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

April 24, 2013

Mr. Jason Hunt
Vice President
Buckeye Ford
110 U.S. Route 42
London, Ohio 43140

Re: **Buckeye Ford
Small Quantity Generator
OHD154175038
Madison County**

Dear Mr. Hunt:

Thank you for your April 3, 2013 response to Ohio EPA's March 20, 2013 Notice of Violation. Your response included a management plan and testing program for both your hazardous waste paint and sludge generation, temporary labeling of your used oil tanks and paint and solvent purchase records. In addition, it included your actions and future plans to address industrial waste water and sanitary wastewater.

Upon review of this information and the associated documentation included with the letter Buckeye Ford remains in violation of laws and rules cited in Ohio EPA's March 20, 2013 Notice of Violation.

Listed below you will find all requested Follow Up Actions as they pertain to Hazardous Waste, Underground Injection Control, and Surface Water.

Hazardous Waste

- 1. **Violation - Hazardous Waste Treatment, Storage, and Disposal, ORC 3734.02 (E) & (F):** No person shall store, treat, or dispose of hazardous waste except at a permitted hazardous waste treatment, storage, or disposal facility (TSD).

Finding - At the time of the inspection Buckeye Ford personnel acknowledged disposal of the waste generated from their solvent distiller into their general trash. The waste or "still bottoms" generated by this recovery unit are considered listed hazardous wastes (F005).

Follow Up Action - The sampling protocol proposed for your used paint filters is acceptable, however the "still bottoms" or solids generated from the paint distillation unit already meet the definition of a hazardous waste and are not required to be sampled as does any liquid paint waste that has been mixed with solvent. These two waste streams must be handled and disposed of as a hazardous waste. A list of Ohio's commercial facilities permitted to accept hazardous waste is available at:

<http://epawebapps.epa.state.oh.us/Recyclers/jsp/results.jsp?category=29>.

2. **Violation - Failure to Evaluate, OAC Rule 3745-52-11:** Any person who generates a waste in the state of Ohio shall first determine if that waste is a hazardous waste through testing, or applying generator knowledge of the hazardous waste characteristic in light of the materials or the process used.

Finding - At the time of the inspection, Buckeye Ford could not provide any records for the waste generated from the facility.

Follow Up Action - The sampling protocol proposed to evaluate the trench drain sludge is acceptable, please submit a timeline for the proposed sampling to Ohio EPA **within 7 days of your receipt of this letter.**

3. **Violation - Used Oil Generator Standards, OAC Rule 3745-279-22(C):** Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil."

Finding - At the time of the inspection, three 1000-gallon tanks were not labeled with the words "Used Oil."

Follow Up Action - Buckeye Ford shall permanently label the 1000-gallon used oil tanks as "Used Oil" and submit photographic documentation to Ohio EPA **within 7 days of your receipt of this letter.**

4. **Finding** - At the time of the inspection, Buckeye Ford provided no documentation for disposal of hazardous waste generated at the facility. In speaking with the Body Shop Manager, Buckeye Ford acknowledged that no waste had been shipped off-site since 2004. However, in 1997 during a hazardous waste inspection, Ohio EPA determined Buckeye Ford to be a small quantity generator (SQG) of hazardous waste.

Be aware, the requirements a generator must comply with depend on the amount of hazardous waste generated each month and the total amount of hazardous waste on-site at one time.

Follow Up Action - It is Ohio EPA's understanding that Buckeye Ford believes it is generating a single waste stream consisting of 10-15 gallons of paint solids per year from its distillation unit and these solids are being kept in 5 gallon pails on-site. At the time of the inspection multiple employees acknowledged that the solids from the distillation unit were being thrown away in the general trash and that the waste in the 5 gallon pails were liquid paint/solvent that was too dirty to run through the still. Thus two separate waste streams, please provide Ohio EPA an estimated generation/disposal rate of each waste stream **within 7 days of your receipt of this letter.**

5. **Finding** - Buckeye Ford did not provide any documentation for the disposal of their universal waste light bulbs. It was believed that Becker Electric Supply serviced and disposed of the bulbs.

Follow Up Action - Please provide Ohio EPA with documentation for this contract/disposal. Please send me the required information **within 7 days of your receipt of this letter.** After reviewing the requested information, any additional concerns and/or violations will be addressed under separate cover.

Should you have any further questions or concerns regarding Hazardous Waste requirements, please contact Andy Maneff at (614) 728-3884.

Underground Injection Control:

1. **Violations** – Buckeye Ford is in violation of OAC Rules 3745-06 and 3745-34-11(A) for the discharge of industrial fluids (waste water from the washing of vehicles) into the septic system leach fields without a permit to operate from Ohio EPA.

