



Environmental  
Protection Agency

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

May 3, 2012

A.I.M. Recycling & Demolition  
P.O. Box 800  
Ashtabula OH 44004

**RE: AIM RECYCLING/ASHTABULA IRON & METAL, OHR 000 042 911, ASHTABULA COUNTY, NOTICE OF VIOLATION**

Dear Madam or Sir:

Ohio EPA, represented by Edward D'Amato/DMWM-NEDO, inspected the former AIM recycling/Ashtabula Iron & Metal located at 2710 West Avenue in Ashtabula, Ohio for compliance with Ohio's hazardous waste laws found in Chapter 3745 of the Ohio Administrative Code and 3734 of the Ohio Revised Code. As an owner and/or operator of the property, A.I.M. Recycling & Demolition is obligated to comply with these laws. Also present were Colum McKenna/DMWM-NEDO, Rich Kolosionek/DAPC-NEDO, and Ron Pristera, Fire Chief, City of Ashtabula.

The following violations were found:

**1. Unlawful Treatment, Storage, Disposal, or Transportation of Hazardous Waste ORC 3734.02(F)**

*No person shall store, treat, or dispose, transport or cause to be transported, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed, any hazardous waste except at or to a permitted hazardous waste facility*

Several dozen cases of spray paint (see attached pictures) were found in a wooden outbuilding on the premises. The Material Safety Data Sheet (attached) shows the paint has a flashpoint of less than 140 °F. Furthermore, as the paint is not being stored in a manner consistent with it being preserved as a usable product, it is, therefore, a hazardous waste. A.I.M. Recycling & Demolition must immediately and properly dispose of this waste and submit copies of the disposal documentation to this office.

**2. Permit Required for Establishment of a TSD ORC 3734.02(E)(2)**

*No person shall establish or operate a hazardous waste facility, or use a solid waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit*

The several dozen cases of spray paint noted above have been abandoned in a disused wooden outbuilding on the property, therefore an unpermitted hazardous waste disposal facility has been established. A.I.M. Recycling & Demolition must immediately and properly dispose of the hazardous waste and submit copies of the disposal documentation to this office.

**3. Hazardous Waste Determination  
OAC 3745-52-11**

*Any person who generates a waste in the state of Ohio...shall determine if the waste is a hazardous waste...*

Ohio EPA identified approximately 27 drums containing unknown liquids at various locations on the premises. The drums are identified in the attached pictures. Also identified were at least fifteen 5-gallon buckets, possibly of a coating material, in one of the outbuildings and a green, steel compressed gas cylinder (not clear if under pressure). See attached pictures for these items as well. Pursuant to OAC 3745-52-11, you must immediately evaluate these wastes to determine if they are a listed or characteristic hazardous waste as described in this rule. Once this determination has been made, you must provide documentation for each waste stream. All hazardous wastes must be properly disposed and you must submit copies of the disposal paperwork to this office.

**4. Used Oil Storage Requirements for Generators (Labels)  
OAC 3745-279-22(C)**

*Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil"*

Several containers, some 55-gallon drums, and some 5-gallon buckets, on the premises appeared to contain used oil. The containers were not labeled "Used Oil" per this rule. To correct this violation, all containers of used oil on the premises must be identified and properly disposed. Copies of the disposal paperwork must be submitted to this office. Enclosed is a list of Ohio EPA-registered used oil transporters to assist you.

**5. Response to Releases of Used Oil  
OAC 3745-279-22(D)**

*Upon the detection of a release of used oil to the environment, a generator shall...clean up and manage properly the released used oil...*

Several releases of used oil were identified in various locations on the property. Some of the locations can be seen in the attached pictures. To correct this violation, all releases of used oil on the premises must be cleaned up to a visual extent and oil-contaminated soil properly disposed. You must submit photographs and disposal documentation to this office showing this has been done.

In addition to the above violations, the following concern was also noted:

6. There was at least one Gaylord box of lead-acid batteries, at least seven lead-acid batteries on pallets, and several Gaylord boxes of electronic waste in the old roundhouse building. If these items are not immediately shipped off for recycling, they may be considered a hazardous waste. To address this concern, the batteries and electronic waste must be shipped to a legitimate recycler and copies of the shipping documents submitted to this office.

A.I.M. Recycling & Demolition needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, A.I.M. Recycling & Demolition is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to [edward.damato@epa.state.oh.us](mailto:edward.damato@epa.state.oh.us).

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, A.I.M. Recycling & Demolition is requested to submit written correspondence of the steps that will be taken to attain compliance.

If you have any questions, please contact me at (330) 963-1170.

Enclosed are the pictures that were taken during the inspection.

