



**Environmental  
Protection Agency**

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

August 16, 2012

**GUERNSEY COUNTY  
GENERAL FILE  
(GUERNSEY SCRAP RECYCLING)  
DMWM/SEDO  
OHR000124511**

Mr. John Foreman  
Guernsey Scrap Recycling  
9658 Ohio Avenue  
Cambridge, Ohio 43725-9313

Dear Mr. Foreman:

On July 10, 2012, I performed a compliance inspection of the Guernsey Scrap Recycling facility in Byesville, Ohio. The purpose of the inspection was to determine your facility's compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). This letter will explain the violations we found and what you need to do to correct the violations.

Based on the July inspection, a Notice of Violation letter was issued to you. On August 6, 2012, I received an email with photographs and a receipt for the disposal of used-oil contaminated soils. However, you have not yet finished removal of contaminated soils or clearly labeling the used oil drums. I understand you are finishing related activities at your Caldwell site prior to finishing work at Byesville, until these activities are finished, you will remain in violation of the following hazardous waste rules:

- (1) **OAC Rule 3745-279-22(C), Used oil storage requirements for generators:** Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words, "Used Oil."

Several drums of used oil that we observed were not labeled properly. To demonstrate compliance with this rule, please provide photographs, which show that the drums have been labeled appropriately.

- (2) **OAC Rule 3745-279-22(D), Used oil storage requirements for generators:** Response to releases. Upon detection of a release of used oil to the environment...a generator must perform the following cleanup steps: 1) Stop the release; 2) Contain the used oil; 3) Cleanup and properly manage the used oil, and; 4) If necessary, repair or replace any leaking used oil containers or tanks prior to returning them to service.

During the inspection, we observed that large quantities of used oil have leaked and spilled over time under and around the car crusher. As discussed with Mr. Treherne, all the stained soil must be excavated and disposed at a permitted solid waste landfill and you will need to start collecting the used oil from the crusher and from the vehicles to minimize the amount of spillage in the future. To demonstrate compliance with this rule, please provide:

A) photographs of the affected areas after the stained soils have been removed and of the soil in a dumpster or other container; B) landfill receipts for this soil, and; C) photographs of measures taken to collect used oil in this area.

**Other compliance issues:**

A) During the inspection, we observed piles of plastic and metal gasoline tanks near the car crusher. On-site personnel did not know if these tanks are eventually recycled or disposed. Please provide receipts for both types of these tanks or state where they go and whether they are disposed or recycled.

Please provide documentation required above **within 21 days of the date of this letter**. 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 [rich.stewart@epa.ohio.gov](mailto:rich.stewart@epa.ohio.gov).

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. 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 a date certain to attain compliance.

If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278.

Sincerely,



Richard Stewart  
District Representative  
Division of Materials and Waste Management

RS/dh

**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.