



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Hurst Auto Body
Crawford County
NOV

April 28, 2009

Mr. Ron Hurst
3617 State Route 4 North
Bucyrus, Ohio 44820

Dear Mr. Hurst:

Thank you for accompanying me during the April 9, 2009, hazardous waste compliance evaluation inspection (CEI) of Hurst Auto Body (HAB) located in Bucyrus, Ohio. This inspection was conducted to determine HAB's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC), and Ohio's hazardous waste regulations as adopted under Chapter 3745. of the Ohio Administrative Code (OAC). The inspection included a tour of facility operations and a review of facility paperwork.

HAB is a new body shop that paints vehicles. HAB just opened their business at the end of March 2009. HAB uses 1501 Premium Wash Thinner (F003, F005) to clean their paint guns. HAB plans on distilling their paint related waste in an onsite distillation unit in order to recycle the solvent. If HAB places the paint related waste directly into the distillation unit after it is generated the paint related waste will not count towards HAB's hazardous waste generator category for that calendar month. However, if HAB decides to accumulate the paint related waste prior to distillation, then it must be counted towards your hazardous waste generator category when it is first generated (removed from the paint spray process).

HAB was inspected as a conditionally exempt small quantity generator (CESQG) of hazardous waste. However, HAB's hazardous waste generation status could change in the future due to storing their paint related waste prior to distillation (as described above) and/or the amount of hazardous waste generated due to business fluctuations, and the amount of hazardous waste still bottoms generated.

During the inspection, HAB stated that no fluorescent bulbs have been generated to date. Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer.

Mr. Ron Hurst
April 28, 2009
Page 2

Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. Ohio EPA recommends that you manage your spent fluorescent bulbs once they are generated as universal waste. During the inspection, I gave you a fact sheet outlining the universal waste rules for handlers of lamps and a list of fluorescent bulb recyclers. Please review this information and contact me if you have any questions.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information within 30 days of your receipt of this letter:

1. Waste Evaluation, OAC Rule 3745-52-11

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

HAB failed to evaluate the spent solvent/paint related waste to determine if it was hazardous.

To properly evaluate the above waste stream HAB must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. HAB must sample the spent solvent/paint related waste to determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) RCRA metals, excluding Mercury, and TCLP VOC as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846.

Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the wastes tested. HAB must notify me at least 7 days prior to the sampling event date, so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary.

To abate this violation, HAB must submit the analytical information to me. Your results must document if the waste is hazardous or not and whether it is restricted from land disposal. HAB must also determine if any hazardous waste listings apply to the waste. If it is hazardous, you must explain what treatment, storage, or disposal facility you will send it to. If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

Please note that the Material Safety Data Sheet (MSDS) for your 1501 Premium Wash Thinner (solvent) states that it includes toluene and methanol at greater than 10% by volume which makes it an F-listed hazardous waste (F003, F005).

Mr. Ron Hurst
April 28, 2009
Page 3

Therefore, the spent solvent/paint related waste (F003, F005) **AND** distillation still bottoms (F005) from the recovery of these spent solvents will carry F-listed hazardous waste codes. The waste evaluation performed (see violation #1 above) on the spent solvent/paint related waste will also determine any additional characteristic hazardous waste codes that may apply to your still bottoms.

HAB may use the waste evaluation results and apply them to the distillation still bottoms (once generated) to avoid further analytical costs. Or, HAB may do additional testing on the still bottoms to determine if any characteristic hazardous waste codes are eliminated through the distillation process. No matter what the outcome is of any further analytical testing done for additional characteristic hazardous waste codes that would apply to the waste, the F005 F-listed waste code will follow through and still apply to the still bottoms. The F003 waste code will drop off of the solid still bottoms since F003 is only listed for the characteristic of ignitability. Therefore, the still bottoms will need to be disposed of as an F005 F-listed hazardous waste at a minimum.

Ohio EPA will issue an EPA ID number to track our inspection activity at HAB. HAB can not use this number for manifesting hazardous waste shipments.