Sincerely,



Edward J. D'Amato  
Environmental Specialist  
Division of Hazardous Waste Management

EJD:ddw

Enclosure

cc: Ron Pristera, Chief, Ashtabula Fire Department  
ec: John Palmer, DERR, NEDO  
Frank Popotnik, DMWM, NEDO  
Jeff Mayhugh, DMWM, CO  
Bruce McCoy, DMWM, CO  
Frances Kovac, Legal, CO  
Todd Anderson, Legal, CO

AIM Recycling/Ashtabula Iron & Metal  
OHR 000 042 911  
27-April-2012



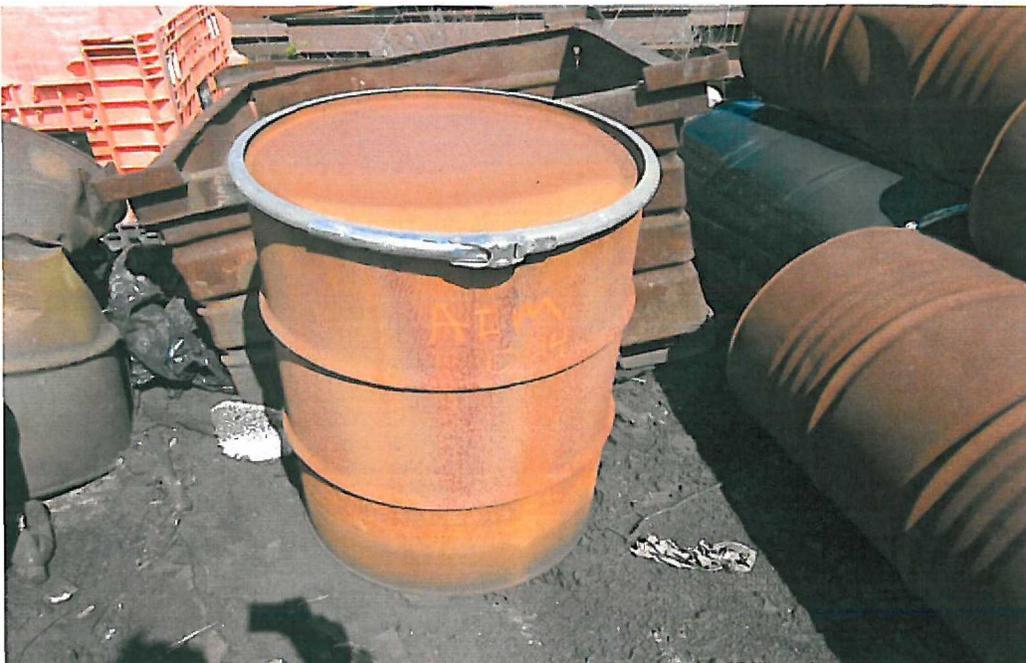
1. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Drum, contents unknown



2. AIM Recycling/Ashtabula Iron & Metal 4/27/12, 2 drums, contents unknown



3. AIM Recycling/Ashtabula Iron & Metal 4/27/12, 2 drums, contents unknown  
Two drums in rear had contents but could not be marked because they could not be accessed.



4. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Drum contents unknown



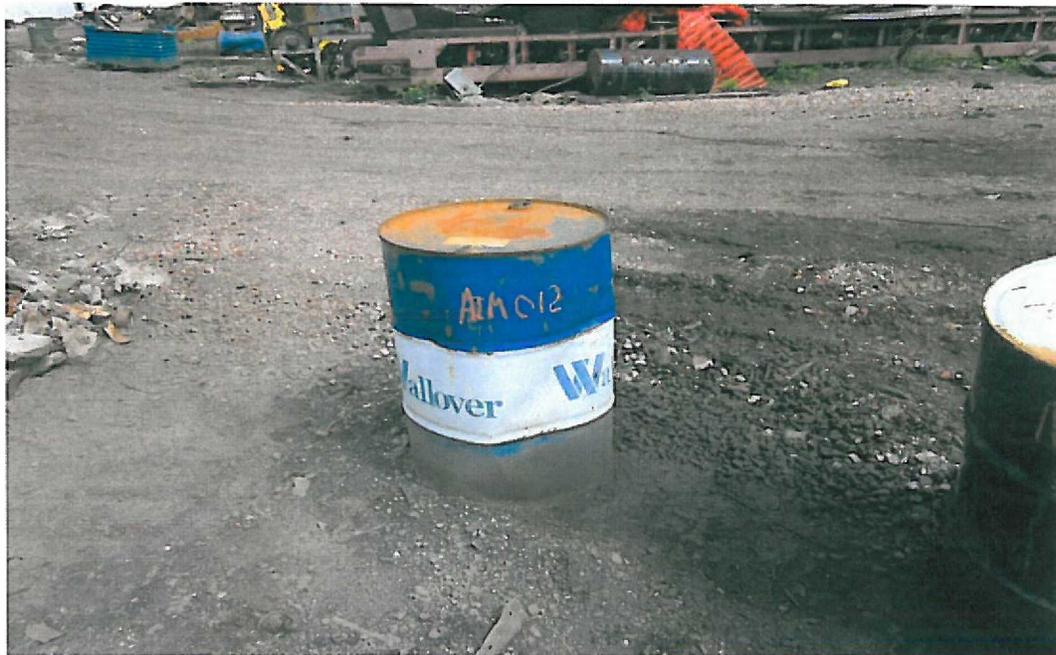
5. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 2 drums, contents unknown



6. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Compressed gas cylinder, contents unknown, unclear if under pressure



7. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Pressure gauge on gas cylinder in photo #6. Unclear if tank is under pressure.



8. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Drum contents unknown



9. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Drum contents unknown



10. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 2 drums, contents unknown



11. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 2 drums, contents unknown



12. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release



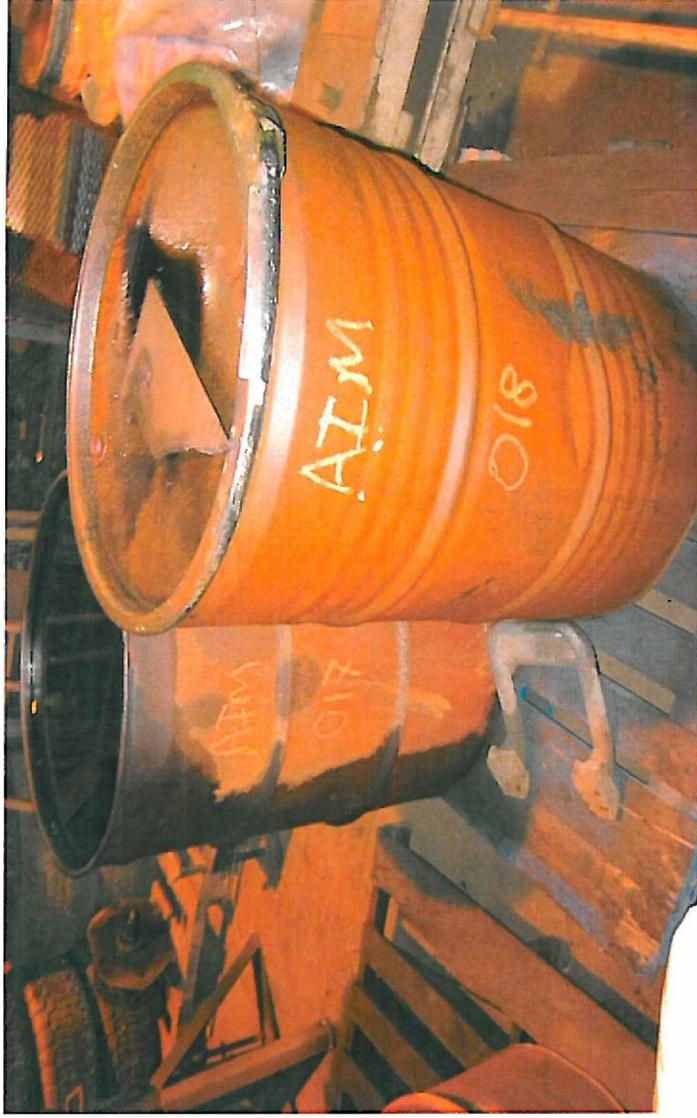
13. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 2 drums, contents unknown



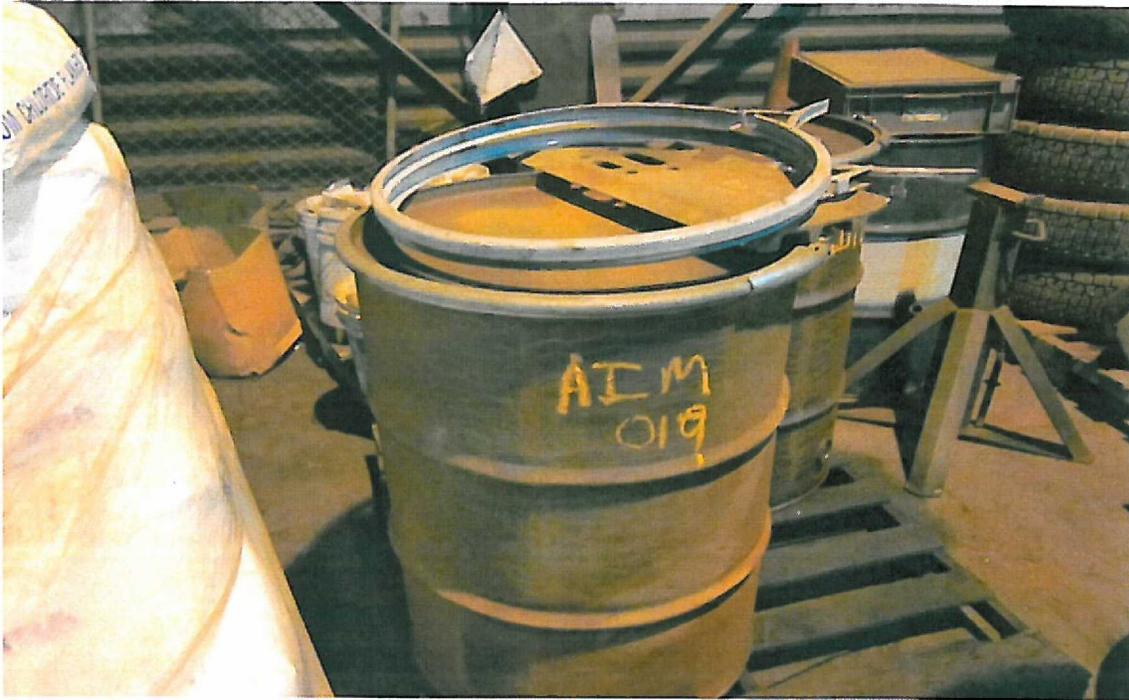
14. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release



15. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



16. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 2 drums, contents unknown



17. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown



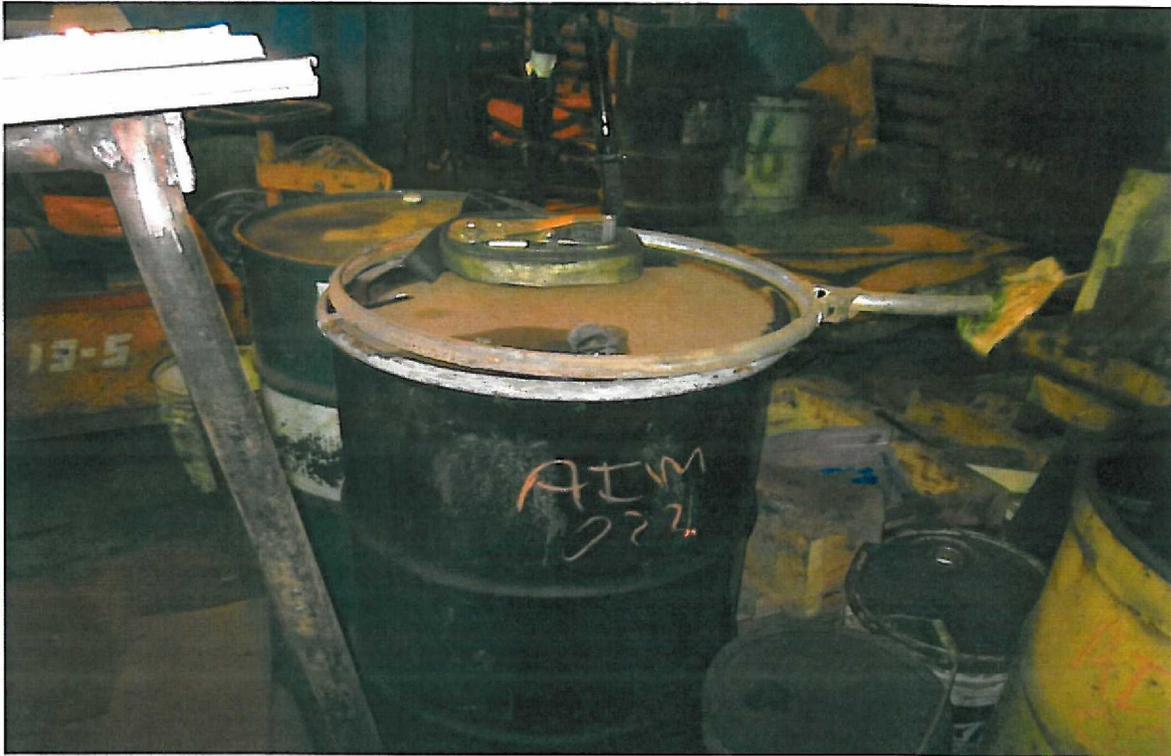
18. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown



19. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown



20. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown



21. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown



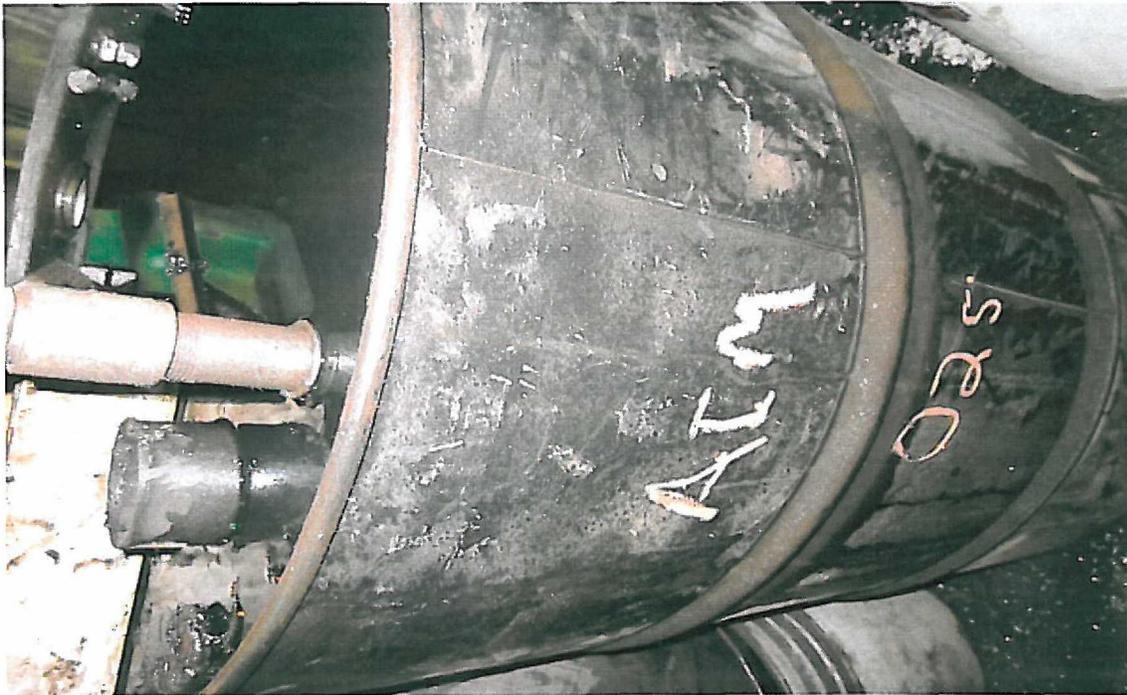
22. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown, 5-gallon buckets, contents unknown.



