



State of Ohio Environmental Protection Agency

Southeast District Office

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

April 20, 2009

**SCIOTO COUNTY
GENERAL FILE
(COLES PARK AUTO PARTS)
DHWM/SEDO
OHR000107631**

Mr. Teno Schmitz
Coles Park Auto Parts
21696 St. Rt. 73
West Portsmouth, Ohio 45663

Dear Mr. Schmitz:

On April 13, 2009, Melody Stewart and I inspected Coles Park Auto Parts in West Portsmouth, Ohio to determine 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 letter will explain the violations we found and what you need to do to correct the violations, as well as any other general concerns we have and what you need to do to respond to those concerns.

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

- (1) **OAC Rule 3745-279-22(C)(1), Used Oil Storage Requirements for Generators.** Containers and above ground tanks used to store used oil at generator facilities must be labeled or clearly marked with the words "Used Oil."

During the inspection, we observed that two totes containing used oil, located outside the shop, were not labeled with the words "Used Oil".

To correct this violation, Coles Park Auto Parts must label the two totes containing used oil with the words "Used Oil", and send me a photograph of the properly labeled totes.

GENERAL COMMENTS:

- Storage of Lead-Acid Batteries.
During the inspection, we observed several lead-acid batteries stored outside waiting to be taken off-site for recycling. As we discussed, Coles Park Auto Parts should consider storing spent lead-acid batteries inside under roof where they will not be exposed to the weather. This will minimize the likelihood that the batteries will crack and leak sulfuric acid/lead onto the ground, and may help you avoid a costly clean-up in the future.

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▪ Management of Fluorescent Lamps.

I have enclosed some information regarding management of spent fluorescent lamps under Ohio's Universal Waste Rule. Because all fluorescent lamps contain mercury, Ohio EPA recommends that you manage your spent lamps under the Universal waste rule, if you are not already doing so. The universal waste rule eliminates many regulatory requirements such as waste evaluation, manifesting and record keeping. If you manage your spent lamps as universal waste and they will be recycled, you do not have to determine if they are hazardous waste. If you do not have your spent fluorescent lamps recycled, then it is your responsibility to evaluate them to determine if they are hazardous prior to their disposal.

Enclosed, you will find a copy of the checklists that were completed during the inspection. I have also enclosed fact sheets that you may find useful. You can find copies of the hazardous waste rules and other information on our division's web page at <http://www.epa.state.oh.us/dhwm>. Compliance assistance and pollution prevention information is available at <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Should you have any questions or require assistance, please feel free to call me at 740-380-5237.

Sincerely,



Vicky D. German
Environmental Specialist
Division of Hazardous Waste Management
Ohio EPA, Southeast District Office

VDG/mlm

Enclosure

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.	EPA ID Number: OHR000107631	
Site Name	Name: COLES PARK AUTO PARTS	Website: (Optional)
Site Location Information	Street Address: 21696 ST. RT. 73	
	City, Town, or Village: WEST PORTSMOUTH	State: OH
	County Name: SCIOTO	Zip Code: 45663
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	First Name: TENO	MI:	Last Name: SCHMITZ
<i>Additional names can be recorded in number 12.</i>	Phone Number: 1-888-8584485		Phone Number Extension:
<i>Only provide address information if it is different than the site address.</i>	E-Mail Address:		Fax Number Extension:
	Fax Number:		
	Street or P.O. Box: SAME AS ABOVE		
	City, Town or Village:		
	State:		Zip Code:

Legal Owner And Operator of the Site	Name of Site's Legal Owner: TENO SCHMITZ		Date Became Owner (mm/dd/yyyy):	
<i>List Additional Owners and/or Operators in the Comment Section or on another copy of this form.</i>	Owner 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"/>	
	Type:			
	Street or P.O. Box: SAME AS ABOVE			
	City, Town or Village:		Owner Phone #:	
	State:		Country:	Zip Code:
	Name of Site's Operator: TENO SCHMITZ		Date Became Operator (mm/dd/yyyy):	
	Operator 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"/>	
	Type:			
	Street or P.O. Box: SAME AS ABOVE			
	City, Town or Village:		Operator Phone #:	
	State:		United States	Zip Code:

VIOLATIONS CITED? Yes No

TYPE OF HANDLER (A minimum of one box must be checked)		
<input checked="" 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 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 boxes that apply)

- | | |
|---|--|
| <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 (Mark "X" in 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) | |

TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES (Mark "X" in all boxes that apply)

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (Mark "X" in all boxes that apply)

- 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.

