



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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: Findlay Body Repair Co.
OHD063704571
Hancock County
NOV

January 29, 2009

Mr. Ben Mitchell
Findlay Body Repair Company
873 S. Blanchard Street
Findlay, Ohio 45840

Dear Mr. Mitchell:

Thank you for accompanying me during the January 22, 2009, hazardous waste compliance evaluation inspection (CEI) of Findlay Body Repair (FBR) located in Findlay, Ohio. This inspection was conducted to determine FBR'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.

FBR is a body shop that paints vehicles. Hazardous wastes FBR generates include paint related waste (F003, F005, D001, D006, D007, D008). FBR distills their paint related waste in an onsite distillation unit in order to recycle the solvent. Safety Kleen then picks up their distillation still bottoms (F003, F005, D001, D006, D007, D008). FBR places the paint related waste (F003, F005, D001, D006, D007, D008) directly into the distillation unit after it is generated, and therefore, does not need to count the paint related waste towards FBR's hazardous waste generator category. In the future, if FBR 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). FBR also generates fluorescent bulbs and spent paint booth filters.

FBR was inspected as a conditionally exempt small quantity generator (CESQG) of hazardous waste. However, FBR's hazardous waste generation status could change in the future due to analytical results requested in this letter and if FBR decides to store their paint related waste prior to distillation (as described above).

I found the following violations of Ohio's hazardous waste laws. In order to correct these violations 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.

FBR failed to evaluate the paint filters from the paint booth to determine if they are hazardous.

To properly evaluate the above waste stream FBR must do one of two options: 1) FBR 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. FBR must sample the paint filters from the paint booth to determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) RCRA metals, excluding Mercury, and TCLP VOC as listed in the Ohio Administrative Code Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846, or 2) FBR must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation.

To abate this violation, FBR must submit the analytical information or the documentation for generator knowledge to me. Your results must document if the waste is hazardous or not and whether it is restricted from land disposal. FBR 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.

If you perform sampling, Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the wastes tested. FBR 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.

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

FBR failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

FBR must immediately cease disposing of the fluorescent bulbs as non-hazardous waste until a proper waste evaluation has been completed. Fluorescent bulbs typically contain mercury and other heavy metals which could make them a hazardous waste. Hazardous waste bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps. 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.

FBR must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If FBR plans to manage the spent fluorescent bulbs as universal waste, please submit photographic documentation showing the storage container properly labeled and dated. In addition, FBR must submit the name of the facility where you plan to recycle the bulbs.

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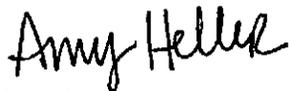
If you find ways to recycle, reduce, or altogether eliminate the amount of waste your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following 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.

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

Enclosure

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO File: Hancock 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.

**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. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHD063704571 Name: Findlay Body Repair Co.		Website: (Optional)					
	Street Address: 873 S. Blanchard Street City, Town, or Village: Findlay County Name: Hancock		State: OH Zip Code: 45840					
	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 <input type="checkbox"/>
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Ben Phone Number: 419-422-8172 E-Mail Address: Fax Number: Street or P.O. Box: City, Town or Village: State:		MI:	Last Name: Mitchell Phone Number Extension: Fax Number Extension: Zip Code:				
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 Private County District Type: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Federal Indian Municipal State Other <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Street or P.O. Box: City, Town or Village: State: Name of Site's Operator:		Owner Phone #: Country: Zip Code: Date Became Operator (mm/dd/yyyy):			
	Owner Private County District Type: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Federal Indian Municipal State Other <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Street or P.O. Box: City, Town or Village: State: 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 checked="" 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 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

**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	<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

1) Need to evaluate paint filters and Fluorescent bulbs

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 checked="" 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

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input checked="" type="checkbox"/> Lamps

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

<input type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
<input type="checkbox"/> 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 RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

D001	D007	D008	D006	F003	F005
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	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
	Amy Heller	1/22/2009

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)

