

**Environmental
Protection Agency**

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

Re: Anderson Repair
OHD986998094
Hazardous Waste
Crawford County
NOV/PRTC

May 16, 2012

Mr. Emmett Anderson, Owner
Anderson Repair
690 East Walnut Street
Galion, Ohio 44833

Dear Mr. Anderson:

Thank you for your April 4 & April 9, 2012, response to Ohio EPA's March 21, 2012, Notice of Violation letter (NOV). You submitted the following:

April 4, 2012 – information on waste generation rates, Material Safety Data Sheets (MSDSs) for the painting and solvent products you utilize at your shop, waste profile information from MCF Systems for your painting waste and antifreeze, information stating you will manage your fluorescent bulbs as universal waste and recycle with MCF and used oil disposal information (you will be recycling with Advance Auto Parts or Safety-Kleen).

April 9, 2012 – additional waste pick-up information for your painting waste and antifreeze from Giant Resource Recovery (brokered by MCF Systems).

My review of this documentation reveals that Anderson Repair has adequately demonstrated abatement of the violation discovered during the February 29, 2012, inspection as listed below:

Violation	Date Violation Observed	Date Violation Abated
1. OAC Rule 3745-279-24 Off-site shipments of used oil by generators.	February 29, 2012	April 4, 2012

In addition, you provided all the information requested (A-J) in my March 21, 2012, NOV.

Mr. Emmett Anderson, Owner
May 16, 2012
Page 2

Based on the information you submitted on April 4, 2012, I found the following violation of Ohio's hazardous waste laws. Anderson Repair needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. **Within 14 days of receipt of this letter**, Anderson Repair is requested to provide documentation to this office including the steps taken to abate the violations cited below. 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 amber.hicks@epa.ohio.gov.

**1. Waste Evaluation.
OAC Rule 3745-52-11**

Any person who generates a waste must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

- A. Anderson Repair failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Anderson Repair is currently disposing of their fluorescent bulbs in the trash.

- ***In your April 4, 2012 response, you stated that Anderson Repair will now be managing its lamps as universal waste and recycling its lamps with MCF or another recycler. Thus this portion of the violation is abated.***
- B. Anderson Repair has failed to evaluate the paint filters from the painting booth to determine if they are hazardous. Anderson Repair is currently disposing of this waste stream in the local landfill. Anderson Repair must immediately cease disposing of the paint booth filters as non-hazardous waste in the local landfill until a proper waste evaluation has been completed. In your April 4, 2012, response you stated that you only generate eight (8) paint booth filters per year (painting is not done very often inside the paint booth).

A waste evaluation can be conducted by taking a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration.

Mr. Emmett Anderson, Owner
May 16, 2012
Page 3

Anderson Repair must sample the paint filters from the painting booth to determine the Toxicity Characteristic Leaching Procedure (TCLP) concentrations of **all Resource Conservation and Recovery Act (RCRA) metals** (excluding mercury) and any **other regulated volatile organic constituents (VOCs)** that may be present in the waste in light of the materials or the processes used as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846. You will need to ensure to collect **at least 100 grams of waste** to properly run the TCLP test.

- ***To abate this violation, Anderson Repair must submit to me documentation that states upon the next generation of its paint booth filters, that Anderson Repair will conduct a proper waste evaluation. Once the waste evaluation has been performed, please submit the analytical information from sampling to me. Your results must document if the waste is hazardous or not. 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.

- Your current waste hauler may be able to assist you in sampling. I have also enclosed a list of Commercial Environmental Laboratories which you could call. You may also be able to find assistance by looking under Environmental Consultants or Services in the phone book. I have enclosed the Ohio EPA fact sheets: Identifying your Hazardous Waste; Handling Paint Waste from your Business and a fact sheet I found on the Internet from the Environmental Protection Commission of Hillsborough County (Florida) entitled Paint Booth Filters which explains the proper management of paint booth filters.

When sampling is performed, please notify me at least seven days prior to taking the samples so that I or an Ohio EPA representative may be present.

Please be advised that the violation cited above will continue until the violation has 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.

Mr. Emmett Anderson, Owner
May 16, 2012
Page 4

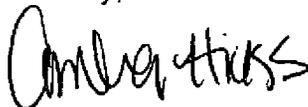
If circumstances delay the abatement of the violation, Anderson Repair is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

In addition, I have enclosed the Ohio EPA fact sheets: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil; Fluorescent Lamps: What You Should Know; Universal Waste Rules for Handlers of Lamps; a sample universal waste management plan for lamps and a list of lamp recyclers. Please contact me if you have any questions pertaining to this information.

Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082 or email me at amber.hicks@epa.ohio.gov.

You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dmwm.aspx>.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

//lr

Enclosures

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, DMWM, NWDO

ec: Amber Hicks, DMWM, NWDO
Colleen Weaver, DMWM, NWDO

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.