



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

June 26, 2013

RE: CUYAHOGA COUNTY  
VILLAGE OF WALTON HILLS  
INDUSTRIAL STORM WATER  
INTERCITY AUTO WRECKING  
3GR01525\*EG

**NOTICE OF VIOLATION**

George Sapir, Owner  
Intercity Auto Wrecking  
7140 Northfield Road  
Walton Hills, OH 44146

Dear Mr. Sapir:

On May 29, 2013, Ohio EPA conducted an inspection at the Intercity Auto Wrecking facility located at 7140 Northfield Rd. Our inspection's purpose was to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Industrial Activity #OHR000005. The site's industrial activities are categorized by the Standard Industrial Classification (SIC) Code 5015: Automobile Salvage Yard. This corresponds to Subsector M1 in Part 8 of the NPDES permit. During the inspection, Mary Ann Meyer and you represented Intercity Auto Wrecking. Dan Bogoevski and I represented Ohio EPA.

**Monitoring, Recordkeeping and Reporting**

Ohio EPA reviewed recordkeeping associated with required site inspections and storm water monitoring. Our inspection revealed the following violations of the NPDES permit:

- **Failure to conduct Routine Facility Inspections once per quarter and maintain records of findings.** This is a violation of Part 4.1 of the NPDES permit and Ohio Revised Code 6111.04 and 6111.07. Intercity Auto Wrecking was unable to produce inspection records to demonstrate compliance with this requirement. In addition, the SWPPP states Mary Ann Meyer is responsible for conducting routine facility inspections. Ms. Meyer was unaware of this requirement and stated that she has not conducted a routine facility inspection as required by the NPDES permit.

Please note that in addition to the areas listed in Part 4.1, Part 8.M.4 requires the following inspections:

- Vehicles must be inspected immediately upon arrival for leaks;
- Equipment containing oily parts, hydraulic fluids or mercury switches must be inspected quarterly for signs of leakage; and
- Vessels and areas where hazardous materials and general automotive fluids are stored must be inspected quarterly for signs of leakage. Hazardous materials include but are not limited to mercury switches, brake fluid, transmission fluid, radiator water and antifreeze.

- **Failure to conduct Quarterly Visual Assessments of storm water discharges and maintain documentation of the results.** This is a violation of Part 4.2.1 and 4.2.2 of the NPDES permit and ORC 6111.04 and 6111.07. For facilities continuing general permit coverage from previous generations, quarterly visual assessments were to begin no later than the third quarter of 2012. Intercity Auto Wrecking has not conducted any quarterly visual assessments to date. A visual assessment must be conducted every quarter. A sample recordkeeping template is available on the Ohio EPA website at [http://epa.ohio.gov/dsw/permits/GP\\_IndustrialStormWater.aspx](http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx).
- **Failure to conduct employee training at least once per year and maintain documentation such as training materials and attendance records.** This is a violation of Part 2.1.2.9 and 7.5 of the NPDES permit and ORC 6111.04 and 6111.07. Intercity Auto Wrecking was unable to produce training records to demonstrate that any employee training has been conducted since August 2, 2011. Thus, no employee training was conducted in 2012. Please note that Part 8.M.2.2 of the NPDES permit requires employee training to include proper handling (collection, storage and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents. Training must be more frequent for business with high employee turnover. We made you aware of training tapes that can be obtained through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) by contacting Tamara Girard at (330) 963-1200 as well as presentations available at [www.epa.gov/npdes/training](http://www.epa.gov/npdes/training).

In addition to these violations, Ohio EPA noted the following:

