



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: Troxel's Body Shop
Hancock County
OHD 982 643 926
NOV

November 8, 2010

Mr. Richard Troxel, Owner
Troxel's Body Shop
1801 Blanchard Avenue
Findlay, Ohio 45840

Dear Mr. Troxel:

Thank you for accompanying me during the Ohio Environmental Protection Agency's (Ohio EPA) October 28, 2010, hazardous waste compliance evaluation inspection of Troxel's Body Shop (TBS) located at the address stated above. I visited TBS to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). This inspection consisted of a facility walkthrough and paperwork review. Pollution prevention options were also discussed during this inspection. This letter will explain the violations I found and what you need to do to address those violations.

TBS is a small-sized auto body work shop dedicated to complete collision and frame repair and restoration. TBS operates a full size paint booth. TBS generates hazardous paint related waste (D001, F003, and F005) from its painting operation. At the time of the inspection, you stated that your hazardous waste volume has been reduced since because of a reduction of business volume. Your hazardous waste is disposed of by Petro-Chem Processing, Inc. (MID980061290). You also stated that you are currently giving your spent fluorescent light bulbs to a friend to re-use/dispose of. At the time of this inspection, you were generating a small amount of used oil that was being accumulated in small containers less than 5 gallons. Your lead-acid batteries are being managed in a core-exchange program.

Finally, you stated that you are currently disposing of your spent paint booth filters with your regular trash. I advised to stop this practice until a proper waste evaluation in conducted on the spent filters. At the time of the inspection, TBS was operating as a conditionally exempt small quantity generator of hazardous waste.

I found the following violation of Ohio's hazardous waste laws. You must provide me the requested information within 30 days of receipt of this letter.

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

Any person, who generates a waste, as defined in Rule 3745-51-02 of the administrative code, must determine if that waste is a hazardous waste.

a. Failure to evaluate spent fluorescent light bulbs

TBS has failed to properly evaluate the spent fluorescent bulbs generated at the facility.

During the inspection, you stated that in the past TBS may have given spent or almost spent fluorescent light bulbs to another business. The final destination of the spent fluorescent light bulbs is unknown at this time. TBS must give any spent light bulbs to anybody. The spent fluorescent light bulbs must be properly evaluated.

The waste evaluation must be conducted through one of **three options**:

1) TBS may apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation [manufacturer analytical information – Toxicity Characteristic Leaching Procedure (TCLP) test results], or

2) TBS may 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. TBS must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs.

TBS must sample the fluorescent bulbs to determine the concentration of mercury (D009), cadmium (D006) and lead (D008) as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846. TBS may run a total concentration for these constituents as a screening tool.

If the concentration is detected for mercury, lead or cadmium at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level; or

3) a combination of options 1 and 2.

Mr. Richard Troxel
November 8, 2010
Page 3

If the bulbs are determined to be hazardous through a proper waste evaluation, TBS will have to manage their bulbs either as 1) a universal waste (OAC Chapter 3745-273) or 2) as a hazardous waste under Ohio's generator standards (OAC Chapter 3745-52). ***Instead of taking samples for analysis as described above, TBS may recycle their bulbs if they are hazardous or non-hazardous by managing them as universal waste. Ohio EPA would encourage this option as a pollution prevention alternative. Please refer to the information I gave you on how to manage light bulbs as universal waste.***

Ohio EPA will use the analytical data you provide, in addition to other documentation, to make regulatory and compliance decisions concerning the wastes tested. This review by Ohio EPA does not alleviate TBS's responsibility to independently determine whether the wastes tested are hazardous wastes pursuant to OAC Rule 3745-52-11. The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data.

To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form which can be obtained from Ohio EPA's web page: http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html.

Ohio EPA may request the documentation needed to confirm the validity of the data submitted. Please submit a brief narrative of each sampling event which includes: sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

Please note, if the waste is hazardous, you must evaluate it to determine if it is restricted from land disposal in accordance with OAC Chapter 3745-270. In addition, you must properly dispose of or recycle the waste. A copy of the waste disposal documentation and EPA waste codes applicable to the waste must be submitted to me at the Ohio EPA, Northwest District Office (NWDO) prior to disposal.

