 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/oppl>.

Please submit the requested documentation to my attention within **30 days** of receipt of this letter. Enclosed please find a copy of a Site Identification Form, a Used Oil Inspection Checklist and the CESQG checklist that was completed for this inspection. Should you have any problems or questions, please feel free to contact me at (330)963-1146 or at ron.shadrach@epa.state.oh.us.

Sincerely,



Ronald J. Shadrach
Environmental Specialist
Division of Hazardous Waste Management

Enclosures

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
Dean Stoll, DSW, NEDO
Harry Sarvis, DHWM, CO
Josh Adams, DSIWM, NEDO
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.

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

For Ohio EPA use only

E-mail this completed form to
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
McConnell, Central Office

2. Site EPA ID Number:	EPA ID Number: CESQG	
3. Site Name:	Name: Pick-A-Part	Website: (Optional)
4. Site Location Information	Street Address: 127 E. Keystone	
	City, Town, or Village: Alliance	State: OH
	County Name: Stark	Zip Code: 44601
5. Site Industry (Check only one)	<input type="checkbox"/> Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
6. Site Contact Information	First Name: Chris	MI:
	Last Name: Barth	
	Phone Number: 330-823-4488	Phone Number Extension:
	E-Mail Address:	
	Fax Number:	Fax Number Extension:
	Street or P.O. Box:	
	City, Town or Village:	Country:
	State:	Zip Code:
7. Site Ownership Information	Name of Site's Legal Owner:	
	Chris Barth	Date Became Owner (mm/dd/yyyy):
8. Site Operator Information	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	Owner Type:
	Street or P.O. Box:	
	City, Town or Village:	Owner Phone #:
	State:	Country:
	Name of Site's Operator:	Zip Code:
	Date Became Operator (mm/dd/yyyy):	
	<input type="checkbox"/> Owner <input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	Operator Type:
	Street or P.O. Box:	
	City, Town or Village:	Operator Phone #:
	State:	Country:
	Zip Code:	
9. Violations Cited:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)	<input type="checkbox"/> Not Regulated <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG)	
	<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> United States Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator	
	<input type="checkbox"/> Hazardous Waste Transporter <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste <input type="checkbox"/> Recycler of Hazardous Waste <input type="checkbox"/> Underground Injection Control Facility	
	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace <input type="checkbox"/> Small Quantity On-Site Burner Exemption <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption	

10B. Universal Waste Activities (indicate types of universal waste managed (check all boxes that apply).)

Small Quantity Handler of Universal Waste Large Quantity Handler of Universal Waste
 Destination Facility for Universal Waste

Check all boxes below that apply for each of the three types of facilities above:

10C. Used Oil Activities (Indicate Type(s) of Activity (ies).)

	<input checked="" type="checkbox"/> Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	

11. RCRA Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste(s) at the site. List them in the order they are presented in the regulations (e.g., D001, P001, U112, U05) and add additional page if more space is needed. If there are more than 7 waste codes and they are the same as used in the most recent RCRA info source record, you do not need to list them all. Instead, just indicate the date of the most recent source record.

D001

12. 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	Other Comments: Containers for used oil.
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

13. Name of Inspector(s) * Name of Inspector(s) Date of Inspection Time (mm/dd/yyyy) (hh:mm)
 Ron Shadrach DHWM, NEDO 3/26/2008 1:30

14. OPTIONAL CERTIFICATION: I hereby affirm under penalty of law that this document and all attachments were prepared by me or under my direct supervision and I am a duly qualified person to gather and verify the information submitted. I declare my integrity as the person or persons who manage the system or those persons directly responsible for gathering the information submitted to the U.S. EPA. I declare that the information is true, accurate, and complete to the best of my knowledge. Significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)

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

CESQG: ≤ 100 Kg. (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: $\geq 1,000$ 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 No N/A

GENERATOR CLASSIFICATION

2. Does the generator produce < 100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

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 No N/A

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 No N/A
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

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.

REMARKS

1. Facility uses fluorescent lamps that may be a hazardous waste if disposed. Recommend lamps be recycled and managed as a universal waste. Also generates some aerosol cans which could be a hazardous waste if not empty when disposed. Cans must be empty. Empty cans, can be recycled for scrap. Facility should remove and recycle mercury switches from vehicles, info provided.