



State of Ohio Environmental Protection Agency

Northwest District Office

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Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: 4H Auto Salvage
Richland County
DHWM Compliance Evaluation
Inspection/Complaint Investigation (2933)
Notice of Violation

November 18, 2009

Mr. Edward King, Owner
4H Auto Salvage
501 Cairns Road
Mansfield, Ohio 44903

Dear Mr. King:

On November 10, 2009, Julia Zhang and I investigated a complaint (2933) at the above mentioned facility for the Ohio Environmental Protection Agency. The complaint was referred to the Division of Air Pollution Control as a result of an alleged open burning at the facility. Furthermore a compliance evaluation inspection was also conducted. I inspected 4H Auto Salvage 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). Pollution prevention options were also discussed during this inspection.

4H Auto Salvage is a 200-car salvage yard. Most of the vehicles are bought and kept intact until clients come to remove wanted parts. Occasionally, drive trains (engine, transmission) are removed and sold separately. I spoke with Mark King during the inspection. Mark stated that you reused most of the used oil and antifreeze that is removed from the junk cars. These fluids are used in the company vehicles that are used in the yard. At the time of the inspection, Mark also stated that used batteries are sent to be recycled to Ohio Battery in Ashland, Ohio. Mark also added that few fluorescent light bulbs have been replaced since moving to the facility in 1985. Based on my observation during the inspections, it doesn't appear that 4H Auto Salvage is a generator of hazardous waste.

During the inspection and facility walk-through, I observed several areas heavily stained and saturated with used oil (see enclosed photographs). Mark stated that incidentals releases occurred during the removal of the car engines and drive trains and subsequent storage directly on the ground.

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Based on my observations, I found the following violations of Ohio's hazardous waste laws. I am also stating several general observations. You must provide me the requested information within 30 days of receipt of this letter:

1. OAC Rule 3745-279-22 (D): Used oil storage requirements for generators -- Response to releases.

Generators shall clean up and properly manage a release of used oil.

4H Auto Salvage did not clean up the oil released around engine, and drive trains during their removal from salvage cars and subsequent storage directly on the ground.

4H Auto Salvage shall immediately clean up all visible contamination around the areas identified in the enclosed photographs. This material shall be placed on plastic in a pile or in a container in good condition prior to disposal. In order for 4H Auto Salvage to determine whether the used oil contaminated soil exhibits any hazardous waste characteristics, 4H Auto Salvage must obtain a chemical analysis of a representative sample of the used oil contaminated soil. 4H Auto Salvage will need to contract the services of an environmental laboratory to analyze this material. 4H Auto Salvage must determine, at least, the concentrations of the RCRA metals: cadmium, chromium, lead, and benzene (OAC Rule 3745-51-24).

4H Auto Salvage may run total concentrations for the RCRA metals as a screening tool. If concentrations are detected for the RCRA metals at or above regulatory limits, a TCLP may be required to ensure these constituents are not present above Ohio EPA regulatory levels.

Please notify me at least five days prior to taking the sample(s) so that I or another Ohio EPA representative may be present.

Based on the results of the analytical, 4H Auto Salvage shall label the container(s) appropriately and dispose of the material at a proper disposal facility.

To abate this violation, 4H Auto Salvage shall submit to me the analytical results indicating the proper evaluation of the used oil contaminated soil, appropriate manifest documents or shipping papers indicating proper disposal of the used oil contaminated soil, and pictures indicating the release has been cleaned up.

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Your results must document if the waste is hazardous or not and whether it is restricted from land disposal. If it is hazardous, you must explain what treatment, storage, or disposal facility you will send it to. 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.

Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the wastes tested. 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 manual which can be obtained from Ohio EPA's web page:

<http://epa.ohio.gov/portals/32/pdf/Tier1DVManual.pdf>.

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: process generating the waste, point in the process the sample was obtained, 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.*

General Comments/Concerns: Housekeeping/Engine Storage

During the inspection, I observed that the facility lacks adequate housekeeping. Good housekeeping is a way to eliminate many of the hazards often cited as violations of the General Duty Clause (blocked entrances and exits; sticking doors; slip, trip and fall hazards; lack of or improperly stocked first aid kit; cuts & lacerations from bent/protruding objects on walls/floors;). Good housekeeping reduces injuries and accidents, improves morale, reduces fire potential, and can even make operations more efficient. Ohio EPA recommends that 4H Auto Salvage improve its housekeeping practices by constant policing and maintenance especially of its areas of waste accumulation. In addition, engines and drive trains should be moved indoors or onto impermeable surfaces so as to eliminate the release of contaminants into the environment.

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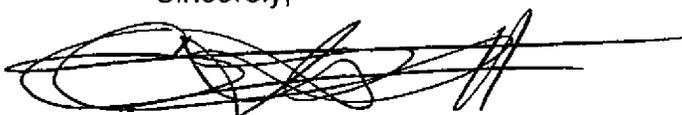
The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign up for this free service. You can find more information at 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, you may be able to reduce the waste your company generates. 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, I provided you with the following documents: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, April 2006; Used Oil Recyclers; Universal Waste Guidance, December, 2005; Universal Waste Rules for Handlers of Lamps, June, 2005; Computer, Fluorescent Lamps, and Ballasts Recyclers List, November, 2008; and Environmental Compliance Guide for Motor Vehicle Salvage Yards, March, 2003.

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

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/lr

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
~~DHWM, NWDO: File: 4H Auto Salvage, Richland County (new file)~~

ec: Ed Pulido, DHWM, NWDO

<p>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.</p>

**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. Site Name	EPA ID Number: Name: 4H Auto Salvage	Website: (Optional)
Site Location Information	Street Address: 501 Cairns Road City, Town, or Village: Mansfield County Name: Richland	State: OH Zip Code: 44903
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: Mark Phone Number: (419)524-1566 E-Mail Address: Fax Number: Street or P.O. Box: City, Town or Village: State:	MI: Last Name: King Phone Number Extension: Fax Number Extension: 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: Edward King Owner Private County District Federal Indian Municipal State Other Type: <input checked="" type="checkbox"/> <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State: Name of Site's Operator: Owner Private County District Federal Indian Municipal State Other Type: <input checked="" type="checkbox"/> <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State:	Date Became Owner (mm/dd/yyyy): 01/01/1985 Owner Phone #: Country: Zip Code: Date Became Operator (mm/dd/yyyy): Operator Phone #: 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 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 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)

- | | |
|---|---|
| <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) | |

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 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 WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced Yes No Additional Facility Representatives:
 Tanks Yes No Other Comments: **Complaint #2933, concens about mismanagement of waste**
 Containers Yes No **(used oil, antifreeze)**

Name of Inspector(s)

Ed Pulido

Name of Inspector(s)

Julia Zhang

Date of Inspection/Time

(mm/dd/yyyy) (hh:mm)

11/10/2009 9:00am

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)

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked Used Oil? [3745-279-22(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Stopped the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more that	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	0.5 million BTU per hour?	
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.	If the generator self-transported 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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

13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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.