



**Environmental
Protection Agency**

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

May 24, 2011

Joseph Piscazzi
Piscazzi Auto Body
752 N. Main St
Akron, OH 44310

**RE: PISCAZZI AUTO BODY OHD 986 977 536, SUMMIT COUNTY, CESQG-CEI,
NOTICE OF VIOLATION**

Dear Mr. Piscazzi:

On May 17, 2011, Ohio EPA's Division of Materials and Waste Management, represented by Edward D'Amato, inspected Maaco for compliance with Ohio hazardous waste laws and regulations found in Chapters 3734 of the Ohio Revised Code (ORC) and 3745 of the Ohio Administrative Code (OAC). Piscazzi Auto Body was represented by you during the inspection.

Piscazzi Auto Body is an auto body repair shop, and is a Conditionally Exempt Small Quantity Generator of Hazardous Waste.

The following waste streams were identified at your facility:

1. Spent paint thinner generated by paint gun cleaning (approximately 10 gallons per month, F003/F005 hazardous waste). The paint thinner is recycled in a solvent still.
2. Still bottoms (pucks) from a solvent distillation unit (F003/F005 hazardous waste).
3. Filters from a paint booth (non-hazardous).
4. Universal waste lamps and batteries.

The following violation was found. In order to correct it, you must do the following and send me all requested information **within 30 days** of the date of this letter:

**1. Hazardous Waste Determination
OAC 3745-52-11**

Any person who generates a waste in the state of Ohio...shall determine if the waste is a listed hazardous waste...

You claimed that the still bottoms (pucks) are a non-hazardous waste. A review of the Material Safety Data Sheet reveals that the paint thinner you use contains constituents such as xylene, acetone, and methanol. When used for cleaning, these constituents become a listed hazardous waste (F005) when spent, and therefore any waste material derived from them is also a listed hazardous waste. In order to correct this violation, you must explain, in writing, how you intend to manage this waste stream from now on.

JOSEPH PISCAZZI
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The following concern was also noted:

1. You explained that you have discarded spent fluorescent lamps with your solid waste. No spent lamps were observed on-site at the time of the inspection. Often these lamps contain mercury at a level that make them a hazardous waste if disposed. This can also be true of mercury vapor, sodium vapor, and metal halide lamps.

If the spent lamps are sent for recycling instead of disposal, they would be exempt from the hazardous waste management requirements. Although Ohio EPA encourages recycling in any case, low-mercury lamps that are not considered hazardous waste when disposed are commercially available.

To address this concern, you must notify this office, in writing, of how you intend to manage spent fluorescent and other lamps at your facility.

Enclosed are copies of the checklists used for the inspection.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Failure to list specific deficiencies or violations in this communication does not relieve Piscazzi Auto Body from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Sincerely,



Edward J. D'Amato
Environmental Specialist
Division of Materials and Waste Management

EJD:bo

enclosure(s)

cc: Natalie Oryschewych, DMWM, NEDO
ec: Frank Popotnik, DMWM, NEDO

**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: *Safety Shoes, ⚡* *Piscuzzi Auto Body*

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? Yes No N/A
 [3745-52-11] *still bottoms.*

GENERATOR CLASSIFICATION

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

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
still bottoms disposed as solid waste

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 No N/A

a. Does the CESQG manage the mixture in accordance with 3745-279-21? Yes No N/A