To abate this violation, TBS must inform me in writing as to how the facility plans to manage the spent fluorescent light bulbs and other spent light bulbs.

b. TBS has failed to properly evaluate the spent paint booth filters generated at the facility.

During the inspection, you stated that in the past TBS has disposed of the spent paint booth filters in the trash. TBS must not dispose of any spent paint booth filters in the local landfill until a proper waste evaluation has been completed.

In order for TBS to determine whether the waste paint booth filters exhibit any hazardous waste characteristics, TBS must obtain a chemical analysis of a representative sample of the waste paint booth filters. TBS will need to contract the services of an environmental laboratory to analyze this material. TBS must at least determine the concentrations of VOCs and RCRA metals of the waste. If the waste paint booth filters can be considered a liquid as defined in OAC Rule 3745-51-21, then the flashpoint of the material must also be evaluated.

TBS has the option of analyzing the waste for total VOCs and total RCRA metals as a screening tool. However, based upon the results of these analyses TBS may be required to analyze the wastes for TCLP VOCs and TCLP RCRA metals. If TBS chooses to analyze for total concentrations, then TBS must gather and submit enough sample to analyze for both total concentrations and TCLP concentrations for all constituents. This insures that the lab will have enough sample to carry out all analyses as needed.

Within 30 days of receipt of this letter, TBS shall submit the analytical results indicating the proper evaluation of the waste for Ohio EPA's review. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, TBS must also submit information as to what treatment, storage, or disposal facility the waste will be sent to.

Once Ohio EPA acknowledges TBS's proper characterization of the waste, TBS must dispose of the waste at a proper disposal facility. TBS must then submit the appropriate manifest documents or shipping papers indicating proper disposal of the waste to Ohio EPA.

Please notify me at least five days prior to taking the sample(s) so that I may be present. If you need assistance with any sampling information, please contact me.

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.

Mr. Richard Troxel
November 8, 2010
Page 5

Ohio EPA will use the analytical data you provide, in addition to other documentation, to make regulatory and compliance decisions concerning the wastes tested. This review by Ohio EPA does not alleviate TBS's responsibility to independently determine whether the wastes tested are hazardous wastes pursuant to OAC Rule 3745-52-11.

The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data.

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Please note, if the waste is hazardous, you must evaluate it to determine if it is restricted from land disposal in accordance with OAC Chapter 3745-270. In addition, you must properly dispose of or recycle the waste. A copy of the waste disposal documentation and EPA waste codes applicable to the waste must be submitted to me at the Ohio EPA, Northwest District Office (NWDO) prior to disposal.

2. OAC 3745-279-22 (C)(1) Used oil storage container labeling.

Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil."

TBS did not label several small containers of used oil.

To abate this violation, TBS must properly label any containers storing used oil with the words "Used Oil" and send me photographic documentation.

Mr. Richard Troxel
November 8, 2010
Page 6

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 http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage. Please feel free to share this information with your colleagues.

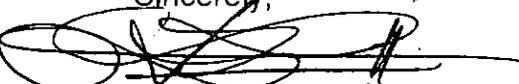
As we discussed during the inspection, if you find ways to recycle reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. During the inspection, we talk about the use of spent solvent distillation units which in your situation may work in reducing the amount of solvent use and thus your disposal and overall cost of operation. I am enclosing information regarding solvent recycling.

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dhwm/>.

For your information, I am enclosing the following documents: Universal Waste Guidance, December, 2005; Universal Waste Rules for Handlers of Lamps, June, 2005; Computer, Fluorescent Lamps, and Ballasts Recyclers List, November, 2008; The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, April 2006; Registered Used Oil Collection Centers, September 2009; On-Site Solvent Recycling Equipment, May 2005; and Managing Your Hazardous Waste A Guide for Small Businesses, December, 2001.

