



State of Ohio Environmental Protection Agency

Northeast District Office

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

May 9, 2008

RE: SUBURBAN COLLISION CENTER  
OH0 000 059 550  
CUYAHOGA COUNTY  
RCRA/CESQG  
NOTICE OF VIOLATION

Mr. Jason Voldrich  
General Manager  
Suburban Collision Center  
23380 Miles Road  
Bedford Heights, OH 44128

Dear Mr. Voldrich:

On April 22, 2008, Ohio EPA's Division of Hazardous Waste Management conducted a Compliance Evaluation Inspection (CEI) of the Suburban Collision Center (Suburban Collision) facility located at 23380 Miles Road in Bedford, Ohio. Suburban Collision is a paint and body shop and qualifies as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. Hazardous waste streams generated at the facility include spent lacquer thinner and paint waste (D001, D035, F003, F005), generated during the painting of automobiles and parts at the facility.

The purpose of this inspection was to determine Suburban Collision'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). Suburban Collision was represented by you while Ohio EPA was represented by Shannon Ryan and me. Ohio EPA's inspection included an inspection of the Suburban Collision facility and a review of written documentation.

Based on this inspection, Ohio EPA has determined that Suburban Collision has violated the following state hazardous waste regulations:

1. **OAC 3745-273-13(D)(1) Universal waste lamp management:** *A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages **must remain closed** and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*

Suburban Collision accumulates universal waste lamps generated at the facility to be shipped off site for recycling. At the time of the April 22, 2008 inspection, Ohio EPA observed one open container of Universal Waste lamps (UW lamps) being accumulated on a shelf in the maintenance area and two loose four foot UW lamps.

To demonstrate abatement of this violation, please see Violation #4.

2. **OAC 3745-273-14(E) Labeling/marketing of universal waste:** *Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste- Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."*

At the time of the April 2, 2008 inspection, Ohio EPA observed the containers being used to accumulate the UW lamps were not labeled with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

To abate this violation, please see Violation #4.

3. **OAC 3745-273-15(C) Accumulation time limits for universal waste:** *A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

At the time of this inspection, Suburban Collision did not have a system in house to track how long the UW lamps had been on site.

To abate this violation, please see Violation #4.

4. **OAC 3745-273-16 Employee Training for Small Quantity handlers of universal waste:** *A small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.*

At the time of the April 22, 2008 inspection, Suburban Collision could not demonstrate that employees had been trained in proper universal waste management.

To demonstrate abatement of Violations #1, #2, #3 and #4, Suburban Collision must submit the following information and documentation to this office:

- Suburban Collision must develop a written protocol for the proper management of UW lamps managed at the facility. Employees who manage UW lamps must be trained in this protocol. After receiving said training, employees must sign the written protocol acknowledging the receipt of training on this topic and a copy must be submitted to this office. Guidance regarding proper UW lamp management was provided to you at the time of this inspection.
- Suburban Collision must submit to this office documentation in the form of a photograph demonstrating that the UW lamps have been properly containerized in closed containers which is labeled with one of the following phrases: "Universal Waste- Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."
- Suburban Collision must develop a tracking system to enable the facility to track how long the UW lamps are accumulated on site and submit to this office documentation demonstrating how this tracking system will be implemented. This may be in the form of a photograph demonstrating that containers of UW are labeled with an accumulation date or one of the other methods described in the guidance provided to you at the time of this inspection.

Ohio EPA has the following comment:

Ohio EPA wishes to remind Suburban Collision that prior mismanagement of hazardous waste at this site by the previous operator resulted in the creation of an unpermitted hazardous waste storage unit in the rear of the facility. At the time of the April 22, 2008 inspection, Ohio EPA observed sloppy management of the satellite accumulation area. Suburban Collision must stress proper waste management to their employees which manage hazardous waste. In order to facilitate this action, please find below a link to Ohio EPA's Hazardous Waste Generator Handbook:

[http://www.epa.state.oh.us/dhwm/pdf/gen\\_handbook.pdf](http://www.epa.state.oh.us/dhwm/pdf/gen_handbook.pdf)

SUBURBAN COLLISION CENTER

MAY 9, 2008

PAGE – 3 –

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>

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 haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link:

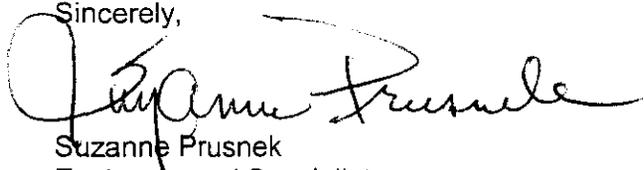
<http://www.epa.state.oh.us/dhwm/listserv.html>

Please feel free to share this information with your colleagues.

