



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

Re: Thayer Chevrolet Body Shop
Wood County
Hazardous Waste
Notice of Violation

June 5, 2013

Mr. Paul Thayer, President
Thayer Chevrolet
1225 North Main Street
P.O. Box 385
Bowling Green, Ohio 43402

Dear Mr. Thayer:

On May 9, 2013, I conducted a compliance evaluation inspection at Thayer Chevrolet Body Shop (TCBS) located at 306 Industrial Drive in Bowling Green, Ohio. I inspected TCBS 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 (OAC). Pollution prevention options were also discussed during this inspection.

TCBS is an automotive body shop and paints approximately 20 cars a week. TCBS does painting on-site and generates approximately five gallons of waste paint solvent (D001, D035, F003, F005) from spray gun cleaning per month. TCBS has one paint booth and changes the floor filters on a weekly basis and the ceiling filter once a year. The spent paint booth filters are managed as a solid waste. TCBS also generates spent fluorescent bulbs, which are managed as universal waste. TCBS does not generate used oil at this facility.

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

I found the following violation of Ohio's hazardous waste laws:

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

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, TCBS did not have waste evaluation documentation for the spent paint booth filters. TCBS has historically disposed of this spent material as a non-hazardous/solid waste. TCBS must immediately cease disposing of the waste paint booth filters as non-hazardous waste until a proper waste evaluation has been completed.

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TCBS 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, TCBS must submit a copy of the analytical results to Ohio EPA.

Ohio EPA may use the data you collect, in part, to make regulatory decisions concerning the waste(s) tested. A data review process, referred to as data validation, may be utilized to confirm the validity of the data. This data validation can include a review of the following components: sampling techniques, sample containers, representativeness of sample, laboratory test methods, laboratory data completeness, and documentation of holding time(s), chain(s) of custody and quality assurance/quality control (QA/QC) data. Please include data sufficient for Ohio EPA to perform the data validation review. Information on conducting a data validation can be obtained from Ohio EPA's web page:
http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html.

Ohio EPA will review the submitted waste evaluation information and determine if there is a change in your 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.

Ohio EPA will issue an EPA ID number to track our inspection activity. TCBS cannot use this number for manifesting hazardous waste shipments. If TCBS wants 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. 9/5/2010)*) to Ohio EPA. This form is available on our web page at <http://www.epa.ohio.gov/portals/32/pdf/EPA9029.pdf> or you can call me at (419) 373-3066 or the Division of Materials and Waste Management, Central Office, Reporting, Analysis & Data Management Unit (RADMU) at (614)728-8961 and we will mail you a copy.

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 were completed during the inspection.

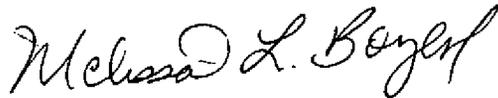
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TCBS needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **14 days** of receipt of this letter, TCBS is requested to provide documentation to this office including the steps taken to abate the violations cited above.

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 melissa.boyers@epa.ohio.gov.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Materials and Waste Management

/llr

Enclosures

pc: Lisa Gifford, DMWM, NWDO
~~Colleen Weaver, DMWM, NWDO~~ ✓
Mr. Marty Almester, Thayer Chevrolet Body Shop

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)
Melissa Boyers, DMWM, NWDO
[RCRAInfoData](#)

Notice:

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 of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, TCBS is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

