



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Pastorek Body Shop

Re: Joe Pastorek's Body Shop
Lucas County
OHR000128280
Hazardous Waste
Notice of Violation

August 13, 2010

Mr. Joe Pastorek
Joe Pastorek's Body Shop
3754 Centennial Road
Sylvania, Ohio 43560

Dear Mr. Pastorek:

Thank you for accompanying Wendy Miller and me during the Ohio Environmental Protection Agency's (Ohio EPA's) August 3, 2010, hazardous waste compliance evaluation inspection of Joe Pastorek's Body Shop (JPBS) located in Sylvania, Ohio. I inspected (JPBS) to determine its 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. Pollution prevention options were also discussed during this inspection. This letter will explain the violations found and what you need to do to correct these violations.

JPBS specializes in body repair and painting of vehicles. Wastes generated include used oil and antifreeze which are recycled, paint/solvent sludge or "pucks" from the gun wash/solvent still (D001, D035, F003, F005) and shop towels/rags which are laundered by Miller Textile. Spent fluorescent lamps are managed as a solid waste. JPBS also generates paint booth filters from one paint booth which are managed as a solid waste. Spent fluorescent lamps are managed as a solid waste.

At the time of my inspection, JPBS was operating as a conditionally exempt small quantity generator (CESQG) of hazardous waste.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information within 30 days of your receipt of this letter:

1. OAC Rule 3745-52-11, Waste Evaluation:

- a) Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

At the time of the inspection, JPBS did not have waste evaluation documentation for the spent paint filters from the on-site paint booth. JPBS changes the paint booth filters once every three to six months. You stated that Safety Kleen has been picking up your spent filters once every three to four months. Ohio EPA contacted Safety Kleen and no waste has been picked up from your facility since September 2008.

Mr. Donte Stoner at Safety Kleen stated that in the past they only serviced the on-site solvent recycling still and took the sludge/pucks which were fuel blended. JPBS must immediately cease disposing of the waste paint filters until a proper waste evaluation has been completed.

JPBS must obtain a representative sample of the spent paint booth filter waste stream and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). To abate this violation, JPBS must submit a copy of the analytical results to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise you on proper disposal options as well as plans for the future management of this waste stream.

Ohio EPA will review the submitted waste evaluation information and determine if there is a change in JPBS's generator status. Additional violations may be cited based upon your determined generator status. You will be notified of any additional violations in a separate letter.

- b) In addition, JPBS failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. A copy of Fluorescent Lamps: What You Should Know, is enclosed. I recommend that you review this document and contact me if you have any questions.

JPBS must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If JPBS plans to manage the spent fluorescent bulbs when generated as universal waste, please submit the name of the facility where you plan to recycle the bulbs.

JPBS must also properly train employees, who handle or have responsibility for managing universal waste, on waste handling and emergency procedures relative to their responsibilities and send me documentation (memo or sign-in sheets) that this has been completed.

Mr. Joe Pastorek
August 13, 2010
Page 3

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Enclosed you will find a copy of the checklists that I completed during the inspection.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3114.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

/llr

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM, NWDO 2010 Lucas County General File (w/original enc.)

ec: Melissa Boyers, DHWM, 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.

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Joe Pastorek's Body Shop Facility Type: CESQG Date of Inspection: 8/3/10 EPA ID#: OHR000128280

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Still (from painting/solvent recovery)	Sludge (D001, D035, F003, F005)	1-2 "pucks" of sludge per month		Safety Kleen (last pick-up was September 2008)	
2	Maintenance	Used oil	Rarely generates used oil		Gave Fact Sheet for Used Oil and list of recyclers.	
3	Maintenance	Antifreeze	1-2 drums/year	Re-used on-site		
4	Painting	Paint booth filters	Change filters once every 3-6 months		Solid waste?	
5						
6						
7						
8						

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: #100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
LQG: 1,000 Kg. (~300 gallons) of waste in a calendar month or 1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No N/A

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] Safety Kleen Yes No N/A

TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a:

a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.
NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.
NOTE: If waste is treated to meet LDRs, use LDR checklist.

REMARKS

#1 - Fluorescent Bulbs & Spent Paint Booth Filters