Finding – Buckeye Ford discharges car wash fluids to the shop floor drains and then into the septic system leach fields without a permit to operate from Ohio EPA.

Follow Up Action – Buckeye Ford submitted an outline of a plan to install holding tanks and work with the City of London to connect to the city sewer. Ohio EPA reinforces the request to immediately cease discharge of the industrial fluid to the septic system.

2. **Violations** – Buckeye Ford is in violation of OAC Rule 3745-34-11(C) for the discharge of motor vehicle fluid waste into the shop floor drains and then into the septic system leach field.

Findings – Buckeye Ford discharges motor vehicle fluid waste into the shop floor drains and then into the facility septic system leach fields.

Follow Up Action – Buckeye Ford submitted a plan to permanently plug the discharge outlets from the two oil water separators to prevent discharge of motor vehicle fluids to the facility septic system leach fields. Prior to installation of the permanent plugs, immediately install temporary plugs on the discharge outlets of the floor drains to prevent any additional discharge of motor vehicle fluid to the septic system until such time as the permanent plugs are installed on the oil water separators.

Division of Surface Water

1. **Violations** – Buckeye Ford is in violation of 40 CFR 122.26 for not obtaining an industrial storm water permit or no exposure certification (NOE).

Finding - Buckeye Ford does not have an industrial storm water permit nor a NOE.

Follow Up Action - You state that your SIC codes are not a regulated industrial activity. During a site visit drums of automotive fluid were observed to be stored outside and used automotive parts were also stored outside. Based on these observations, there is a potential for discharging pollutants to waters of the state. The Agency has the ability to require a storm water permit for industrial activities regardless of the respective SIC code when there is a potential for discharging pollutants to waters of the state. At this time, please submit an industrial storm water permit application or NOE application as expeditiously as possible.

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Vice President
Buckeye Ford
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2. **Violations** – ORC, Chapter 6111 provide that discharge of pollutants to waters of the state from any point source is unlawful. Ground waters is considered waters of the state.

Finding – Buckeye Ford has maintenance shops that repair, paint and wash vehicles. The shops have trench drains that collect wastewater from the garage area. The wastewater is discharged to a sanitary leaching field.

Follow Up Action – In your letter dated, April 3, 2013, you stated that during the interim period that the two oil/water separators will be plugged and you will install alarms on the three holding tanks. Please be aware that in order to use a holding tank for your wastewater, you must submit a permit to install application which consists of Form A, Form B and the antidegradation addendum to the Ohio EPA. These permits can be downloaded from the following weblink, <http://epa.ohio.gov/dsw/pti/index.aspx>. You must contact a professional engineer to complete this application.

You also state that you would like to continue to use the existing leach fields for the treatment of the restroom wastewater. The useful life for most leaching fields is around 20 years. Also, the parking lot compromises the ability of the leaching field to properly treat the wastewater. The Ohio EPA will be recommending that the Madison County Health Department require that this wastewater be collected and hauled off-site for treatment.

Once a permanent solution is worked out with Madison County, another permit to install application must be submitted to the Ohio EPA for the installation of the sanitary sewers which connect to Madison County's sanitary sewer system. This permit to install application will consist of Form A, Form B1 and the antidegradation addendum. These permits can be downloaded from the following weblink, <http://epa.ohio.gov/dsw/pti/index.aspx>. You must contact a professional engineer to complete this application.

3. **Finding** – The leaching fields that are currently used for Buckeye Ford have reached their useful life. They are approximately 40 years old, installed under pavement and/or gravel and had used automotive fluids and wash water discharged to the leaching fields

Follow Up Action – Contact the Madison County Health Department to install new leaching fields or obtain a permit to install approval to discharge the wastewater to a sanitary sewer. You can also submit a permit to install application to use a holding tank on an interim basis to haul the wastewater off-site until the connection to sanitary sewers is completed.

Should you have any further questions or concerns regarding Surface Water requirements, please contact Greg Sanders at 614-728-3851.

Please note that the Ohio Environmental Protection Agency (EPA) has the authority to seek civil penalties as provided in section 3704.06 of the ORC. This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

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If you have any additional questions please feel free to contact the respective division experts mentioned earlier or me at (614) 728-3784.

Sincerely,



Adam Ward
Assistant Chief
Central District Office,
Ohio Environmental Protection Agency

Enclosure: Ohio EPA letter dated March 20, 2013

c: CDO DMWM File
Andy Maneff, DMWM/CDO
Grant Hewett, DMWM/CDO
Lindsay C. Taliaferro III, DDAGW/CO
Jennifer Michaelson,
Madison County Health Department
Madison County Sewer District
Dan Leavitt, City of London WWTP
David Shaw, Buckeye Ford

ec: Greg Sanders, DSW/CDO

AW/nsm BuckeyeFord NOV follow up April 24 2013

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.