

Environmental
Protection Agency

Governor
Lt. Governor
Director

October 25, 2011

RE: **NAGY'S COLLISION**
OHR 000 104 315
HOLMES COUNTY
NOV

Mr. Dan Nagy
Nagy's Collision
1771 N. Main Street
Orrville, Ohio 44667

Dear Mr. Nagy:

Please thank Karl Kuhns for accompanying me during Ohio EPA's October 7, 2011, inspection of Nagy's Collision (Nagy's) facility in Holmesville, Ohio. I inspected Nagy's 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). My inspection included a review of company operations and written documentation. In addition to the inspection for compliance with Ohio's hazardous waste rules, the facility was inspected for compliance with Ohio's used oil rules and universal hazardous waste rules.

Nagy's is an auto collision repair shop specializing in auto body repairs. The facility currently generates waste water based paint and waste solvent based clear coat and paint gun cleaning solvent. The facility operates a distillation unit to recover solvent from the paint gun cleaning and the waste clear coat paint. The MSDS submitted to Ohio EPA for these solvent based products indicate the resultant still bottoms are not a hazardous waste.

The waste water based auto paint is currently mixed with a solidifier and disposed of as solid waste. Additional information must be obtained to ensure this waste stream has been properly characterized.

The following violation of Ohio's hazardous waste rules was found during this inspection. In order to correct this violation you must do the following and send me the required information **within 30 days** of the date of this letter:

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

Any person who generates a waste must evaluate the waste to determine if it is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51. Nagy's violated this regulation by disposing of waste lamps (primarily fluorescent lamps) as solid waste without determining whether or not the waste lamps are a hazardous waste. The waste fluorescent lamps contain mercury and may contain other hazardous metals and therefore may be a hazardous waste.

Mr. Dan Nagy
Nagy's Collision
October 25, 2011
Page 2

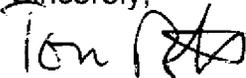
In addition to the waste lamps, the MSDS for the water based color paints used by Nagy's indicate that they contain chrome or lead. At the time of the inspection Nagy's had not had this waste stream properly characterized to determine whether it was a hazardous waste. This is also a violation of OAC 3745-52-11.

To abate this violation, Nagy's must submit waste evaluation documentation of the waste lamps and waste paint in compliance with Ohio's hazardous waste regulations. I have enclosed a copy of Ohio EPA's "Notifier" newsletter which, on page 3, discusses waste evaluation.

As an alternative to determining whether your particular waste lamps are hazardous waste, you may wish to manage them as Universal Waste. In general, this would involve saving the waste lamps in a properly labeled and closed container and having them recycled by a lamp recycler (see enclosure *Universal Waste*). If Nagy's chooses to manage the waste lamps as Universal Waste and recycle the lamps through an approved lamp recycler, indicate this in your response letter.

Should you have any questions, please feel free to call me at (330) 963-1231. You can find copies of the rules and other information on the Division of Materials and Waste Management's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Tom Roth
District Representative
Division of Materials and Waste Management

TR/cl
Enclosure

ec: Jeff Mayhugh, DMWM, CO
Nyall McKenna, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO
Marlene Kinney, DMWM, NEDO