



**Environmental
Protection Agency**

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

December 15, 2011

Mr. Chuck Smith
Central Ohio Metal Exchange
2079 Twp. Road 244
Edison, OH 43320

**Re: Central Ohio Metal Exchange
OHR000121582
Conditionally Exempt Small Quantity Generator
Morrow County
Return to Compliance**

Dear Mr. Smith:

Ohio EPA issued Central Ohio Metal Exchange (COME) a Notice of Violation (NOV), dated November 3, 2011. This NOV was based on the findings of a complaint investigation completed at the COME facility on October 31, 2011. During a telephone conversation on November 29, 2011, you reported the violation cited in the NOV had been corrected.

On December 8, 2011, Phil Farnlacher and I returned to the COME facility to review the current operations. Many of the dismantling operations were now being completed under cover of the building on a concrete floor. Segregation of materials was apparent and the facility was overall more orderly. Containers of used oil were in a single location within the building and all were appropriately labeled. Now, when oils are removed from equipment, they are initially placed into small containers (5-gallon buckets) and transferred to the 55-gallon containers.

Based upon the findings of the December 8, 2011 facility review, it has been determined that the violation cited in the November 3, 2011 NOV, as found below, has been adequately abated.

Ohio Administrative Code Rule 3745-279-22(C)(1), Used Oil Storage Requirements for Generators – Labels.

COME is returned to compliance and no further action regarding this NOV is needed.

Should you have any questions or need additional information, feel free to contact Phil or me. Phil can be reached by telephone at 614-728-3890 and I can be reached by telephone at 614-728-5037.

Mr. Chuck Smith
Central Ohio Metal Exchange
Page 2 of 2

You may also find helpful information on Ohio EPA's web site found at:
<http://www.epa.state.oh.us/>.

NOTICE: Ohio EPA's failure to list specific violations or deficiencies in this letter does not relieve COME from having to comply with all applicable regulations.

Respectfully,

A handwritten signature in black ink that reads "Randy Sheldon". The signature is written in a cursive, flowing style.

Randy Sheldon
Environmental Specialist
Division of Materials and Waste Management
Central District Office

c: DMWM, CDO File

RS/nsm rlc



Environmental
Protection Agency

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

FILE COPY

November 3, 2011

Mr. Chuck Smith
Central Ohio Metal Exchange
2079 Twp. Road 244
Edison, OH 43320

**Re: Central Ohio Metal Exchange
OHR000121582
Conditionally Exempt Small Quantity Generator
Morrow County
Notice of Violation**

Dear Mr. Smith:

On October 24, 2011, Ohio EPA received a citizen's complaint that alleged improper management of wastes by Central Ohio Metal Exchange (COME) located at 2079 Twp. Road 244, Edison, Ohio in Morrow County. Specifically, the complainant alleged that fluids were being removed from automobiles collected for salvage and these fluids were not being appropriately collected and managed.

On October 31, 2011, Phil Farnlacher and I met with you to discuss the complaint and associated allegations. We explained to you that Phil would be investigating solid waste associated issues (i.e., non-hazardous solid wastes, used tires, etc.) and I would be investigating hazardous waste associated issues (i.e., hazardous waste, used oil, universal wastes, antifreeze, etc.). The three (3) of us discussed COME's business operations and associated waste management activities.

As we discussed, this Notice of Violation (NOV) citation specifically deals with the management of used oil. You will also find enclosed the following Ohio EPA documents that relate to the various operations potentially conducted at your business: *The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, April 2006*; *Environmental Compliance Guide for Motor Vehicle Salvage Yards, March 2003*; *Universal Waste, August 2011*; *Notifier – Mixtures of Hazardous Waste and Used Oil, Winter 2006*; *Ohio's Universal Waste Rules: Are You Handling Used Lamps Correctly? May 2008*; *Management of Electronic Waste from Businesses, August 2004*; *Lead-Acid Batteries Must Be Recycled, April 2008*; *Used Oil Recyclers*; *Computer, Fluorescent Lamp, and Ballast Recyclers*; and *Gas Cylinder Recyclers*.