Should you have any questions or if I can be of assistance, please contact me at (419)373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/lb

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, Supervisor, DHWM, NWDO
~~DHWM, NWDO File Troxel's Body Shop, Hancock County~~
ec: Ed Pulido, 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.

| | | |
|---|---|-----------------------|
| Send to Central Office <input checked="" type="checkbox"/> | Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM | For Ohio EPA use only |
|---|---|-----------------------|

Completed verification forms required to be submitted to CO should be e-mailed to Paula.Canter@epa.state.oh.us.

| | | | | | | | | |
|---|--|------------------------------------|---|-------------------------------------|------------------------------------|---------------------------------------|-----------------------------------|-----------------------------------|
| Site EPA ID No. Site Name Site Location Information | EPA ID Number: OHD982643926 | | Name: Troxel's Body Shop Website: (Optional) | | | | | |
| | Street Address: 1801 Blanchard Avenue | | | | | | | |
| | City, Town, or Village: Findlay | | State: OH | | | | | |
| | County Name: Hancock | | Zip Code: 45840 | | | | | |
| Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html | Private <input checked="" 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: Richard | | MI: Troxel | |
| | Phone Number: (419)423-2242 | | Phone Number Extension: | |
| | E-Mail Address: | | | |
| | Fax Number: | | Fax Number Extension: | |
| | Street or P.O. Box: | | | |
| | City, Town or Village: | | Zip Code: | |
| State: | | 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: Same as representative | | | | Date Became Owner (mm/dd/yyyy): 01/01/1988 | | | | | |
| | Owner Type: | Private <input checked="" 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"/> | |
| | Street or P.O. Box: | | | | Owner Phone #: | | | | | |
| | City, Town or Village: | | | | Country: | | Zip Code: | | | |
| | State: | | | | Date Became Operator (mm/dd/yyyy): | | | | | |
| | Operator Type: | 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"/> | |
| | Street or P.O. Box: | | | | Operator Phone #: | | | | | |
| | City, Town or Village: | | | | Country: | | Zip Code: | | | |
| State: | | | | Zip Code: | | | | | | |

| | |
|--------------------------|---|
| VIOLATIONS CITED? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--------------------------|---|

| | | |
|--|--|---|
| TYPE OF HANDLER - MARK "X" AS APPROPRIATE | | |
| <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)

Small Quantity Handler of Universal Waste

Destination Facility for Universal Waste

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D001 F003 F005

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced Yes No Additional Facility Representatives:

Tanks Yes No

Containers Yes No

Name of Inspector(s)

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)

Ed Pulido

10/28/2010 4:30

Comments:

**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:

WASTE EVALUATION

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

GENERATOR CLASSIFICATION

| | | |
|----|--|--|
| 2. | Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
|----|--|--|

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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
|----|---|--|

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Does the CESQG manage the mixture in accordance with 3745-279-21? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Troxel's Body Shop **LQG/SQG/CESQG/TSD** **EPA ID#:** OHD 982 643 926

| <i>Description of Waste</i> | | | | <i>On-Site Management</i> | | | <i>Off-Site Management</i> | | |
|--|---|-------------------------------|--------------------------------|---|--|---|---|--|---|
| Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small> | Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small> | EPA Waste Code | QTY Generated per Month | Type of Accumulation/Storage <small>(e.g. container, tank, etc)</small> | Type of On-Site Treatment <small>(recycle, wwt, etc)</small> | Waste Location <small>(Include map if possible)</small> | Name, state, and type of activity occurring at the facility. | P2 Activities | |
| 1 | Paint gun cleaning | Spent solvent/pain | D001 F003 F005 | 14 gallons | Container | N/A | By outdoor storage building | Solvent Distillers Group of Nortru, LLC PKA Petro-Chem Processing, Inc. 421 Lycaste Street Detroit, MI MID980684088 | |
| 2 | Paint booth | Spent filters | TBD | TBD | TBD | N/A | TBD | TBD | |
| 3 | Maintenance | Spent fluorescent light bulbs | N/A | <1 | * | * | * | *see NOV | *no lamps were being accumulated at the time of this inspection |
| 4 | Maintenance | Lead acid batteries | N/A | Unk | N/A | N/A | N/A | N/A | Core-exchange |
| 5 | Maintenance | Used oil | N/A | <1 gal. | Container | N/A | outdoors | TBD | |