



File

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

June 17, 2008

RE: **YODER'S TRUCK BODY & COLLISION
NON-NOTIFIER
Holmes PORTAGE COUNTY
COMPLAINT # 7074
NOTICE OF VIOLATION/RETURN TO
COMPLIANCE**

Ervin Yoder
Yoder's Truck Body
1488 State Route 93
Baltic, Ohio 44610

Dear Mr. Yoder:

On May 20, 2008, the Ohio EPA, represented by Ed D'Amato and Robert Almquist, conducted a complaint inspection at Yoder's Truck Body. Yoder's Truck Body and Collision was represented by you.

Yoder's Truck Body is a truck body repair shop. The complaint alleged that you have illegally disposed of solvents by dumping them behind your building. No evidence was found to substantiate the allegations. You provided invoices for waste pick-ups from Chemtron Corporation and no evidence of dumping was found outside your building.

However, Yoder's Truck Body was found to be in violation of the following hazardous waste rule found in Chapter 3745 of the Ohio Administrative Code:

**1. Management of Containers
OAC 3745-66-73(A)**

A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste

One hazardous waste drum was observed to be open in violation of this rule. This violation was abated at the time of the inspection when you closed the container.

In addition to the above violation, the following concern was noted:

1. You have a fire ring in which a fire was smoldering at the time of the inspection. The odor from the fire indicated that rubber, plastic, or a similar substance had been burned in it earlier in the day. You explained that you sometimes burn cardboard, paper, and wood in the fire pit, but you had burned a piece of carpet earlier that day.

Ervin Yoder
Yoder's Truck Body
June 17, 2008
Page 2

Please note that this activity is not permitted under Ohio's open burning laws and regulations. In order to assist you, Robert Almquist gave you a copy of Ohio EPA's brochure titled: "Before You Light" which explains how to comply. If you have any questions about open burning, please contact Darren Machuga in Ohio EPA's Division of Air Pollution Control or Adrienne LaFavre in Ohio EPA's Office of Compliance Assistance and Pollution Prevention at (330) 963-1200.

No Response to this letter is required.

Failure to list specific deficiencies in this communication does not relieve Yoder's Truck 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.

Enclosed is a copy of the checklist used for the inspection.

Please feel free to contact me at (330) 963-1170 if you have any questions about the inspection or this letter.

Sincerely,



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

EJD:cl
Enclosure

ec: Frank Popotnik, DHWM, NEDO
Darren Machuga, DAPC, NEDO
Adrienne LaFavre, OCAPP, NEDO

cc: Natalie Oryshkewych, DHWM, NEDO

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

*Yoder's
Truck
Body*

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:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
----	---	---

GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> 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)]	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> 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?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
		<i>HW container was open, abated during inspection</i>	

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