- The Comprehensive Site Evaluation had not yet been completed for reporting year June 1, 2012 to May 31, 2013. You indicated that these inspections are conducted by James Environmental Management Inc., a firm out of Texas. While on site, you spoke to Juan Martinez of James Environmental and he indicated that he was not scheduled to come to your facility until mid-June 2013. You were reminded that the inspection must be completed by May 31, 2013, and an Annual Report documenting your findings and corrective action must be completed and kept with the SWPPP. The Annual Report is to be completed using the form in Appendix I of NPDES Permit #OHR000005. Please submit a copy of the Annual Report for the reporting year June 1, 2012 to May 31, 2013, with your response to this Notice of Violation.
- There were no incidences of significant spills or leaks reported in the spill log. Our observation of the site indicates that there is significant potential for such incidences to occur and many oil stains were observed on the ground. Please note that any release of petroleum-based product of 25 gallons or more on the ground or a spill that results in a sheen on a water of the state is a reportable quantity and must be listed as a significant spill or leak.
- Intercity Auto Wrecking has not conducted any benchmark monitoring to date. Please note that at least four benchmark samples must be taken before the end of Year 3 of the NPDES permit, i.e., December 31, 2014. At least one benchmark sampling must be taken during each of the quarterly monitoring periods stipulated in Part 6.1.7 of the NPDES permit. For parameters that are hardness-dependent, please refer to Appendix J for how to determine the hardness value of the receiving stream. Ohio EPA data indicates that the mean hardness of Tinkers Creek is 263 mg/L. Results of benchmark monitoring must be reported to Ohio EPA within 30 days of receiving results from the lab. Results must be reported using Ohio EPA's e-DMR system. Information on setting up an account is available at [www.epa.ohio.gov/dsw/edmr/eDMR.aspx](http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx).

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**Storm Water Pollution Prevention Plan (SWPPP)**

The SWPPP was reviewed as part of this inspection. The following deficiencies were noted in the SWPPP:

- A. The Site Map required by Part 5.1.2 of the NPDES permit indicates that there are two storm water outfalls from the facility: (001) a catch basin located within the vehicle storage area and (002) sheet flow to a low point on the north side of the property. These two outfalls discharge to an unnamed tributary of Tinkers Creek which runs via culvert through the facility. During our inspection, we noted a third, unidentified outfall from the west side of the property into the drainage swale and municipal separate storm sewer system (MS4) along Krick Road. Intercity Auto Wrecking must either (a) update the SWPPP to include the previously-unidentified outfall or (b) eliminate storm water discharges to the unidentified outfall and redirect flow to one of the identified outfalls. If you intend to keep three outfalls instead of two, please either submit a revised NOI or letter to our Central Office acknowledging the additional outfall. For each outfall, identify the SIC and subsector codes associated with the outfall as well as the latitude and longitude. There are no federal effluent limitations for storm water discharges from this facility. The revised NOI or letter should be sent **within 14 days** of this letter to:

Jason Fyffe  
Ohio EPA Division of Surface Water  
P.O. Box 1049  
Columbus, OH 43216-1049

The NOI can be found on our website at:

[http://www.epa.ohio.gov/dsw/permits/GP\\_IndustrialStormWater.aspx](http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx).

- B. Part 5.1.5.2 of the NPDES permit requires the SWPPP to document your procedures for conducting benchmark monitoring, routine facility inspections, quarterly visual assessments and comprehensive site inspections. We noted the following errors in storm water monitoring requirements within the SWPPP narrative:
- The SWPPP indicates that quarterly visual assessment is not required. This is incorrect. As of the issue date of NPDES permit #OHR000005, a visual assessment of storm water discharges is required once every quarter, beginning third quarter of 2012. Please correct the narrative in the SWPPP to reflect this requirement. Also, please add a recordkeeping template to the SWPPP to record the results of the visual assessments.
  - Table 4.1 references federal benchmark monitoring requirements rather than those contained within NPDES permit #OHR000005. Please note Ohio EPA's benchmark monitoring requirements do vary from the federal requirements. Please refer to Part 6.2.1 and Part 8.M.5 of NPDES permit #OHR000005 for monitoring frequencies, benchmark values and parameters to sample and correct the narrative in the SWPPP to reflect Ohio EPA requirements.
- C. We noted that the SWPPP was not signed. Part 5.1.7 of the NPDES permit requires the SWPPP to be signed and dated in accordance with the signatory requirements contained in Appendix B, Subsection 11. Once we told you about this requirement, you signed the SWPPP.

- D. The SWPPP does not contain an evaluation for the presence of non-storm water discharges and certification that all unauthorized discharges have been eliminated as required by Part 5.1.3.4 of the NPDES permit. Please conduct the required evaluation and include the required documentation in the SWPPP.

