



**Environmental
Protection Agency**

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

July 26, 2012

**NOBLE COUNTY
GENERAL FILE
(GUERNSEY SCRAP
RECYCLING)
DMWM/SEDO
OHR000120733**

Mr. John Foreman
Guernsey Scrap Recycling
PO Box 273
Caldwell, Ohio 43724

Dear Mr. Foreman:

On July 23, 2012, Ohio EPA inspected the Guernsey Scrap Recycling facility in Caldwell, Ohio, to determine 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). Guernsey Scrap Recycling was represented by you.

I found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following and send me the required information ***within 21 days*** of the date of this letter:

(1) OAC Rule 3745-279-22 (C) and (D), Used Oil Storage Requirements for Generators: (C) Containers of used oil must be labeled with the words "Used Oil"; (D) Upon detection of a release of used oil to the environment, a used oil generator must stop the release, contain the released used oil, clean up and properly manage the released used oil, and materials used to clean up the used oil, and if necessary, repair or replace any leaking used oil storage containers prior to returning them to service for used oil storage.

C) One drum of used oil observed during the inspection was unlabeled. In order to abate this violation, please label the container with the words "used oil" and submit a photograph of the properly labeled drum.

D) Soils beneath and around the car crusher were contaminated with used oil that had overflowed from the crusher. This appeared to be a chronic spillage problem. To correct this violation, you must immediately clean up all ground where used oil was released by excavating gravel and/or soil until the soil or gravel that remains is no longer visibly contaminated with used oil and appears clean. The oil-stained materials that have been excavated should be taken to a licensed solid waste landfill. You may wish to contact the landfill prior to taking it there in order to determine if they have any additional requirements for the disposal of this waste. You must send me photographs of areas where soil/gravel were excavated. Please do not backfill these areas until I have reviewed the photographs and

given you approval to backfill. In addition, you must send me landfill receipts to document that contaminated soils have been properly disposed of. You must also take immediate steps to prevent spillage of used oils from occurring at the car crusher (and at the baler, if spillage is occurring there as well). We were unable to observe conditions at the baler during the inspection as the baler was in operation. Please document the steps that you have taken to prevent future spillage at these two operational areas.

GENERAL COMMENTS

- A. As noted during the inspection, because you store or have the capacity to store more than 1320 gallons of used oil, product oil or fuels onsite, and because a discharge of these could reach the waterway adjacent to your facility or storm sewer, you are subject to the federal Spill Prevention Control and Countermeasure (SPCC) regulations. During the inspection, you stated that you had developed an SPCC plan. Please note that while these requirements include secondary containment for the aforementioned liquids, no secondary containment was observed during the inspection. Your company must ensure that you are in compliance with all applicable SPCC regulations.
- B. Ohio EPA inspected Guernsey Scrap's Marietta facility in June 2012, and sent a Notice of Compliance letter to you following that inspection. You stated that you had not received that letter. Enclosed for your records is a copy of that letter and inspection checklists.

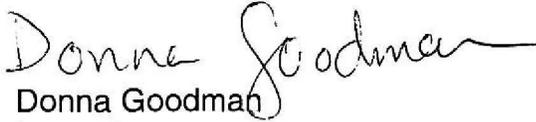
Your company must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **21 days** of the date of this letter, your company is requested to provide documentation to this office including the steps taken to abate the violations and address comments cited 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 donna.goodman@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, your company is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Mr. John Foreman
Guernsey Scrap Recycling- Caldwell
July 26, 2012
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Should you have any questions, please feel free to call me at (740) 380-5293. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Donna Goodman
Inspector
Division of Materials and Waste Management

DG/sb

Enclosure

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.

| | | |
|--|---|-----------------------|
| Send to Central Office <input type="checkbox"/> | Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM | For Ohio EPA use only |
|--|---|-----------------------|

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: OHR000120733 | |
| Site Name | Name: Guernsey Scrap Recycling | Website: (Optional) |
| Site Location Information | Street Address: 45198 Cornstalk Road | |
| | City, Town, or Village: Caldwell | State: OH |
| Site Land Type (check only one) | County Name: Noble | |
| 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: 43724 |
| | 423930 | |

| | | | |
|---|-----------------------------------|-----|---------------------------|
| Facility Representative | First Name: John | MI: | Last Name: Foreman |
| Additional names can be recorded in number 12 | Title: | | |
| Only provide address information if it is different than the site address | Phone Number: 740-732-4807 | | Phone Number Extension: |
| | E-Mail Address: | | |
| | Fax Number: | | Fax Number Extension: |
| | Street or P.O. Box: | | |
| | City, Town or Village: | | |
| | State: | | Zip Code: |

| | | | | |
|---|---|---------------------------------|--|---|
| 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 Foreman | | Date Became Owner (mm/dd/yyyy): | |
| | Owner Type: 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"/> |
| | Street or P.O. Box: PO Box 273 | | | |
| | City, Town or Village: Caldwell | | Owner Phone #: 740-732-4807 | |
| | State: OH | | Country: Zip Code: 43724 | |
| | Name of Site's Operator: Guernsey Scrap Recycling | | Date Became Operator (mm/dd/yyyy): | |
| | Operator Type: 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"/> |
| | 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 checked="" type="checkbox"/> Not a HW Generator | <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i> | <input type="checkbox"/> Large Quantity Generator (LQG) <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 | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

| | | |
|-----------------------------|-----------------------------|--|
| Name of Inspector(s) | Name of Inspector(s) | Date of Inspection/Time (mm/dd/yyyy) (hh:mm) |
| Donna Goodman | Rich Stewart | 7/23//2012 |

Comments:

Regulatory/Enforcement History (if applicable):

The company was formerly known as Woody's Auto Crushing and Scrap Metal notified in 2004 as a used oil generator.

Additional P2 remarks and information:

Company states they are not interested in the mercury switch removal program as they no longer accept cars unless mercury switches have been removed.

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other:

**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

| | | |
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| 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"/> |
|----|--|--|

| | | |
|----|---|--|
| 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 checked="" type="checkbox"/> |
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NOTE: For example, used oil contaminated scrap metal stored in a pile.

| | | |
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| 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"/> |
|----|---|--|

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

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| 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 checked="" type="checkbox"/> |
|----|---|--|

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.

| | | |
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| 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"/> |
|----|--|--|

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.

| | | |
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| 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
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| | | |
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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)] A 55-gallon drum of used oil was not labeled. | 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)] A chronic leak of used oil was observed under and around the car crusher. | 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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| | | |
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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 checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|----|--|--|

| ON-SITE BURNING IN SPACE HEATER | | |
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| 10. | Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: | |
| 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"/> |
| <i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i> | | |
| GENERATOR TRANSPORTATION | | |
| 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 12. | If the generator self-transport 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 checked="" 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 checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| <i>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).</i> | | |
| COLLECTION CENTERS AND AGGREGATION POINTS | | |
| 13. | Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 14. | Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 15. | Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.</i> | | |