



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

Re: Sandusky/cw  
Erie County  
Complaint Investigation # 3230  
NOV

March 6, 2013

Mr. Lynn Lachner, Owner  
Ole' Skool Auto Body, LLC  
307 West McPherson Highway  
Clyde, Ohio 43410

Dear Mr. Lachner:

Thank you for accompanying me and Tom Cikotte, Ohio EPA Division of Air Pollution Control during the complaint investigation on February 19, 2013. The Ohio EPA Division of Materials and Waste Management- Hazardous Waste received a complaint regarding the mismanagement of hazardous waste at Ole' Skool Auto Body, LLC (OSAB) located at the address stated above. During the complaint investigation I conducted a walk-through of the facility.

OSAB is a small auto body repair shop. OSAB generates less than 10 gallons of spent paint/solvent waste that is generated during the cleaning of its paint guns. A review of the solvent material safety data sheet indicated that the hazardous waste is listed waste (D001, F003, and F005). The waste is being accumulated in a 250 gallon steel tank located in the back of the facility. OSAB does not generate any used oil.

During my visit, you stated that you have been in business for approximately 2.5 years at the present location. You added that in 2012, you gave a friend approximately 50 gallons of paint/solvent waste generated at your shop to burn for heating purposes. This amount of waste has been generated at your facility since you started operations at this location 2.5 years ago. During the visit, you refused to disclose the name of the recipient of the spent paint/solvent waste. You stated "I don't want to get my friend in trouble".

I found the following violations of Ohio's hazardous waste laws during the complaint investigation:

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**1. Ohio Revised Code Chapter 3734.02 (F)**

No person shall store, treat, or dispose of hazardous waste regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, **or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises**, except at or to any permitted hazardous waste facility.

OSAB unlawfully allowed its hazardous waste spent paint/solvent (D001, F003, and F005) to be transported and disposed of at an unpermitted facility. During my complaint investigation, you stated that in 2012, you gave approximately 50 gallons of spent paint/solvent hazardous waste to a friend to burn for heating. Therefore, OSAB unlawfully transported or caused to be transported hazardous waste to a facility without a required hazardous waste installation and operation permit.

**Request of additional information:**

Mr. Lachner, during my investigation on February 19, 2013, you refused to disclose any information about your friend who according to you picked up 50-gallons of hazardous waste generated at your facility. I would like you to reconsider your position and understand that by doing so you will be helping our agency achieve our mission to protect human and the environment. Like we discussed during my investigation, we want to make things right. We want to make sure environment laws are followed for the benefits of our community as whole. Please provide to me the name of the individual or business you gave the waste to burn, address, and contact information.

OSAB needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. **Within 14 days of receipt of this letter**, OSAB is requested to provide documentation to this office including the steps taken to abate the outstanding violation cited below. 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 [ed.pulido@epa.state.oh.us](mailto:ed.pulido@epa.state.oh.us)

Please be advised that the violations cited above will continue until the violation has 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, OSAB is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

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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](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. Please address all correspondence to Ed Pulido, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3015 or email me at [ed.pulido@epa.state.oh.us](mailto:ed.pulido@epa.state.oh.us)

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,



Edgar V. Pulido  
Division of Materials and Waste Management

/llr

pc: Lisa Gifford, DMWM, NWDO  
Tom Cikotte, DAPC, NWDO  
Colleen Weaver, DMWM, NWDO with original checklists ;

ec: Colleen Weaver, DMWM, NWDO with original checklists  
Ed Pulido, 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"/>	<b>Ohio Environmental Protection Agency</b> <b>RCRA SUBTITLE C SITE</b> <b>IDENTIFICATION/VERIFICATION FORM</b>	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to  
[Ruthanne.Flottman@epa.state.oh.us](mailto:Ruthanne.Flottman@epa.state.oh.us)

<b>Site EPA ID No.</b> <b>Site Name</b>	EPA ID Number:		Website					
	Name: Ole' Skool Auto Body		http://www.oleskoolautobody.com/ (Optional)					
<b>Site Location Information</b>	Street Address: 307 West McPherson Hwy.							
	City, Town, or Village: Clyde		State: OH					
	County Name: Sandusky		Zip Code: 43410					
<b>Site Land Type</b> (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"/>
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>								

<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Lynn		MI:	Lachner		
	Phone Number: (419)603-1600			Phone Number Extension:		
	E-Mail Address:					
	Fax Number:			Fax Number Extension:		
	Street or P.O. Box:					
City, Town or Village:			Zip Code:			
State:						

<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Lynn Lachner				Date Became Owner (mm/dd/yyyy): 01/01/2010				
	Owner Type:	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"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State: Ohio				Country: USA		Zip Code: 45840		
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Operator Type:	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"/>
	Street or P.O. Box:								
	City, Town or Village:				Operator Phone #:				
	State:				Country:		Zip Code:		

**VIOLATIONS CITED?**     Yes     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"/> 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)**

Recycler of Hazardous Waste                       Exempt Boiler and/or Industrial Furnace

- Underground Injection Control Facility
- Hazardous Waste Transporter
- Treater, Storer or Disposer of Hazardous Waste

- Small Quantity On-Site Burner Exemption
- Smelting, Melting, Refining Furnace Exemption

**UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)**  
**(CHECK ALL BOXES THAT APPLY)**

- Small Quantity Handler of Universal Waste
- Large Quantity Handler of Universal Waste  
(accumulates 5,000 kg. or more)
- Destination Facility for Universal Waste

**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. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

**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 RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

**D001 F003 F005**

**COMMENTS:**

Announced  Yes  No  
 Tanks  Yes  No  
 Containers  Yes  No

Additional Facility Representatives:

Name of Inspector(s)  
**Ed Pulido**

Name of Inspector(s)

Date of Inspection/Time  
 (mm/dd/yyyy) (hh:mm)  
**02/19/2013 10:00 Hrs**

**Comments:**

**02 (F) violation cited.**

## PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Ole' Skool Auto Body, LLC

LQG/SQG/CESQG/TSD

EPA ID#:

### Description of Waste

### On-Site Management

### Off-Site Management

Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small>	Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small>	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage <small>(e.g. container, tank, etc)</small>	Type of On- Site Treatment <small>(recycle, wwt, etc)</small>	Waste Location <small>(Include map if possible)</small>	Name, state, and type of activity occurring at the facility.	P2 Activities	
1	Painting (gun cleaning)	Spent paint/solvent	D001 F003 F005	<5 gallons	Tank	N/A	Outdoors	Individual	Energy recovery
2									
3									
4									