

**Environmental
Protection Agency**

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

Re: Jim's Auto Sales & Salvage
Hazardous Waste
Complaint #3172
Erie County
NOV/RTC

September 4, 2012

Mr. Chris Gibson, Owner
Jim's Auto Sales & Salvage
1851 George Street
Sandusky, Ohio 44870

Dear Mr. Gibson:

On August 2, 2012, Brent Goetz, Robin Wiley and I investigated a complaint at Jim's Auto Sales & Salvage (Jim's) located at 1851 George Street, Sandusky, Ohio. The complaint was received by the Division of Materials and Waste Management on July 6, 2012. The complainant was concerned about Jim's management and disposal practices. This letter will explain the violation I found and the result of the investigation.

Jim's is an automobile salvage and sales shop. Automobiles are bought and sold for scrap and parts.

Upon arriving at your business, I discussed the complaint with you. You stated the following: all fluids are drained from vehicles and containerized; tires are sold or crushed with cars; you recycle your batteries at Ohio Battery in Ashland; used oil from automobiles is placed in tanks and burned in your on-site Clean Burn used oil burner; you only burn oil from your business and you do not accept used oil from other businesses; antifreeze is collected in containers and sold as product to customers; gasoline is drained from vehicles and burned with used oil; no repair work is done at your shop; radiators/wire is sold to recyclers and your scrap metal is recycled by FPT in Cleveland. We walked around your shop and salvage yard and observed where you store your used oil, antifreeze, batteries, scrap metal and radiator/wires. All fluids were stored in good containers and your batteries were stored in a large cardboard container inside the shop. Scrap radiator/wires and metal were also stored in an orderly fashion, off the ground in old truck beds.

During the investigation, I gave you the following information: the Ohio EPA fact sheets Universal Waste Rules for Handlers of Lamps; Fluorescent Lamps: What you Should Know; The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil; the Ohio EPA publication Environmental Compliance Guide for Motor Vehicle Salvage Yards – March 2003; a sample universal waste management plan for lamps and a list of lamp recyclers in Ohio. I found the following violation of Ohio's used oil regulations:

- 1. Used oil storage requirements - proper labels.
OAC Rule 3745-279-22 (C) (1)**

Mr. Chris Gibson, Owner
September 4, 2012
Page 2

Containers used to store used oil shall be labeled or marked clearly with the words "Used Oil."

Jim's failed to mark two tanks containing used oil with the words "Used Oil".

- ***"Used Oil" was written on the tanks during the investigation, thus this violation is abated.***

In addition, we discussed that you may take used oil from do-it-yourself oil changers and farmers to burn in your on-site used oil burner but you may not burn used oil generated from other businesses unless you are a used oil marketer. You stated that it is your shop policy that you only burn used oil generated by your shop.

We did not see any evidence of improper management of fluids or wastes. In addition, we did not observe any tire piles nor did we see any evidence of improper waste disposal. This complaint is considered closed.

Please note that the lamps generated from your business may be a hazardous waste. Lamps may not be disposed as a solid waste unless you have conducted a proper waste evaluation to determine that they are non-hazardous. If you do generate lamps, in lieu of conducting a waste evaluation, you may manage these as a universal waste (recycle the lamps, etc.). Please consult the lamp information given to you during the investigation for the proper management and recycling of lamps generated at your shop.

You stated that your brother, Jim Gibson operates another Jim's Auto Sales at 1707 George Street. Though we toured this property's yard (behind the shop) we did not tour this shop. In addition, according to the Erie County Auditor's website, there is an address of 1707 George Street but not 1851 George Street. Based on aerial photographs and labeling on Erie County Auditor's website, your shop and building located at 1851 George Street (address you provided to us) is the location of Jim's Auto Sales. Please ensure to provide the compliance information provided to you during our investigation to your brother's business which also operates under the same name.

Pollution Prevention:

If you find additional ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements. Or if you would like a free, non-regulatory on-site pollution prevention assessment or more information about pollution prevention, please contact me at (419) 373-3082. Ohio EPA has helpful information about this at the following web address: <http://www.epa.ohio.gov/ocapp/>

Ohio EPA will issue an EPA ID number to track our investigation activity at Jim's. You cannot use this number for manifesting hazardous waste shipments.

Mr. Chris Gibson, Owner
September 4, 2012
Page 3

If you want 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 (Rev. 9/2010)*) to Ohio EPA. This form is available on our Web page at <http://www.epa.state.oh.us/Default.aspx?tabid=3915> or you can call me or the Division of Materials and Waste Management, Central Office at (614) 644-2621 and we will mail you a copy.

The Division of Materials and Waste Management (DMWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage. Please feel free to share this information with your colleagues.

Enclosed you will find a copy of the checklist that I completed during the investigation. No response to this letter is necessary. Should you have any questions, please feel free to call me at (419) 373-3082 or email 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

/llr

Enclosure

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, DMWM, NWDO (w/ enclosure)

ec: Amber Hicks, DMWM, NWDO
Brent Goetz, DMWM, NWDO
Robin Wiley, 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.

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: NA	
Site Name	Name: Jim's Auto Sales & Salvage	Website: (Optional)
Site Location Information	Street Address: 1851 George Street	
	City, Town, or Village: Sandusky	State: OH
	County Name: 44870	
Site Land Type (check only one)	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:
NAICS code(s) www.census.gov/epcd/www/naics.html	423930	

Facility Representative	First Name: Chris	MI:	Last Name: Gibson
	Title: Owner		
Additional names can be recorded in number 12	Phone Number: 419-626-8564	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:		
	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"/> 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
<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))
<input checked="" type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> 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.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> 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 RCRA Info 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 checked="" type="checkbox"/> Yes	<input 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)
Amber Hicks	Brent Goetz, Robin Wiley	08/02/2011 10:57

Comments:
Tanks are used oil tanks.