



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

August 3, 2012

Rick Watson
1137 Auld St.
Alliance, OH 44601

**RE: SRS AUTO, 22730 ALLIANCE SEBRING RD., ALLIANCE,
MAHONING COUNTY, OHR000171462, COMPLAINT 7542, NOV**

Dear Mr. Watson:

On July 24, 2012, this writer, representing Ohio EPA, Division of Materials and Waste Management (DMWM), visited the former SRS Auto Sale and Service facility located at 22730 Alliance Sebring Road in Alliance, Ohio to conduct a complaint inspection. Angelo Italiano from the Mahoning County District Board of Health also participated in the inspection. The complaint alleged the mismanagement of oil and other materials, as well as the operation of a junkyard at the property.

John Admonius, Scott Watson and you were present for the inspection.

The purpose of the inspection was to determine your compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). The inspection included a walkthrough of the property.

Based on the inspection, Ohio EPA identified the following violation:

1. OAC rule 3745-279-22(B)(C)(1)(D), Used Oil Requirements for Generators:
Used oil generators must store used oil in containers and tanks which are in good condition and not leaking. The containers and tanks must be labeled with the words "Used Oil." If used oil is released to the environment, the generator must stop the release, contain the used oil, and clean-up and properly manage the released oil and other materials.

You failed to label seven, 5-gallon containers; two, 20-gallon gallon containers and two, 55-gallon drums with the words "Used Oil." In addition, you failed to clean-up releases of used oil as evidenced by areas of stained soil at the facility. To address this violation, we discussed the following actions:

- Ship all used oil to an appropriate used oil handling facility, and
- Clean-up all releases of used oil and properly manage the released oil and other materials.

To address this violation, identify the corrective actions taken to clean-up all releases of used oil, as well as provide documentation concerning the proper management of the used oil and clean-up materials. In addition, you may refer to the document entitled "Environmental Compliance Guide for Motor Vehicle Salvage Yards" that was provided to you during the inspection for assistance in complying with the used oil and hazardous waste regulations.

Ohio EPA offers the following comments:

2. During the inspection, approximately 10 lead acid batteries were observed at the property. In order to maintain compliance with the spent lead-acid battery reclamation rule found in OAC 3745-266-80, the batteries must be delivered to an appropriate collection or reclamation facility. Please provide documentation concerning the proper management of the spent lead-acid batteries.
3. During the inspection, four, 55-gallon drums were identified as containing unused oil. These drums were labeled as Proguard Premium AW46 Hydraulic Oil (two drums), Valvoline 10W-40 and CUI AW-32. Please confirm you have a use for the oil. In addition, one, 55-gallon drum of Proguard Premium AW46 Hydraulic Oil was leaking and should be transferred to another suitable container.
4. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.state.oh.us/dmwm>
5. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: <http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage>
6. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://epa.ohio.gov/ocapp/contact.aspx>
7. Ohio EPA issued an EPA identification number (OHR000171462) to track our inspection activity at the property. If you wish to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, you must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029). This form is available on Ohio EPA's internet site at <http://epa.ohio.gov/Default.aspx?tabid=3915> or you may contact me for a copy.

SRS AUTO
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You must immediately take the necessary measures to return to compliance with Ohio's environmental laws. **Within 14 days of receipt of this letter, you are 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 may be submitted via the postal service or electronically to frank.zingales@epa.ohio.gov.

Please be advised that the violations cited above will continue until the violations have been properly abated. Failure to comply with ORC Chapter 3734 and the 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, you are requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Materials and Waste Management

FAZ:ddw

Enclosure

ec: Natalie Oryshkewych, DMWM, NEDO
Frank Popotnik, DMWM, NEDO
Jeff Mayhugh, DMWM, CO
cc: Marlene Kinney, DMWM, NEDO
Angelo Italiano, Mahoning County District Board of Health
John Admonius

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHR000171462	
Site Name	Name: SRS Auto Sale & Service	Website: (Optional)
Site Location Information	Street Address: 22730 Alliance Sebring Road	
	City, Town, or Village: Alliance	State: OH
Site Land Type (check only one)	County Name: Mahoning	
NAICS code(s) www.census.gov/epcd/www/naics.html	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"/>	Zip Code: 44601
	811111	

Facility Representative	First Name: Rick	MI:	Last Name: Watson
Additional names can be recorded in number 12	Title:		
	Phone Number: (330) 428-0878	Phone Number Extension:	
	E-Mail Address:		
Only provide address information if it is different than the site address	Fax Number:		Fax Number Extension:
	Street or P.O. Box: 1137 Auld Street		
	City, Town or Village: Alliance		Zip Code: 44601
	State: OH		

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: John Admonius		Date Became Owner (mm/dd/yyyy): 11/14/2006	
	Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District	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: 977 Oakwood Drive			
	City, Town or Village: Alliance		Owner Phone #: (330) 823-7613	
	State: OH		Country: USA	Zip Code: 44601
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type: <input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District	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:			
	City, Town or Village:		Operator Phone #:	
	State:		Country	Zip Code:

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input 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 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

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 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.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 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 Yes No Additional Facility Representatives: **Rick Watson, Scott Watson, John Admonius**

Tanks Yes No

Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Frank Zingales		07/24/2012

Comments:

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at:

https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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a.	Stopped the release?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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b.	Contained the release?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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	a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION – To be determined.

11.		Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.		If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
	a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).