Based on the findings of this complaint investigation, it has been determined that COME is currently in violation of the following Ohio Administrative Code (OAC) rule:

Central District Office
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 728 3778
614 | 728 3898 (fax)
www.epa.ohio.gov

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

At the time of the complaint investigation, there were several containers of various sizes used for the management of used oil. None of these containers were labeled with the words "Used Oil" as required.

In order for COME to abate this violation, all containers used for management of used oil must be labeled with the words "Used Oil." Within thirty (30) days, please send to my attention documentation and/or photographs indicating that all containers used for management of used oil have been appropriately labeled. Also, please identify measures COME has taken to assure this violation will not be repeated in the future.

The documentation requested above should be sent to the following address:

Ohio EPA
Division of Materials and Waste Management
Central District Office
Attn: Randy Sheldon
P.O. Box 1049
Columbus, OH 43216-1049.

Solid Waste Associated Issues

During the compliant inspection we noticed that you have a small accumulation of tires both inside and outside the building. You explained that you get tires by accepting alloy wheels for recycling with the tires still attached. You are trying to keep the number of tires below 100. You explained that as tires are generated you have been taking them to DC Tire in Mount Gilead for ultimate disposal. As we discussed, you can only legally haul a maximum of ten scrap tires without being registered as a scrap tire transporter. Therefore, you can continue to haul no more than ten tires at a time or arrange for a registered scrap tire transporter to periodically pick up tires at your scrap business location. I have enclosed a guidance document titled, "How Do Ohio's Scrap Tire Rules Affect Generators of Scrap Tires?" that helps explain in more detail the scrap tire regulations.

Should you have any questions or need additional information, feel free to contact either one of us. Phil can be reached by telephone at 614-728-3890 and I can be reached by telephone at 614-728-5037.

Mr. Chuck Smith
Central Ohio Metal Exchange
Page 3 of 3

You may also find helpful information on Ohio EPA's web site found at:
<http://www.epa.state.oh.us/>.

NOTICE: Ohio EPA's failure to list specific violations or deficiencies in this letter does not relieve COME from having to comply with all applicable regulations.

Respectfully,



Randy Sheldon
Environmental Specialist
Division of Materials and Waste Management
Central District Office

Enclosures

c: Brad Hauser, DMWM, CO
Brian Benick, Morrow County Health Dept.
Tom Harden, Morrow County Commissioner's Office
DMWM, CDO, File

RS/nsm COME

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
--	---	-----------------------

Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHR000121582 Name: Central Ohio Metal Exchange Website: (Optional) Street Address: 2079 Twp. Road 244 City, Town, or Village: Edison State: OH County Name: Morrow Zip Code: 43320 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: Chuck MI: Last Name: Smith Title: Owner Phone Number: 419-845-2220 Phone Number Extension: E-Mail Address: Fax Number: 419-845-2221 Fax Number Extension: Street or P.O. Box: City, Town or Village: State: 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: Michael A. & Mathew R. Hogan Owner Type: 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"/> Street or P.O. Box: 2535 Co. Road 69 City, Town or Village: Edison Owner Phone #: State: OH Country: USA Zip Code: 43320 Name of Site's Operator: Central Ohio Metal Exchange Operator Type: 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"/> Street or P.O. Box: 2079 Twp. Road 244 City, Town or Village: Edison Operator Phone #: 419-845-2220 State: OH Country: USA Zip Code: 43320
---	--

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------	---

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input checked="" 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"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))	
<input checked="" 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	
<input checked="" type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input checked="" type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input checked="" type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil	
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications	

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> Non-profit institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Tanks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Containers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Additional Facility Representatives:	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
R Sheldon	P Farnlacher	10/31/2011 10:30 AM

Comments:
 Complaint Investigation/focused inspections with solid waste (see NOV, 11/03/2011). Very small quantities of hazardous waste (i.e., unusable gasoline) may be generated and is mixed with used oil.