



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

August 8, 2013

RE: CUYAHOGA COUNTY  
CITY OF CLEVELAND  
INDUSTRIAL STORM WATER  
BROKEN WHEEL AUTO PARTS &  
WRECKING  
#3GR00135\*EG

**NOTICE OF VIOLATION**

Al Shaneyfelt, Car Buyer  
Broken Wheel Auto Parts & Wrecking  
4343 West 130<sup>th</sup> Street  
Cleveland, OH 44135

Dear Mr. Shaneyfelt:

On June 18, 2013, Ohio EPA conducted an inspection at the Broken Wheel Auto Parts & Wrecking facility located at 4343 West 130<sup>th</sup> Street. 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 #OH000005. The site's industrial activities are categorized by the Standard Industrial Classification (SIC) Code 5015: Automobile Salvage Yard. During the inspection, you represented Broken Wheel Auto Parts & Wrecking. Josh Bewley and I represented the Ohio EPA.

**Storm Water Outfalls**

Our records show that general permit coverage for your facility was effective on September 1, 2012. The Notice of Intent (NOI) submitted by Broken Wheel Auto Parts & Wrecking to renew coverage and the Site Map indicate that there is only one outfall from this facility. However, our site inspection indicated that all water went into six drains throughout the site. You informed us that all of the drains lead into the combined sewer system. You are responsible for being able to supply documentation proving that this is the case. If this is found to be true then you do not fall under the requirement for the need of an NPDES Permit. In that case, we advise you to terminate NPDES permit coverage by submitting a Notice of Termination (NOT). You should submit the NOT for your facility **no later than 14 days after receiving this letter**. The form and instructions can be found at the Ohio EPA website under the Forms and Permits tab at:

<http://epa.ohio.gov/dsw/storm/index.aspx>

If you do not terminate NPDES permit coverage, you will be required to comply with the NPDES permit. This permit requires that you implement a Storm Water Pollution Prevention Plan (SWPPP) and comply with inspection, monitoring and recordkeeping requirements. This includes quarterly visual assessment of storm water discharges, routine facility inspections, comprehensive facility inspections and annual reporting, employee education, good housekeeping and other such pollution prevention practices.

**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. Broken Wheel Auto Parts & Wrecking was unable to produce inspection records to demonstrate compliance with this requirement.

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. Broken Wheel Auto Parts & 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. Broken Wheel Auto Parts & Wrecking was unable to produce training records to demonstrate that any employee training has been conducted. 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. There are training tapes that you can obtain through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) by contacting Tamara Girard at (330) 963-1282 as well as presentations available at [www.epa.gov/npdes/training](http://www.epa.gov/npdes/training).
  - **Failure to conduct an annual Comprehensive Site Inspection and complete an Annual Report.** This is a violation of Part 4.3.1 and 7.2 of the NPDES permit and ORC 6111.04 and 6111.07. Broken Wheel Auto Parts & Wrecking was unable to locate an Annual Report summarizing the findings of the comprehensive site inspection and corrective action taken for 2012 or any year prior (this was known as the Comprehensive

Site Evaluation in previous generations of the general permit). Broken Wheel Auto Parts & Wrecking is to utilize the Annual Report form located in Appendix I of the NPDES permit and keep a copy of the report with the SWPPP. The report is to be made available to Ohio EPA upon request. A Comprehensive Site Inspection and Annual Report must be completed by August 31, 2013, for the current reporting year.

- **Failure to sign the SWPPP.** 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.
- **Failure to evaluate and document for the presence of non-storm water discharges and the elimination of all unauthorized discharges.** This is a violation of Part 2.1.2.9 and 5.1.3.4 of the NPDES permit. Broken Wheel Auto Parts & Wrecking was unable to locate and documentation proving the evaluation for the presence of non-storm water discharges and the elimination of all unauthorized discharges.

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

- There were no incidences of significant spills or leaks reported in the spill log. 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.
- A site map was presented during the inspection, but it did not meet all of the permit's requirements. Update the site map to include the following:
  - All existing structural control measures;
  - All storm water conveyances including ditches, pipes, and swales;
  - Potential pollutant sources;
  - Where significant spills or leaks have occurred;
  - All storm water monitoring points;
  - Storm water inlets and outfalls, with a unique identification code for each outfall, indicating if you are treating one or more as "substantially identical", and an approximate outline of the areas draining into each outfall;
  - All non-storm water discharges including a description of each;
  - Fueling stations, vehicle and equipment maintenance and/ or cleaning area, loading/ unloading area, areas used for treatment, storage, or disposals of water, liquid storage tanks, processing and storage areas, immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility, transfer areas for substances in bulk, and machinery;
  - Run-on to your site from adjacent property that contains significant quantities of pollutant including the sources; and
  - Municipal separate storm sewer systems, where your storm water discharges to them.

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 Big Creek is 283 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)

During the inspection, you presented the results of Total Suspended Solids (TSS) testing you have had done. One test was taken August 1, 2010 and the other represented August 1, 2011. I explained to you how you needed the future testing to be done to represent the other calendar quarters, as is explained above. Both of the TSS values, 960 mg/L and 330 mg/L, were found to be over the allowed limit of 100 mg/L. The source of this pollution needs to be found and action needs to be taken to keep the sediment on the site.

Along with testing for TSS, you are required to test for the Total Aluminum and Total Lead. The Total Aluminum required limit is 0.75 mg/L and the Total Lead, based on the hardness of the receiving stream, 283 mg/L, is found to be 0.29 mg/L. Be sure to test for these parameters and submit them to the EPAs eDMR within thirty days of the receiving stream.

### **Site Inspection**

1. There were random oil spills throughout the site. These need to be cleaned immediately and good housekeeping practices need to be set into place to guarantee any future problems. ( See **Fig 1, 2 & 3**)
2. I was informed by you that business has slowed down a lot compared to the past. As a result, a significant amount of the lot is not in use. These sections of the lot should be vegetated to reduce the amount of sediment getting into the storm water.
3. Good housekeeping practice should be set into place to help reduce and eliminate any potential pollutants throughout the site. Most things were broken and scrap parts of cars that were just lying around as trash with no future purpose. These objects should be taken off the site or stored under covering to deny the rain water from reaching them and potentially washing into and polluting the nearby water way.
4. The drains on site all experienced a lot of sediment flowing into them. If it is found that these do not flow to combined sewer, a potential pollution problem can occur. Practices need to be put into place to keep the sediment out of the drains. (See **Fig 4 & 5**).

AL SHANEYFELT, CAR BUYER  
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Please provide this office with a letter of response no later than **August 21, 2013**, indicating the actions you will take to address the concerns and violations noted above.

If you should have any questions concerning this letter, feel free to contact Dan Bogoevski at (330) 963-1145 or by e-mail at [Dan.Bogoevski@epa.ohio.gov](mailto:Dan.Bogoevski@epa.ohio.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Julianna Murphy".

Julianna Murphy  
Assistant to the District Engineer  
Division of Surface Water

JM:bo

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



**Figure 1:** (*Upper Left*) Oil Stain in the lot.  
**Figure 2:** (*Above*) Oil Stain in the lot.  
**Figure 3:** (*Left*) Fluids leaving the tear down building and entering the lot.



**Figure 4:** (*Above*) Drains on site that sediment and rocks were flowing into.  
**Figure 5:** (*Left*) Drain where majority of the water pools on the lot.