

**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott A. Ralby, Director

October 24, 2011

METALICO YOUNGSTOWN, INC.
OHR000152439
COMPLAINT #7442
MAHONING COUNTY
NON-GENERATOR
NOV/RTC

Glenda Brooks
Metalico Youngstown, Inc.
100 Division St. Ext.
Youngstown, Ohio 44510

Dear Ms. Brooks:

On October 6, 2011, Nyall McKenna and I of the Ohio EPA Division of Materials and Waste Management (DMWM), conducted a hazardous waste complaint investigation at Metalico Youngstown, Inc., located at 100 Division St. Ext, Youngstown, Ohio. The purpose of our visit was to investigate a complaint received by Ohio EPA alleging that the facility dumps gas and other fluids from scrapped cars onto the ground or burns them the material. You and Lance Grimes represented the facility during the inspection.

Metalico is a scrap metal recycling facility that processes ferrous and non-ferrous metals. During our walk through of the yard we noted some used oil container labeling violations but we did not note any oil stained soil at the time of this investigation. You were able to show us paperwork that documents that used oil, anti-freeze and mercury switches are being properly managed. Please be advised that the DMWM complaint was conducted separately from a complaint investigation and follow-up being conducted by the DSW.

I have enclosed copies of the inspection checklists used for this investigation and the photographs that were taken. The following violation of the used oil rules was noted:

1. **Ohio Administrative Code (OAC) 3745-279-22(C)(1); Containers and above ground tanks that are used to store used oil must be labeled with the words, "Used Oil".**

55-gallon drums located near the shredder, and the tank used to collect used oil at the Enviro Rack, were not labeled with the words "Used Oil" as it required by this rule. You labeled the used oil tank at the Enviro Rack with the words "Used Oil" by placing a label on it. Later in the day you email me photographs documenting that the 55-gallon drums of used oil had been properly labeled. No further action is required regarding this violation.

METALICO YOUNGSTOWN, INC.

OCTOBER 24, 2011

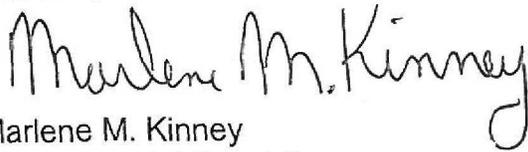
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Failure to list specific deficiencies and or violations in this communication does not relieve Metalico from the responsibility of complying with all applicable laws, rules and regulations.

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

Should you have any questions, please feel free to call me at (330) 963-1162 or email me at marlene.kinney@epa.state.oh.us

Sincerely,



Marlene M. Kinney
Environmental Specialist
Division of Materials and Waste Management

MMK:ddw

Enclosure

ec: Jeff Mayhugh, DMWM, CO
Nyall McKenna, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO

| | | |
|---|---|-----------------------|
| Send to Central Office <input checked="" 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: OHR000152439 | |
| Site Name | Name: Metalico Youngstown, Inc. | Website: (Optional) |
| Site Location Information | Street Address: 100 Division St. Ext | |
| | City, Town, or Village: Youngstown, | State: OH |
| | County Name: Mahoning | |
| Site Land Type (check only one) | Private <input checked="" type="checkbox"/> | County <input type="checkbox"/> |
| NAICS code(s) www.census.gov/epcd/www/naics.html | 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: 44510 | |

| | | | |
|---|---|---------------|--------------------------|
| Facility Representative | First Name: Glenda | MI: K. | Last Name: Brooks |
| Additional names can be recorded in number 12 | Title: QES Administrator | | |
| Only provide address information if it is different than the site address | Phone Number: 330-743-6121 | | Phone Number Extension: |
| | E-Mail Address: glenda.brooks@youngstowniron.com | | |
| | 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: | | Date Became Owner (mm/dd/yyyy): | |
| | Owner Type: | Private <input 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: | | Owner Phone #: | |
| | State: | Country: | Zip Code: | |
| | Name of Site's Operator: | | Date Became Operator (mm/dd/yyyy): | |
| | Operator Type: | Private <input 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 |
|--------------------------|---|

| | | |
|--|---|---|
| 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 Yes No Additional Facility Representatives: **Lance Grimes**
 Tanks Yes No
 Containers Yes No

Name of Inspector(s)
Marlene Kinney

Name of Inspector(s)
Nyall McKenna

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
10/06/2011

Comments:
Complaint inspection

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

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"/> |
| 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"/> |

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"/> |
| 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"/> |
| 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.

| | | |
|----|--|--|
| 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"/> |
| 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"/> |
| 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"/> |
| 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 type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Stopped the release? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Contained the release? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | Cleaned up and properly managed the used oil and other materials? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 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 type="checkbox"/> |

Releases not noted the day of DMWM investigation

| ON-SITE BURNING IN SPACE HEATER | | |
|--|--|--|
| 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-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 checked="" 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 checked="" 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 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 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 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> | | |

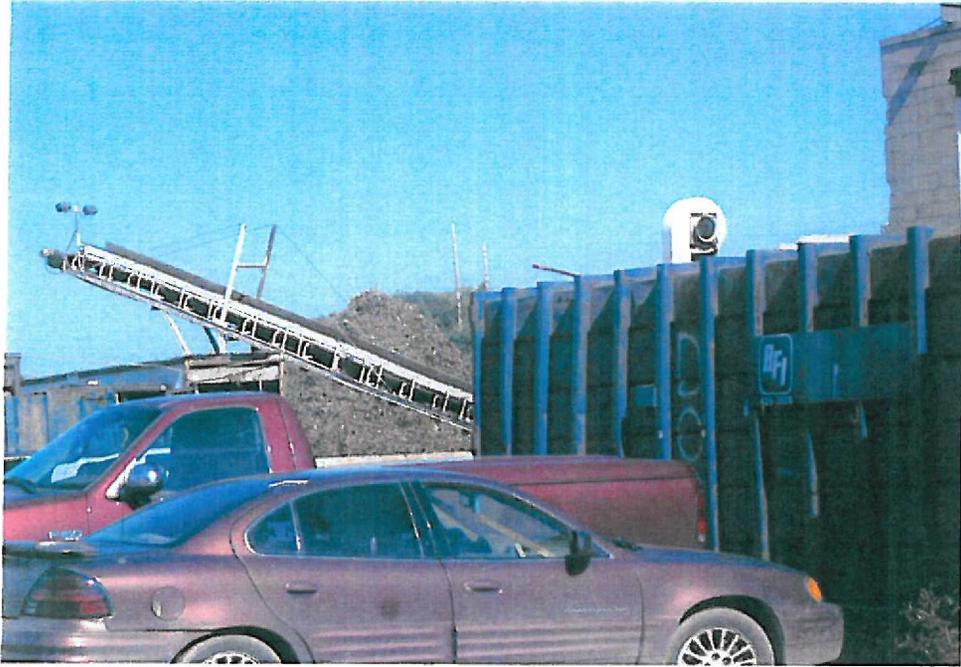
→ Environmental Specialists, Inc.
 or
 Heartland

10/18/11 11:00 AM photos by [unclear]

Metals Youngstown, Inc. ①



10/6/11 Photos taken by M. Minney



Metals Youngstown, Inc. ②

