

**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

January 19, 2011

**RE: AUTO SALVATION LLC
550 OHIO AVENUE, RAVENNA
NOTICE OF VIOLATION**

CERTIFIED MAIL

Al Brunner
Auto Salvation LLC
550 Ohio Ave.
Ravenna, OH 44266

Dear Mr. Brunner:

Jarnal Singh and Robert Almquist met with you on January 7, 2011 at Auto Salvation LLC located at 550 Ohio Avenue, Ravenna, Ohio. The purpose of this was to investigate a complaint and to determine if Auto Salvation was in compliance with Ohio's hazardous waste, used oil, and solid waste laws.

The complaint alleged that hundreds of gas tanks were on the property including some that had been crushed by heavy equipment and that were leaking gasoline onto the ground. It also alleged that automotive fluids were released onto the ground, over a thousand tires were on the property, and garbage and automotive parts were in the stream.

We did see gas tanks but because of the snow cover we could not tell whether there was any evidence of gas that had leaked onto the ground. We will come back to inspect for this when there is no snow on the ground. You said that all gas is drained from the gas tanks and used in equipment or vehicles. You also showed us a drum stored inside that would be used to store waste gasoline if it could not be used for some reason. We did see scrap tires, and the regulations regarding this are discussed below. There was what looked like a seasonal stream on one edge of the property. Some scrap tires were seen there. We will look closer at this area when we come back when there is no snow cover.

We gave you a list of registered scrap tire haulers, a copy of the rule OAC 3745-27-60 and Ohio EPA fact sheets pertaining to management and handling of scrap tires in Ohio. You stated you do not utilize the services of a scrap tire transporter and that used tires that are not re-saleable are placed in cars (4 tires per car) and are sent to an auto shredding facility in Cleveland. A scrap tire pile was observed located approximately in the center of the yard. This pile measured approximately 20x30 feet by 6 feet high and was in compliance with the scrap tire storage requirements contained in OAC 3745-27-60. However, other scrap tires observed at the site, notably those strewn in the tree line along the eastern property line, were not stored in compliance with the storage requirements.

Ohio Administrative Code (OAC) 3745-27-61(A)(2)(c) permits businesses that remove tires from motor vehicles in the ordinary course of business to have a single scrap tire storage area that occupies no more than twenty-five hundred square feet. Thus, scrap tires located

on your property that are not stored within a single 2500 square feet basal area are in violation of:

- i) **OAC 3745-27-60(B)** which states in part, "*The storage of scrap tires in any amount outside or inside a trailer, vehicle, or building shall be deemed a nuisance, a hazard to public health or safety, or fire hazard unless the tires are stored in accordance with...*" the standards contained in OAC 3745-27-60(B):
- ii) **Ohio Revised Code (ORC) Section 3734.03** which states in part, "*No person shall dispose of solid wastes by open burning or open dumping,*" and
- iii) **OAC 3745-27-05(C)** which states "*no person shall conduct, permit or allow open dumping.*"

Scrap tires which are not stored in compliance with OAC 3745-27-60(B) and 3745-27-61(A)(2)(c) i.e. those which are not stored within a 2500 square feet basal area pile are considered to be open dumped and are a nuisance, a hazard to public health and safety and a fire hazard. In order to correct the above referenced violations, scrap tires that are dumped along the property perimeter, and those scattered around the site, must either be placed within the allowed 2500 square feet (maximum 6 feet high) pile or they must be removed from the property by a registered scrap tire transporter. A list of registered scrap tire transporters was provided during the January 7, 2011 inspection.

In addition to the above requirements, OAC 3745-27-60(C) requires that scrap tires be kept in a manner that prevents mosquitoes from living or breeding in them. Scrap tires must either be kept dry (by covering etc.) or they must be treated with mosquito control (pesticide or larvicide etc). Mosquito control records must be maintained at the premises for inspection by Ohio EPA and/or the health department. A copy of rule OAC 3745-27-60 was provided during the January 7, 2011 inspection.

