



**Environmental
Protection Agency**

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

September 12, 2011

**RE: CRESTVIEW AUTO BODY
NOTICE OF VIOLATION/PRTC**

09-12-2011 1:45:21 PM

Michele Van Pelt
Crestview Auto Body
3696 State Route 7
New Waterford, OH 44445

Dear Ms. Van Pelt:

On August 30, 2011, I met with Ian Nenadic at Crestview Auto Body (Crestview) located at 3696 State Route 7, New Waterford, Ohio. The purpose of this was to determine if Crestview was in compliance with Ohio's hazardous waste and used oil laws and rules as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on the inspection and on the hazardous waste manifests you sent me, it appears Crestview normally generates less than 220 pounds of hazardous waste per calendar month. This facility is therefore classified as a Conditionally Exempt Small Quantity Generator (CESQG). A completed checklist covering the rules that apply to such a generator is enclosed. A completed used oil checklist is also enclosed.

The following 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".

Crestview violated this rule by having a drum of used oil that was not labeled as used oil. This violation was corrected during the inspection.

The following concerns were found:

1. Your drum of hazardous waste solvent was open. This should be kept closed to avoid evaporation (and the resulting employee exposure) and to create less of a spill and fire hazard. The cap on the drum should either be screwed in or you should use a screw-in funnel with a tight fitting lid.
2. We saw and photographed the ashes left from open burning. Enclosed is the following document which explains Ohio's open burning laws:

Ohio's Open Burning Regulations, 2011

<http://epa.ohio.gov/portals/47/facts/openburn.pdf>

Michele Van Pelt
Crestview Auto Body
September 12, 2011
Page 2

The materials you have burned, including a chair, a mattress, plastic, and aerosol cans, are not allowed to be burned. **The ashes must now be removed and properly disposed. Please send me documentation of how this was done. Include a photograph of the cleaned area.**

Enclosed is a RCRA Subtitle C Site Identification/Verification Form for this location. **Please fill in the owner and operator information and make any other changes needed and return it to me.** We also have information on 4 other Crestview Auto Body locations. Copies of this are enclosed. You may want to review this information and relate any updates to Brad Hauser at (614) 644-1694 or you can email them to me and I will forward them.

Mr. Nenadic told me that if a fluorescent lamp would burn out, it would be taken by your electrical contractor who would change the lamp. You should ensure that this contractor properly recycles any waste lamps it takes from you.

Your most recent manifest, dated June 30, 2011 listed the hazardous waste codes of D005 and D006. These codes are used for wastes that are above the TCLP limit for barium in the case of D005 and cadmium in the case of D006. I gave Mr. Nenadic a copy of OAC 3745-51-24 which lists these TCLP limits. You can also find this and other rules at http://www.epa.ohio.gov/dhwm/laws_regs.aspx.

Your previous manifest, dated March 10, 2010, did not list these waste codes. If the paints you use contain enough barium and/or cadmium, these waste codes may actually apply, however, I have not seen other body shops typically use these codes. You may want to ask Safety-Kleen Systems why they put these codes on the manifest.

Scrap tires were seen stored outside. Enclosed is the following document which outlines Ohio's scrap tire rules:

[How Do Ohio's Scrap Tire Rules Affect Generators of Scrap Tires? 2007](http://www.epa.ohio.gov/portals/34/document/guidance/gd_645.pdf)
http://www.epa.ohio.gov/portals/34/document/guidance/gd_645.pdf

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

[Identifying Your Hazardous Waste, 2010](http://www.epa.ohio.gov/portals/41/sb/publications/identifyingwaste.pdf)

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

[OAC 3745-51-21 to 24 characteristic hazardous waste](#)

[OAC 3745-51-31 listed hazardous waste](#)

http://www.epa.ohio.gov/dhwm/laws_regs.aspx

[Ohio's Universal Waste Rules: Are You Handling Used Lamps Correctly?, 2010](http://www.epa.ohio.gov/portals/41/sb/publications/Lampcompliancechecklist.pdf)

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

[Waste Disposal and Recycling Companies in Northeast Ohio, 2011](#)

[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

[Registered Used Oil Transporters in Northeast Ohio, 2011](#)

Michele Van Pelt
Crestview Auto Body
September 12, 2011
Page 3

Onsite Pollution Prevention Assistance

<http://epa.ohio.gov/portals/41/p2/P2OnsiteBrochure.pdf>

Other information and suggestions:

- Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues (including sources of funding) related to air, land, and water. They can be contacted at (800) 329-7518 or <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/ocapp>.
- ENERGY STAR is a government-backed program helping businesses and individuals protect the environment through superior energy efficiency. Their website is at: <http://www.energystar.gov/>.
- The Clean Air Resource Center offers help in understanding EPA air quality requirements. In addition, if your business is required to purchase new equipment, they can offer better-cost financing with special tax incentives. Their phone number is (800) 225-5051 and website is <http://www.ohioairquality.org/>.
- Ohio Bureau of Workers' Compensation has an OSHA On-Site Consultation service which includes free on-site safety inspections and consultation, safety program assistance, and safety and hygiene training or seminars. More information can be found at: <http://www.ohiobwc.com/employer/programs/safety/SandHOSHAOnSite.asp>.

If you have any questions, please contact me at (330) 963-1217, or robert.almquist@epa.state.oh.us. Please send me a written response addressing the two concerns and the Site ID form within 30 days.

Sincerely,



Robert Almquist
Division of Materials and Waste Management

RA:cl
Enclosures

ec: Frank Popotnik, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO
Jeff Mayhugh, DMWM, CO
Darren Machuga, DAPC, NEDO
Brad Hauser, DMWM, CO

cc: Marlene Kinney, DMWM, 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.