COMMENTS: Use this area to describe if the inspection was announced, if wastes are stored in tanks or containers, and other information pertinent to the inspection.

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: USED OIL COLLECTED IN TOTES, OTHER AUTO FLUIDS
Containers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	COLLECTED IN 55-G DRUMS. NO HAZARDOUS WASTE GENERATED.

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection (mm/dd/yyyy)
VICKY GERMAN	MELODY STEWART	4/13/2009

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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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?
(CESQG - Conditionally Exempt Small Quantity Generator) Yes No NA

Coles Park Auto Parts is a non-generator of hazardous waste.

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 wastes to an off-site permitted TSD?
[ORC §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.

USED OIL GENERATOR COLLECTION CENTER, AND AGGREGATION POINT REQUIREMENTS

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

1. Does the generator manage used oil in a surface impoundment or waste pile?
If yes: Yes No N/A
 - a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes No N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes No N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes No N/A

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil? If so, Yes No N/A
 - a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes No N/A

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes No N/A

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes No N/A
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes No N/A

Two totes containing used oil, located outside the shop, were not labeled with the words "Used Oil".

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
 - a. Stopped the release? Yes No N/A
 - b. Contained the release? Yes No N/A
 - c. Cleaned up and properly managed the used oil and other materials? Yes No N/A
 - d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A

ON-SITE BURNING IN SPACE HEATER

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23]
If so:
- Yes No N/A
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes No N/A
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes No N/A

GENERATOR TRANSPORTATION

11. If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]
- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes No N/A
- b. Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24] Yes No N/A

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes No N/A
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No N/A
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes No N/A

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.

WASTE ACTIVITIES SUMMARY

Coles Park Auto Parts				OHR000107631	Used Oil Generator
Description of Waste				On-Site Management	Off-Site Management
Process Generating Waste	Waste Generated	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage, Waste Location	Name, state, and type of activity
Auto parts salvage	Used Oil	NA	Varies	Totes outside shop	Thompson Oil, Lucasville OH - recycled
Auto parts salvage	Spent lead-acid batteries	NA	Varies	Stacked on pallets outside shop	The Battery Terminal, Ashland KY – core exchange/recycling
Auto parts salvage	Spent antifreeze	NA	Varies	55-gallon drum	Re-used on-site or recycled as needed
Auto parts salvage	Spent transmission fluid	NA	Varies	55-gallon drum	Re-used on-site or recycled as needed
Auto parts salvage	Spent AC coolant	NA	Varies	NA – not accumulated/stored on-site	Mobile AC Recycling Service
Auto parts salvage	Scrap tires	NA	Varies	Stacked outside, taken off-site once or twice yearly	Sundown Tire Recycling, Waverly OH
Auto parts salvage	Scrap metal	NA	Varies	Stored on-site. Engines, etc. are drained prior to storage. Taken off-site three times yearly	Portsmouth Car Crushing, West Portsmouth OH

PROCESS DESCRIPTION

Coles Park Auto Parts was established in 1980 to serve auto service and body shop customers; the company specializes in late model rebuilds for both salvage and original title. They have a large selection of repairable vehicles, ready-to-go vehicles, auto and truck motors, transmissions, and late model parts. The company participates in a nationwide parts locator service.

WASTE MANAGEMENT INFORMATION

Gasoline tanks, stereos, batteries, and AC units are taken out of autos when they are received. Catalytic converters are left on vehicles and sold separately to customers. Gasoline, oil, antifreeze, and transmission fluid are collected in 55-gallon drums and either used on-site for company vehicles or managed through a recycler. Tires are either used for company vehicles, or collected and taken off-site for recycling.

REGULATORY HISTORY

Coles Park Auto Parts was last inspected on 11/30/2001; violations were cited for standards applicable to hazardous waste generators and used oil management standards. The company returned to compliance with all violations on 2/14/2002.