



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

RECEIVED
gms

January 2, 2013

Ms. Peggy Volpe
Autobody Supply Company, Inc.
212 N. Grant Ave.
Columbus, OH 43215

Re: **Autobody Supply Company, Inc.**
12/11/2012 Complaint Investigation
Franklin County

Dear Ms. Volpe:

Thanks to Scott Roth for his assistance during my visit to your company's main location at 212 N. Grant Avenue on December 11th. The purpose of my visit was to investigate a complaint (#4458) that Ohio EPA had received regarding waste paint disposal practices. Ohio's laws under Chapter 3745 of the Ohio Administrative Code and Chapter 3734 of the Ohio Revised Code establish a system for safe and responsible management of hazardous wastes and universal wastes.

Your business appears to be a Conditionally Exempt Small Quantity Generator of hazardous waste. Waste paint did appear to be properly managed for disposal, but the following violations of the Universal Waste rules were noted:

1. **Universal Waste Lamp packaging, OAC rule 3745-273-13(D)(1):** Waste lamps must be accumulated in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps

About 30 8-foot long waste fluorescent lamp tubes were being held in taped bundles without any packaging. One box of 4-foot long waste lamps lacked a lid, and another box of 4-foot lamps had been damaged by water and was no longer structurally sound.

Please take steps as necessary to properly package these items for accumulation and shipping. Send a description with photo(s) demonstrating the problem has been properly resolved.

2. **Universal Waste Lamp packaging, OAC rule 3745-273-14(E):** Waste lamps or containers or packages of waste lamps must be labeled with the words, "Universal Waste—Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)".

The waste lamps present in accumulation appeared to lack this required marking.

Please take steps as necessary to properly mark the waste lamps/containers/packages. Send a description with photo(s) and/or receipts demonstrating the problem has been properly resolved.

3. **Universal Waste Lamp accumulation records, OAC rule 3745-273-15(C):** The handler must be able to demonstrate that their waste lamps have been held in accumulation for less than a year.

Accumulation start dates were not marked, nor were other records available at the time of the inspection to confirm the waste lamps were held for less than a year.

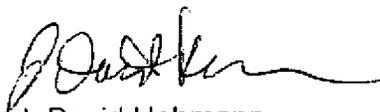
Take steps to improve the recordkeeping and send a description of what was done to remedy this problem. If a receipt for the most recent past pickup is located, please send it.

The following comments and/or concerns are also noted:

- Guidance on universal waste lamps is enclosed, per your request. Waste lamps must be shipped for proper disposal/recycling to another universal waste handler within one year. Records demonstrating this were not available at the time of the inspection. As a reminder, employees must be trained in the proper handling practices, according to OAC Rule 3745-273-16.
- A metal, threaded screw-in funnel with a latching, gasketed hinged lid is recommended for use on the waste paint accumulation drum to reduce the chance of spills while filling it, and enable proper closure of the top opening whenever waste is not being added to the container.
- A spatula is a recommended method to ensure that waste which can be removed from the waste paint cans is properly removed prior to disposing or recycling the empty cans.

Ohio EPA requires timely actions for compliance with these rules. Please send me a response in 15 days, describing actions being taken to correct the violations noted above. If you have any other questions about my visit or this letter, do not hesitate to contact me by phone at (614) 728-3885.

Sincerely,



J. David Hohmann
Environmental Specialist
Division of Materials and Waste Management
Central District Office

c: CDO File

JDH/nsm Autobody Supply NOV

Notice: Ohio EPA's failure to list specific deficiencies/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 RCRAInfo.Data@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: (unassigned)		Website: (Optional)					
Site Location Information	Name: Autobody Supply, Inc.		Street Address: 212 N. Grant Ave.					
Site Land Type (check only one)	City, Town, or Village: Columbus		State: OH					
NAICS code(s) www.census.gov/epcd/www/naics.html	County Name: Franklin		Zip Code: 43215					
	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"/>
	424950		444120					

Facility Representative	First Name: Peggy		MI:	Last Name: Volpe	
Additional names can be recorded in number 12	Title: Owner		Phone Number: 614-228-4328		
Only provide address information if it is different than the site address	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:		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 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 checked="" 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 checked="" 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 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 Yes No Additional Facility Representatives: **Scott Roth, Manager**
Tanks Yes No
Containers Yes No

Name of Inspector(s)
J. David Hohmann

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
12/11/2012 12:10

Comments:

Three universal waste lamp violations were noted and described in NOV issued 1/2/2013

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS – BATTERIES AND LAMPS

Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

PROHIBITIONS

- | | | |
|----|---|--|
| 1. | Did the SQUWH dispose of universal waste? [3745-273-11(A)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 2. | Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |

WASTE MANAGEMENT AND LABELING/MARKING

UNIVERSAL WASTE BATTERIES [N/A]

UNIVERSAL WASTE LAMPS

- | | | |
|----|---|--|
| 8. | Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 9. | Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.

- | | | |
|-----|--|--|
| 10. | Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? [3745-273-14(E)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|-----|--|--|

ACCUMULATION TIME

- | | | |
|-----|---|--|
| 11. | Is the waste accumulated for less than one year? [3745-273-15(A)] <i>RMK: probably? See answer to Question 12.</i> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| a. | If not, is the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: Accumulation is defined as date generated or date received from another handler.

- | | | |
|-----|--|--|
| 12. | Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] <i>If yes, describe below: RMK: Records were not available at the time of the inspection, and the containers were not marked.</i> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|-----|--|--|

EMPLOYEE TRAINING

- | | | |
|-----|---|--|
| 13. | Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
|-----|---|--|

RESPONSE TO RELEASES

- | | | |
|-----|---|--|
| 14. | Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] <i>RMK: No evidence of releases past or present, was noted.</i> | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 15. | Is the material released characterized? [3745-273-17(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 16. | If the material released is a hazardous waste, was it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to OAC Chapter 3745-52) [3745-273-17(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

OFF-SITE SHIPMENTS

NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.

17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

EXPORTS

NOTE: Small quantity handlers that export waste to the countries listed in 40 CFR 262.58(a)(1) are subject to 40 CFR 262 subpart H. Small quantity handlers that export waste to a foreign destination other than the countries listed in 40 CFR 262.58(a)(1) are subject to 40 CFR 262.53, 40 CFR 262.56(a)(1) to (a)(4), (a)(6), and (b), 40 CFR 262.57, and 40 CFR 262 subpart E. [3745-273-20]

NOTE: Violations regarding exporting universal waste to foreign destinations should be referred to U.S. EPA Region 5 because the federal counterpart provisions are not delegable to states.

**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 hazardous waste in a calendar month.

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	---	--

GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	---	--

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 facility? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	--	--

TREATMENT OF HAZARDOUS WASTE N/A

MIXING OF HAZARDOUS WASTE WITH USED OIL N/A