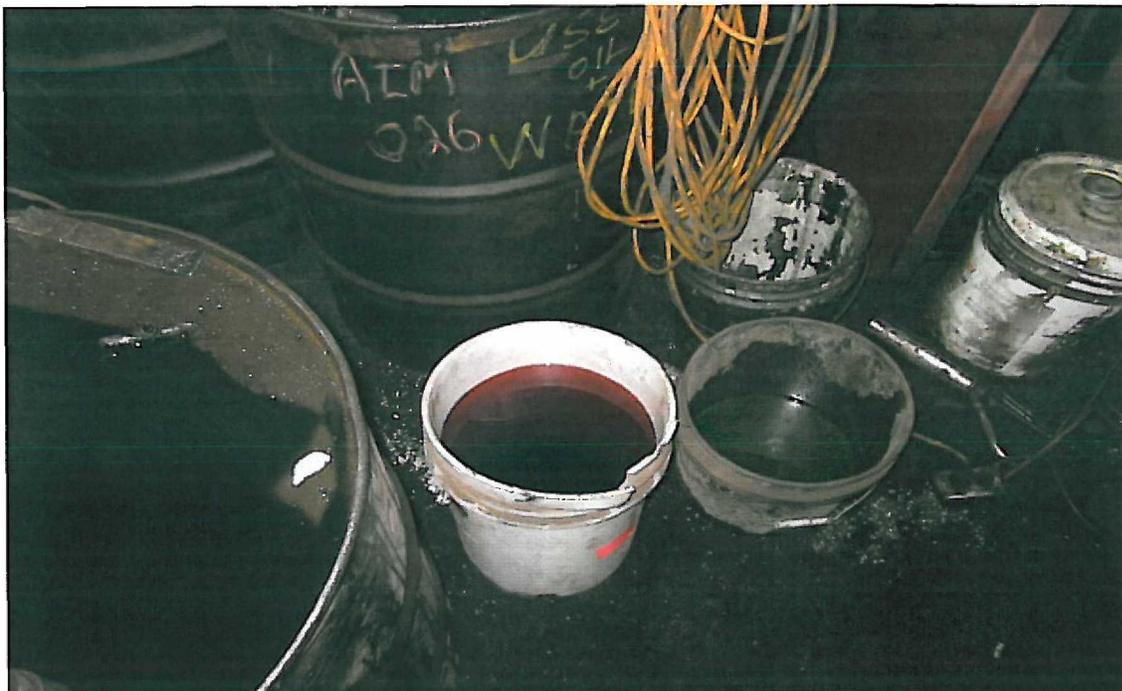
23. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown  
5-gallon buckets content unknown, possibly used oil



24. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown,  
possibly used oil



25. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown



26. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 5-gallon buckets, contents unknown, possibly used oil.



27. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Buckets appear to contain used oil, Used oil release on floor.



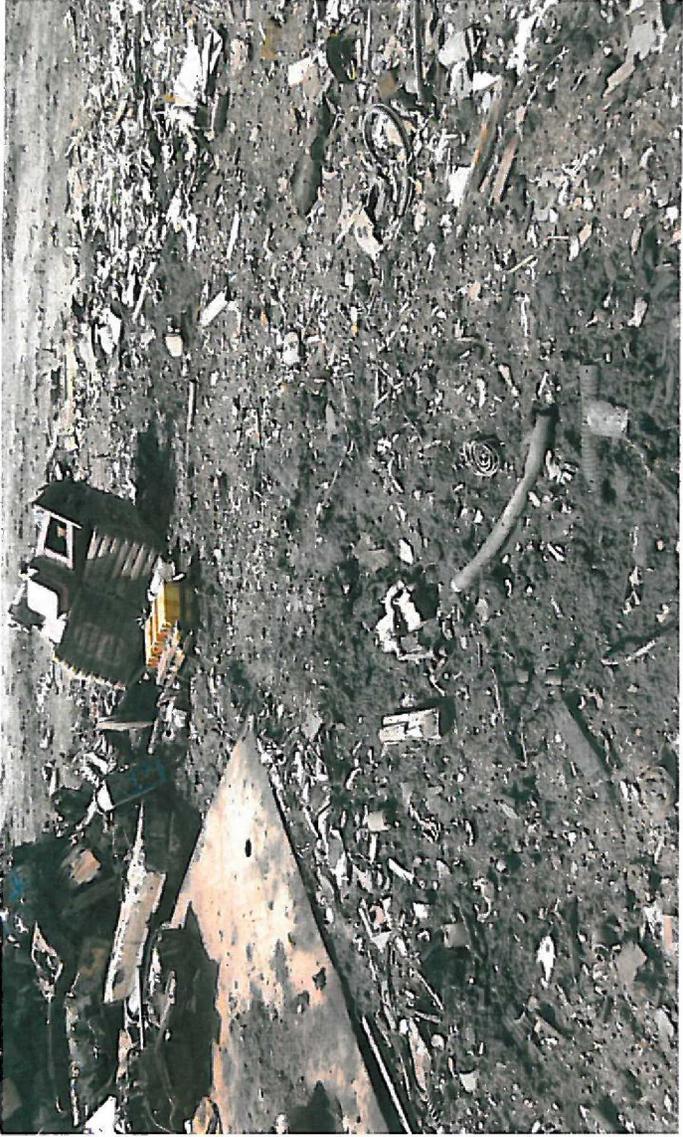
28. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



29. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 1 drum, contents unknown, possibly used oil



30. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



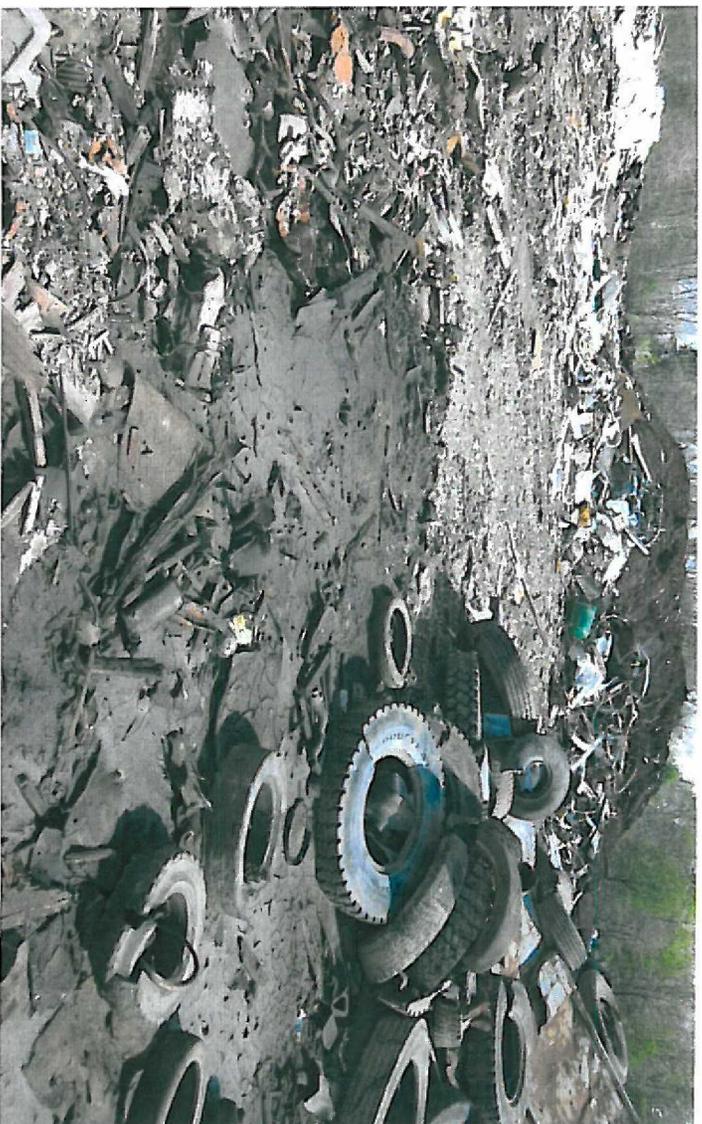
31. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



32. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



33. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



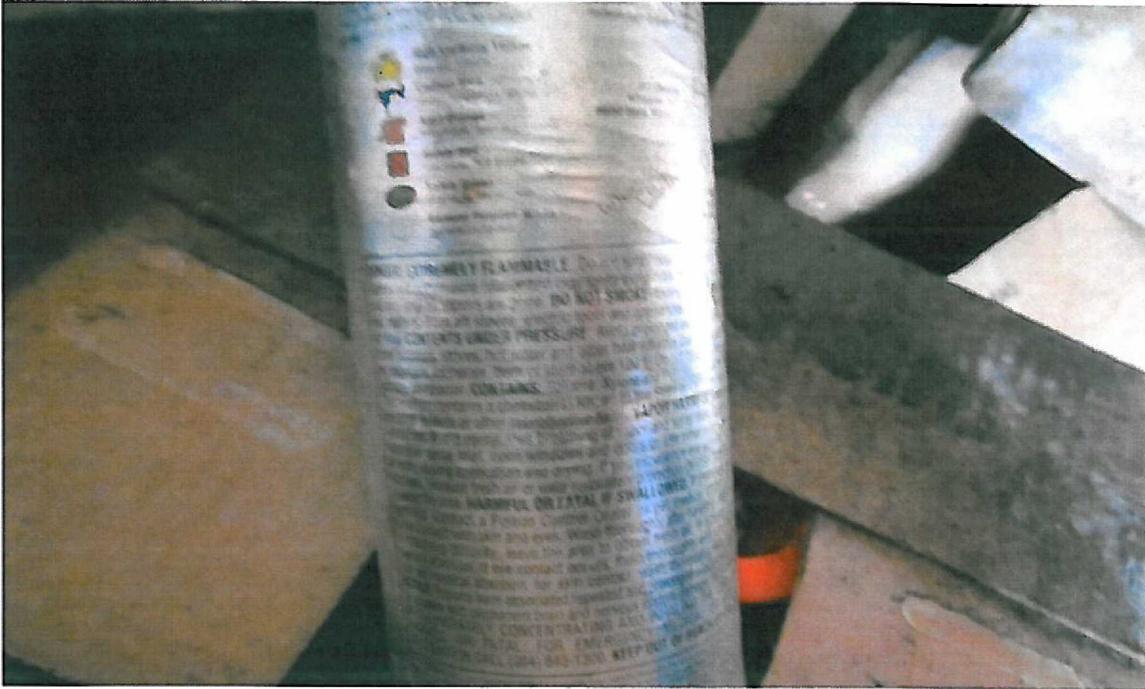
34. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Used oil release.