If HAB wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, HAB must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029 (Rev. 11/2002)) to Ohio EPA.

This form is available on our Web page at <http://www.epa.state.oh.us/dhwm/notiform.html> or HAB can call me at (419) 373-3058 or the Division of Hazardous Waste Management, Central Office, RIS at (614) 644-2977 and we will mail you a copy.

If you find ways to recycle, reduce, or altogether eliminate the amount of waste your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

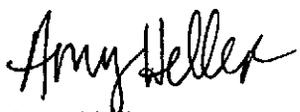
The Division of Hazardous Waste Management (DHWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

Mr. Ron Hurst
April 28, 2009
Page 4

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Please address all correspondence to Amy Heller, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3058.

Sincerely,



Amy Heller
Division of Hazardous Waste Management

/csl

Enclosure

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO File: Hurst Auto body, Crawford County

ec: Amy Heller, DHWM, NWDO

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.

**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: \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

Hurst Auto Body
[Facility Name/Inspection Date]
[ID number]
CESQG/July 2007
Page 1 of 1

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name:	Facility Type: LQG/SGQ/ <u>CESQ</u> /TSD	Date of Inspection:	EPA ID #: <i>N/A</i>
<i>Hurst Auto Body</i>		<i>4/9/07</i>	

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation <small>(container, tank, etc) and location of waste accumulation area</small>	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	<i>Cleaning guns</i>	<i>F003, F005 + any codes from 52-11</i>	<i>NEW facility But likely < 1 gallon</i>			
2	<i>Spent solvent</i>	<i>Runs through distillation unit = still bottoms</i>	<i>F005 + any codes from 52-11</i>	<i>Distillation unit</i>		
3						
4						
5						

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

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No:	EPA ID Number: n/a	
Site Name	Name: Hurst Auto Body	Website: (Optional)
Site Location Information	Street Address: 3617 St Rt 4 North	State: OH
	City, Town, or Village: Bucyrus	Zip Code: 44820
	County Name: Crawford	
Site Land Type (check only one)	Private <input type="checkbox"/>	County <input type="checkbox"/>
NAICS code(s) www.census.gov/epcd/www/naics.html	District <input type="checkbox"/>	Federal <input type="checkbox"/>
	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>
	State <input type="checkbox"/>	Other <input type="checkbox"/>
Facility Representative	First Name: Ron	MI: Last Name: Hurst
Additional names can be recorded in number 12	Phone Number: 419-562-2223	Phone Number Extension:
Only provide address information if it is different than the site address	E-Mail Address:	Fax Number Extension:
	Fax Number:	
	Street or P.O. Box:	
	City, Town or Village:	Zip Code:
	State:	
Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:	Date Became Owner (mm/dd/yyyy):
	Owner Type: Private <input type="checkbox"/>	Federal <input type="checkbox"/>
	County <input type="checkbox"/>	Indian <input type="checkbox"/>
	District <input type="checkbox"/>	Municipal <input type="checkbox"/>
	Street or P.O. Box:	State <input type="checkbox"/>
	City, Town or Village:	Other <input type="checkbox"/>
	State:	Owner Phone #:
	Name of Site's Operator:	Country: Zip Code:
	Operator Type: Private <input type="checkbox"/>	Date Became Operator (mm/dd/yyyy):
	County <input type="checkbox"/>	Federal <input type="checkbox"/>
	District <input type="checkbox"/>	Indian <input type="checkbox"/>
	Street or P.O. Box:	Municipal <input type="checkbox"/>
	City, Town or Village:	State <input type="checkbox"/>
	State:	Other <input type="checkbox"/>
	Operator Phone #:	United States Zip Code:

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input type="checkbox"/> Not a HW Generator	<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"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Underground Injection Control Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | |

**UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)
(CHECK ALL BOXES THAT APPLY)**

- | | |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

unknown

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: Waste codes will be determine after analytical is performed,
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	F003 and F005 will apply at a minimum.

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Amy Heller		4/9/2009

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are 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)
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