



State of Ohio Environmental Protection Agency

Southeast District Office

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www.epa.state.oh.us

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

March 12, 2007

**PERRY COUNTY
GENERAL FILE
(RAY'S BODY SHOP)
DHWM/SEDO
NON-NOTIFIER
0 HR 000 141317**

Mr. Ray Hatem II
Ray's Body Shop
601 North Pleasant Street
New Lexington, Ohio 43764

Dear Mr. Hatem:

On February 27, 2007, Vicky German and I inspected Ray's Body Shop's facility in New Lexington, Ohio to determine Ray's Body Shop's 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). During the inspection, I also helped you identify ways to prevent pollution by reducing waste. This letter will explain the violations I found and what you need to do to correct the violations.

We 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 15 days** of your receipt of this letter:

- (1) **Ohio Revised Code § 3734.02 (E) and (F), Prohibitions:** (E) No person shall establish or operate a hazardous waste facility for the storage, treatment, or disposal of any hazardous waste, without obtaining a hazardous waste facility installation and operation permit. (F) No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises except to a hazardous waste facility operating under a permit issued in accordance with this chapter.

Ray's Body Shop recycles its paint solvent in a on-site recycling unit. The paint solids would be considered a F003/F005 listed hazardous waste according to the material safety data sheet. Ray's Body Shop has disposed of and has caused hazardous waste to be transported to Athens-Hocking Reclamation without a permit. Ray's Body Shop must immediately cease disposing of this waste with the facility's solid waste. To return to compliance with this law, Ray's Body Shop shall indicate in writing, to Ohio EPA that the paint solids will be managed and disposed as a hazardous waste in the future.

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Enclosed you will find a copy of the checklist that was completed during the inspection. Should you have any questions, please feel free to call me at (740) 380-5256. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Melody Stewart
District Representative
Division of Hazardous Waste Management

MS/mlm

Enclosure

cc: Harry Sarvis-DHWM/CO
Joe Holland-DSIWM/SEDO

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 (CESQG) GENERATOR REQUIREMENTS

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

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.

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No NA

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No NA

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").

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 NA

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 No NA
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C) Yes No NA
 - c. Drip pad that meets 3745-69-40 to 3745-69-45? Yes No NA
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No NA

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use the LDR checklist.

REMARKS

The facility disposes of the paint waste recycling solids (a listed hazardous waste) with its solid waste. The solid waste is disposed of at the Athens-Hocking Reclamation Center in Athens County.

WASTE ACTIVITIES SUMMARY

Facility Name: **Ray's Body Shop** Facility Type: **CESQG** EPA ID#: **Non-notifier**

Waste Generated				On-Site and Off-Site Management			Pollution Prevention Activities	
Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities
1 Solvent recycling	Solids	F003/F005	One filter containing solids a week	NA	NA	Disposing of as a solid waste. Waste is being sent to Athens-Hocking Reclamation Center in Athens County.	Recycling; however solids are not being disposed of as solid waste and not a hazardous waste appropriate.	

GENERAL FACILITY INFORMATION

Process Information:

Ray's Body Shop is a automobile body repair shop.

Regulatory/Enforcement History:

Facility was cited in violation of prohibitions and waste evaluation as a result of a complaint investigation in 2002.

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

For Ohio EPA use only

E-mail this completed form to
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
McConnell, Central Office

Site EPA ID No.	EPA ID Number: Non-notifier								
Site Name	Name: Ray's Body Shop				Website: (Optional)				
Site Location Information	Street Address: 601 North Pleasant Street								
	City, Town, or Village: New Lexington				State: OH				
	County Name: Perry				Zip Code: 43764				
Site Land Type (check only one)	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"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html									
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Ray		MI:		Last Name: Hatem II				
	Phone Number: 740-342-1550				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:				State:		Country:	Zip Code:	
	Name of Site's Legal Owner:								
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	Date Became Owner (mm/dd/yyyy):								
	Owner 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:								
	City, Town or Village:				Owner Phone #:		State:	Country:	Zip Code:
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Owner 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:								
	City, Town or Village:				Operator Phone #:		State:	Country:	Zip Code:
	Violations Cited?								
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
Type of Generator									
<input type="checkbox"/> Not Regulated			<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator						
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11			<input type="checkbox"/> United States Importer of Hazardous Waste						
<input type="checkbox"/> Large Quantity Generator (LQG)			<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator						
<input type="checkbox"/> Small Quantity Generator (SQG)									
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 generated and/or accumulated (check all boxes that apply))

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

(Check all boxes below that apply for each of the three types of facilities above)

		Generated		Accumulated		Used Oil Activities (Indicate Type(s) of Activity(ies))	
Batteries	<input type="checkbox"/>	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner				
Pesticides	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil					
Thermostats	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner					
Lamps	<input type="checkbox"/> Used Oil Processor						
						<input type="checkbox"/> Used Oil Re-refiner	

Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for the federally regulated hazardous waste handled at your 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.

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) Melody Stewart	Name of Inspector(s) Vicky German	Date of Inspection/Time (mm/dd/yyyy) (hh:mm) 2/27/2007
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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)