



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

Re: **Clark Ford Sales**
OHD018407874
Auglaize County
DMWM, NWDO
Return to Compliance

June 19, 2013

Mr. Jerry Clark
Clark Ford Sales
613 North Dixie Highway
Wapakoneta, Ohio 45895

Dear Mr. Clark:

Thank you for submitting the response to the Ohio Environmental Protection Agency's (Ohio EPA's) May 3, 2013, Notice of Violation (NOV) letter. Your response was received via email on May 10, 2013, and was received via the United States Postal Service on May 13, 2013. Both documents were dated May 10, 2013. The response included a written letter.

After review of the submitted response, it has been determined that Clark Ford Sales (CFS) will continue to be a conditionally exempt small quantity generator of hazardous waste and a generator of used oil, lead acid batteries (core exchange), and universal waste lamps.

My review of the submitted information reveals that CFS has abated all violations discovered during the April 15, 2013, compliance evaluation inspection as outlined below. In an attempt to streamline this letter, details concerning previously abated violations or general concerns which have been addressed in previous correspondence have been omitted.

Violations:

1. Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste

Determination: "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

CFS failed to adequately evaluate the waste streams listed below to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11.

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- a. Spent paint booth filters-According to you, the spent paint booth filters are changed only when they become saturated with paint and no longer appear to be filtering air. This typically occurs once every two or more years.
- b. Spent sandblasting sand-According to you, CFS doesn't typically use the sandblasting machine. The last time the machine was used was approximately two years ago. The sand generated from the sandblasting machine is disposed of by being thrown/swept into the driveway.

In order for CFS to determine whether these wastes exhibit any hazardous waste characteristics, CFS must obtain a chemical analysis of a representative sample of the wastes. CFS will need to contract the services of an environmental laboratory to analyze these materials. For the spent paint booth filters, CFS must determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals and TCLP volatile organic compounds (VOCs) of the waste. For the spent sandblasting sand, CFS must determine the concentration of TCLP RCRA metals of the waste. If any of the wastes can be considered a liquid, then CFS must also determine the flashpoint and pH of the liquid wastes. Please note that these materials should not be sampled and analyzed until CFS considers the material to be a waste which can no longer be used.

CFS shall submit the analytical results indicating the proper evaluation of the waste for Ohio EPA's review. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, CFS must also submit information as to what treatment, storage, or disposal facility the waste will be sent to.

On May 10, 2013, Ohio EPA received documentation that CFS was told by a paint supplier that dry paint booth filters can be disposed of in the trash. This is not accurate. CFS must determine if the paint booth filters are hazardous waste prior to disposal. Dry paint booth filters can still contain heavy metals or volatile organic compounds which make the waste paint booth filters hazardous for toxicity. Therefore, CFS must first sample and analyze the waste paint booth filters for the constituents listed above to determine if the waste is a hazardous waste. As noted in the response letter received May 10, 2013, CFS has stated that the waste paint booth filters will be sampled and analyzed in the future.

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On May 10, 2013, Ohio EPA received documentation that CFS has not used the sand blasting machine in "over 4 years". Since this waste stream is generated on such an infrequent basis and due to the new plastics and metals used in the automobile industry, CFS has decided to contract out all future sand blasting jobs. Therefore, this waste stream will not be generated in the future at CFS.

Violation 1a and 1b are considered abated on May 10, 2013.

2. OAC Rule 3745-279-22 (C)(1)-Abated on April 18, 2013.

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/llr

pc: ~~Colleen Weaver, DMWM, NWDO~~
Kara Reynolds, DMWM, NWDO
Lisa Gifford, DMWM, NWDO

ec: Colleen Weaver, 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.