Please submit a written response within 15 days of your receipt of this letter, identifying what actions have been or are being taken to correct the above cited violations. Failure to correct these violations may result in enforcement action being taken against you by this Agency.

This facility generates used oil from vehicle oil changes. It is poured into a funnel and pipe inside which leads to an outside tote. This used oil is shipped to Akron Canton Waste Oil in Canton, Ohio. I received from them a copy of their manifest showing 210 gallons picked up on November 8, 2010. A copy of this manifest is enclosed.

A parts washer containing gasoline is used to clean parts. You may want to start using a solvent that is safer than gasoline. Gasoline is highly flammable and also fairly toxic if breathed in or if adsorbed through your skin. Ohio EPA's Office of Compliance Assistance

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and Pollution Prevention (OCAPP) may be able to suggest alternate solvents. They can be contacted at (800) 329-7518, or <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/ocapp>.

The parts washer containing gasoline was recently emptied for the first time in two years. The waste from this was emptied into the used oil tote. This is allowed as long as the total amount of hazardous waste (waste gasoline is a hazardous waste) generated during that month is less than 220 pounds.

You also had a drum stored outside that is used to collect used oil that is not good quality used oil (like that which is put into the tote mentioned above). You had an open funnel in this drum. This drum should be kept closed to avoid you having to pay to dispose of rainwater that gets into it and to avoid spills from the drum overflowing. The following document is enclosed:

[The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, 2006](http://epa.ohio.gov/portals/32/pdf/Used_Oil_Generators_Guidance.pdf)
http://epa.ohio.gov/portals/32/pdf/Used_Oil_Generators_Guidance.pdf

A checklist outlining the used oil rules is also enclosed.

The following used oil violation was found:

1. OAC rule 3745-279-22(C) - Used oil labels.
This rule requires containers and aboveground tanks for used oil to be labeled or marked clearly with the words "Used Oil".

Auto Salvation violated this rule by having a tote and a drum of used oil that were not labeled as used oil. When we do our follow-up inspection we will make sure these are labeled.

The following additional documents were given to you during the inspection:

[Environmental Compliance Guide for Motor Vehicle Salvage Yards, 2003](http://www.epa.ohio.gov/portals/41/sb/publications/salvageguide.pdf)

<http://www.epa.ohio.gov/portals/41/sb/publications/salvageguide.pdf>

[National Mercury Vehicle Switch Removal Program – Ohio, 2010](http://epa.ohio.gov/ocapp/sb/switch_removal_program.aspx)

http://epa.ohio.gov/ocapp/sb/switch_removal_program.aspx

[Does My Small Business Need a Storm Water Permit?, 2010](http://www.epa.ohio.gov/portals/41/sb/publications/stormwaterpermit.pdf)

<http://www.epa.ohio.gov/portals/41/sb/publications/stormwaterpermit.pdf>

[Do You Know Where Your Floor Drains Go? 2010](http://www.epa.ohio.gov/portals/41/sb/publications/floordrains.pdf)

<http://www.epa.ohio.gov/portals/41/sb/publications/floordrains.pdf>

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Phil Rhodes of Ohio EPA's Division of Surface Water has determined that your facility does not have a General Storm Water Permit. Facilities such as yours are required to obtain this permit. Please call him at (330) 963-1136 for help in applying for one.

You can find copies of the regulations and other information on the Ohio EPA web page at <http://www.epa.ohio.gov/>. If you have any questions, please contact Robert Almquist at (330) 963-1217, or robert.almquist@epa.state.oh.us, or Jarnal Singh at (330) 963-1276, or jarnal.singh@epa.state.oh.us.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,



Jarnal Singh, RS.
Environmental Specialist
Division of Solid and Infectious Waste Management



Robert Almquist
Division of Hazardous Waste Management

RA/JS/cl
Enclosures

ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO
Phil Rhodes, DSW, NEDO

cc: Marlene Kinney, DHWM, NEDO

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from its obligation to comply with all applicable regulations.