### **Site Inspection**

Storm water control measures contained in the SWPPP are generally appropriate for the facility, but Intercity Auto Wrecking has either not implemented the best management practices (BMPs) contained in the SWPPP or has not implemented them in a way that meets the intent. **Failure to implement control measures (including BMPs) contained in the SWPPP or required by the NPDES permit is a violation of Part 2.1 of the NPDES permit and Ohio Revised Code 6111.04 and 6111.07.** Namely, the following practices contained in the SWPPP or required by the NPDES permit have not been implemented or have not been implemented adequately to meet their intent:

- Vehicles intended to be dismantled are to be drained of all fluids upon arrival at the site as a means to prevent spills and leaks. Not all vehicle fluid is drained upon arrival. No drip pans were observed under vehicles with leaks. (See **Fig 1**)
- All vehicle dismantling is to be conducted indoors. For times when this is not feasible, Intercity Auto Wrecking was to construct a lean-to roof under which dismantling can occur. Vehicle dismantling still occurs outdoors and a roof has not been constructed.
- Used oil is to be kept on a curbed concrete pad to provide secondary containment, but we observed vessels containing used oil outdoors outside with no secondary containment. Further, spill kits and containers were not clearly labeled with "Spill Kit", "Used Oil" or "Spent Solvents" to encourage proper handling and facilitate response.
- Oily engine blocks were stored in old truck beds, but significant leaks of oil were observed from the truck beds onto the ground. Thus, the truck beds do not provide adequate containment. Still other engine blocks were stored on racks, but not under cover or within containment. Some cores were observed stored on the ground without cover. Note that Part 8.M.2.3 requires you to consider berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage. In lieu of berms, you may wish to consider storing all of these items within old trailers or storage lockers as you have with some of these items. You may also provide temporary cover over these items using tarps.
- Failure to implement procedures for expeditiously stopping, containing and cleaning up leaks, spills and other releases. As previously indicated and as shown in the photos, we observed significant oil spills on the ground throughout the dismantling and crushing areas of the facility. Good housekeeping must also be improved to reduce the exposure of pollutants to storm water. Promptly sweep up debris in the Crushing Area and wipe off excess oil on the outside of the Used Oil Tank, as example.
- Dumpsters in the Crushing Area were leaking. There is no berm around the Crushing Area as stipulated in the SWPPP. As a result, oil is being discharged to the drainage swale and MS4 located along Krick Road. Please immediately install a berm to prevent these discharges. (See **Fig 2**)

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- The SWPPP indicates that oil-absorbent booms are to be placed around the Outfall 001 (catch basin). No booms were observed during this inspection. Rather, the catch basin was covered with sediment. Please clean up the sediment and debris that has collected on the catch basin and install booms as indicated in the SWPPP. You may also wish to install storm drain inlet protection as indicated in the *Rainwater and Land Development* manual to address sediment and debris. Storm drain inlet protection is located in Chapter 6 of the *Rainwater* manual available online at:

<http://www.dnr.state.oh.us/tabid/9186/Default.aspx>

In addition to these violations, we noted that the north side of the property abuts an unnamed tributary of Tinkers Creek. Intercity Auto Wrecking should consider establishing vegetation within a 50-foot width of the stream to provide a vegetated filter for runoff from the storage yard. (See **Fig 4**).

Please provide me with a letter of response indicating the actions you will take to address the concerns and violations noted above. Please provide me with a letter of response no later than **July 10, 2013**.

If you should have any questions concerning this letter, feel free to contact me at (330) 963-1125 or by e-mail [julianna.murphy@epa.ohio.gov](mailto:julianna.murphy@epa.ohio.gov).

Sincerely,



Julianna Murphy  
Assistant to the District Engineer  
Division of Surface Water

JM:bo

pc: Mary Ann Meyer, Intercity Auto Wrecking (same address as above)  
Juan Martinez, James Environmental Management Inc.  
Don Sheehy, Engineer, Village of Walton Hills

ec: Dan Bogoevski, DSW, NEDO  
Jason Fyffe, DSW, CO



**Figure 1:** Leak from truck bed used as “containment” where engine blocks are stored during the dismantling process.



**Figure 2:** Dumpster used to store leaking and oily engines not covered. Dumpster was observed to be leaking onto ground.



**Figure 3 (LEFT):** Discharge under fence along the west side of the site into the Krick Rd swale and storm sewer (Photo taken: May 30, 2013).



**Figure 4 (ABOVE):** Disturbed areas along the north side of site abutting creek.



**Figure 5:** Significant amounts of oil spill onto the ground in Crushing Area. No clean-up efforts are evident. It does not appear that cars are drained of fluids prior to crushing.



**Figure 6:** Outfall 001 is this catch basin above the culverted stream. Note that it is covered with sediment and debris. There are no oil-absorbent booms around the catch basin.