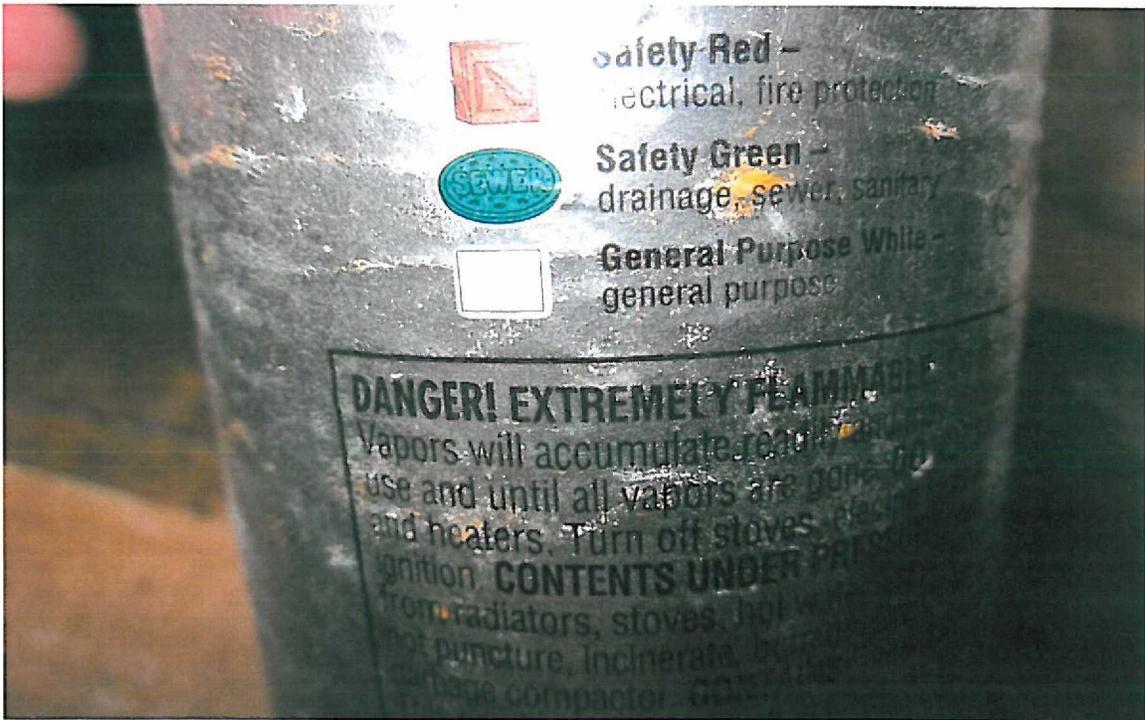
35. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Cases of spray paint in disused wooden outbuilding.



36. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Label on spray paint.



37. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Label on spray paint.



38. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Label on spray paint.



39. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Cases of spray paint in disused wooden outbuilding



40 AIM Recycling/Ashtabula Iron & Metal 4/27/12. Cases of spray paint.



41. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Cases of spray paint.



42. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Cases of spray paint.



43.. AIM Recycling/Ashtabula Iron & Metal 4/27/12. 5-gallon containers of a coating material. .



44. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Lead-acid batteries in Roundhouse building



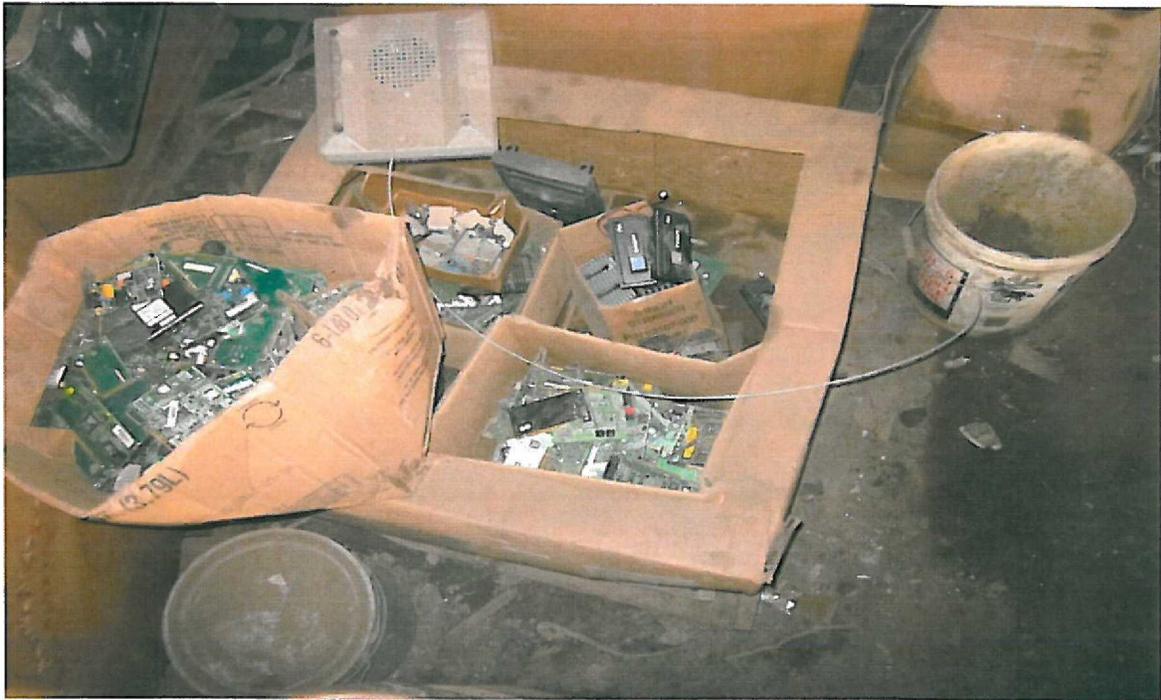
45. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Lead-acid batteries in Roundhouse building



46. AIM Recycling/Ashtabula Iron & Metal 4/27/12. Gaylord box of lead-acid batteries in Roundhouse building



47. AIM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building



48. AIM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building



49. AIM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building



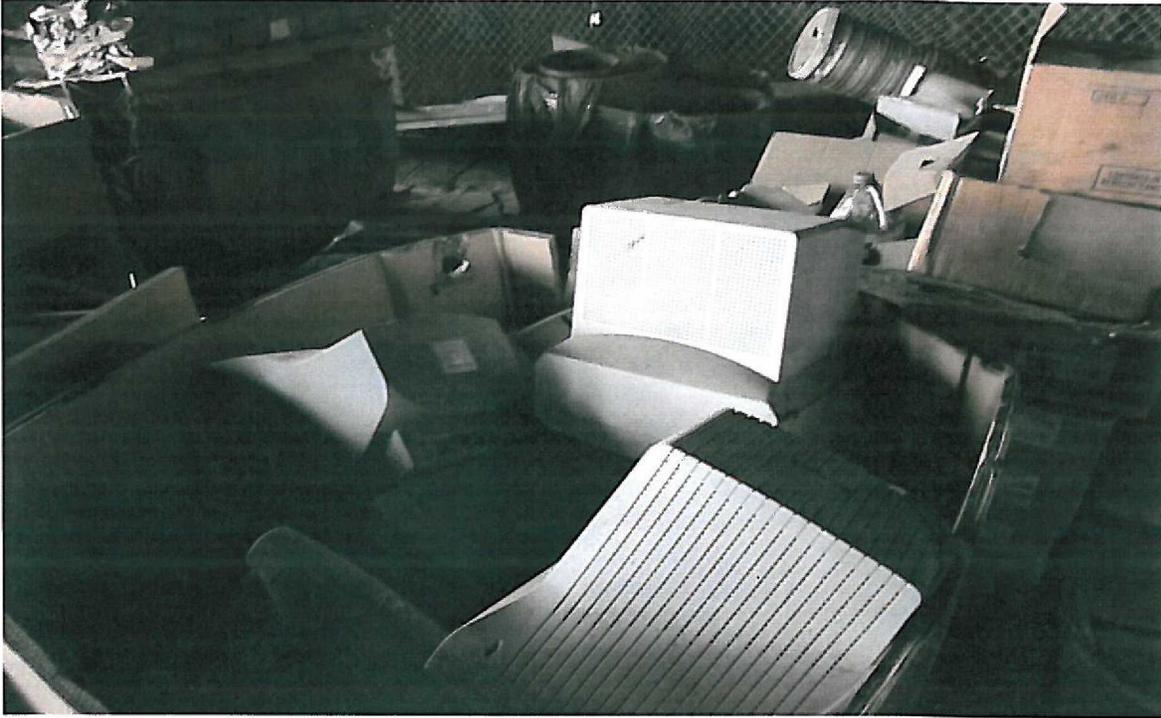
50. AIM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building



51. AIM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building



52. IM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building



53. AIM Recycling/Ashtabula Iron & Metal 4/27/12. E-waste in Roundhouse Building