Failure to list specific deficiencies in this communication does not relieve Suburban Collision from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Suburban Collision 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:ddw

Enclosure

cc: Natalie Oryshkewych, DHWM, NEDO, OEPA  
Philip Talarico, property owner  
ec: Frank Popotnik, DHWM, NEDO, OEPA  
Harry Sarvis, DHWM, CO, OEPA

**SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS**

**Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more**

**Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less**

**PROHIBITIONS**

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] Yes  No  N/A  RMK#
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes  No  N/A  RMK#

**WASTE MANAGEMENT & LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes  No  N/A  RMK#
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes  No  N/A  RMK#
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes  No  N/A  RMK#
- b. Mix battery types in one container? Yes  No  N/A  RMK#
- c. Discharge batteries to remove the electric charge? Yes  No  N/A  RMK#
- d. Regenerated used batteries? Yes  No  N/A  RMK#
- e. Disassemble them into individual batteries or cells? Yes  No  N/A  RMK#
- f. Remove batteries from consumer products? Yes  No  N/A  RMK#
- g. Remove the electrolyte from the battery? Yes  No  N/A  RMK#
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] Yes  No  N/A  RMK#

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] Yes \_\_\_ No  N/A  RMK# \_\_\_
- a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] Yes \_\_\_ No  N/A  RMK# \_\_\_
- b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)] Yes \_\_\_ No  N/A  RMK# \_\_\_
7. Are the battery(ies) or container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_

**UNIVERSAL WASTE LAMPS**

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] Yes \_\_\_ No  N/A  RMK# \_\_\_
10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? [3745-273-14(E)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**NOTE:** Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of

generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

### **ACCUMULATION TIME**

11. Is the waste accumulated for less than one year? Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_  
[3745-273-15(A)] If not:
- a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] Yes \_\_\_ No  N/A  RMK# \_\_\_

**NOTE:** *Accumulation is defined as date generated or date received from another handler.*

12. Is the length of time the universal waste is stored documented by **one** of the following: [3745-273-15(C)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_

### **EMPLOYEE TRAINING**

13. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

### **RESPONSE TO RELEASES**

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
15. Is the material released characterized? [3745-273-17(B)] Yes \_\_\_ No  N/A  RMK# \_\_\_
16. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)] Yes \_\_\_ No  N/A  RMK# \_\_\_

### **OFF-SITE SHIPMENTS**

**NOTE:** *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] Yes  No  N/A \_\_\_ RMK# \_\_\_

**NOTE:** *SQUWHs are prohibited to send waste to any other facility.*

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes \_\_\_ No  N/A  RMK# \_\_\_
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes  No  N/A \_\_\_ RMK# \_\_\_
20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- b. Agree to where the shipment will be sent? [3745-273-18(E)(2)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_

21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:  
 Yes \_\_\_ No  N/A  RMK# \_\_\_  
 a. Sending the waste back to the originating handler? [3745-273-18(F)(1)]  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_  
 b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)]  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_  
 22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_  
 23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_

**EXPORTS**

24. Is waste being sent to a foreign destination? If so:  
 Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
 a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]  
 Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
 b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)]  
 Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
 c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]  
 Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**REMARKS**

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

CESQG:  $\leq 100$  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  $\geq 1$  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	<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.

**REMARKS**

[Facility Name/Inspection Date]

[ID number]

CESQG/July 2007

Page 1 of 1

## USED OIL INSPECTION CHECKLIST (Short Version)

**NOTE:** *This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.*

### PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A \_\_\_ RMK# \_\_\_
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes \_\_\_ No  N/A  RMK# \_\_\_

### USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
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 \_\_\_ No  N/A  RMK# \_\_\_
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes  No  N/A \_\_\_ RMK# \_\_\_
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes  No  N/A \_\_\_ RMK# \_\_\_
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes  No  N/A \_\_\_ RMK# \_\_\_
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes \_\_\_ No  N/A  RMK# \_\_\_
- b. Contained the release? Yes \_\_\_ No  N/A  RMK# \_\_\_

- c. Cleaned up and properly managed the used oil and other materials? Yes \_\_\_ No  N/A  RMK# \_\_\_
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes \_\_\_ No  N/A  RMK# \_\_\_
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 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 \_\_\_ No  N/A  RMK# \_\_\_
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes \_\_\_ No  N/A  RMK# \_\_\_
- c. Are the combustion gases from heater vented to the ambient air? Yes \_\_\_ No  N/A  RMK# \_\_\_
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes  No  N/A \_\_\_ RMK# \_\_\_

#### USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. 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 \_\_\_ No  N/A  RMK# \_\_\_
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes \_\_\_ No  N/A  RMK# \_\_\_
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes \_\_\_ No  N/A  RMK# \_\_\_

#### WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes  No  N/A \_\_\_ RMK# \_\_\_

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#### REMARKS