

Environmental
Protection Agency

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

August 31, 2011

**BELMONT COUNTY
GENERAL FILE
(GABBY'S AUTO SALVAGE, LLC)
RCRA/UOG
NON-NOTIFIER**

Mr. George Trouten
Gabby's Auto Salvage, LLC
41540 National Road
Belmont, Ohio 43718

Dear Mr. Trouten:

On August 23, 2011, Erika Jackson and I conducted a complaint investigation of Gabby's Auto Salvage to determine the validity of a complaint that was received by this office on August 8, 2011, and to determine the company's compliance with Ohio's solid and hazardous waste laws and regulations, as found in the Ohio Revised Code and the Ohio Administrative Code (ORC and OAC, respectively). The complainant alleged that automotive fluids from crushing cars were being disposed of onto the ground.

Based on the complaint investigation, we found the following violations of Ohio's solid and hazardous waste regulations. In order to correct these violations, you must do the following and send us the required information ***within 30 days*** of your receipt of this letter:

- (1) **Used oil storage requirements for generators, OAC rule 375-279-22(C):**
Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil".

During the complaint investigation, used oil containers were not labeled as required by this rule. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the containers have been labeled as required.

- (2) **Used oil storage requirements for generators, OAC rule 3745-279-22(D):**
Response to releases. Upon detection of a release of used oil to the environment that is not subject to the requirements of Chapter 1301:7-9 of the Administrative Code and which has occurred after October 20, 1998, a generator must perform the following cleanup steps: (1) Stop the release; (2) Contain the released used oil; (3) Clean up and manage properly the released used oil and other materials; and (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

During the inspection, used oil was observed on the ground in various locations throughout the property (see attached photographs). As required by this rule, Gabby's Auto Salvage, LLC must clean-up the contaminated soils. To demonstrate compliance with this rule, photographic documentation and must be submitted to Ohio EPA demonstrating that the contaminated soil has been removed and disposed of properly. We have attached a copy of the Used Oil fact sheet for your information.

- (3) **ORC rule 3734.03 states in part:**
ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.
- (4) **OAC rule 3745-27-05(C)** - No person shall conduct, permit, or allow open dumping.

Improper storage of scrap tires poses several potential problems for the local residents, environment, and emergency crews in the area. Scrap tires provide an optimal breeding ground for mosquitoes. Mosquitoes identified at tire piles in Ohio can carry St. Louis Encephalitis, La Crosse Encephalitis, Yellow Fever, Dengue Fever and West Nile Virus.

Scrap tire fires are a source of air pollution and can cause respiratory problems for those that breathe the smoke. Tire fires are also difficult for emergency crews to extinguish.

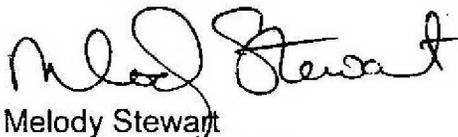
Ohio law requires that anyone removing scrap tires for disposal must take the tires to either a licensed or registered scrap tire collection, recovery or disposal facility. Anyone transporting more than ten (10) scrap tires must be registered with Ohio EPA as a Scrap Tire Transporter. All other solid waste must be removed from the property and disposed of at either a licensed solid waste disposal facility or taken to a legitimate recycling facility. Copies of receipts for disposal or recycling should be submitted to this office as proof of disposal.

Your response should include details of your actions taken to properly dispose or recycle the current waste on your property as well as a timeline indicating when the tires will be properly disposed.

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During the complaint investigation, areas of open burning and discolored soils from run-off were also observed. These issues have been referred to the Division of Air Pollution control and the Division of Surface Water. Representatives from these divisions may also inspect your facility for compliance. If you have any questions regarding this letter, please call.

Sincerely,



Melody Stewart
District Representative
DMWM – Hazardous Waste
(740) 380.5256



Erika Jackson
District Representative
DMWM – Solid Waste
(740) 380-5228

MS/EJ/mlm

Enclosures

cc: Aaron Wolfe, DSW/SEDO
Lisa Duvall, DAPC/SEDO

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 appropriate regulations.