

John R. Kasich, Governor
Jenny Holaday, Lt. Governor
Ernie J. Ralby, Director

September 26, 2013

Vicky Henry
Ace Iron and Metal Company
2515 Groveport Road
Columbus, Ohio 43207

RE: **Complaint Investigation at Ace Iron and Metal Company/ Franklin County
NOTICE OF VIOLATION, PERMIT NUMBER 4GR00369*EG**

Dear Ms. Henry,

This letter is written in follow-up to a complaint investigation we conducted at Ace Iron and Metal Company located at 2515 Groveport Road on September 11, 2013. Peter Maneff with Ohio EPA's Division of Hazardous Waste was present during this inspection. Aaron Shank and Dave Friedrich representing Ace Iron and Metal were also present at this inspection. ***This letter also serves as a formal Notice of Violation*** pursuant to OAC 3745-39 for failing to properly manage used auto fluids at this facility. Please be aware Peter Maneff will be addressing specific Hazardous Waste issues under a separate letter. My observations are detailed below:

Multi-Sector General Storm Water Permit:

I understand this facility is currently covered under the Industrial Storm Water Multi-sector General Permit, Permit Number 4GR00369*EG. Based on my site observations and the conditions set for in the Multi-sector Permit the following items were noted:

Storm Water Pollution Prevention Plan:

- Please forward to my attention the complete Storm Water Pollution Prevention Plan for this facility. At the time of inspection, I formally requested this document be forwarded to my attention electronically at harry.kallipolitis@epa.state.oh.us.

Used Oil Management

- During the inspection, Mr. Maneff and I discovered a large puddle of used oil directly adjacent to the large roll-off containers on the northern end of the site (See Figure 1). Please understand the used oil management program currently implemented at this facility directly violates the Multi-sector General Permit. Used oil must be contained in such a manner which minimizes the potential threat to storm water quality. The permit requires the implementation of Best Management Practices (BMPs) to reduce this threat. These BMPs include, but are not limited to, secondary containment and storage under roof for any receptacles contained used auto fluids. No effective BMPs were noted at the time of this inspection.

- During the inspection we strongly recommended, and you agreed, to have all the used oil spilled on the grounds removed within 24 hours. In addition, all the roll-off containers which store engines and transmissions on the northern end of the facility should be drained of all used oil (See Figures 2 & 3).
- Short and long term corrective measures are expected to address used oil management at this site. Used oil, in addition to all automotive fluids associated with this site, must be stored in areas of secondary containment and under roof, or demonstrate an approval alternative. I highly recommended a centralized used fluid staging area where secondary containment is provided for all used fluids. This area should also be stored under roof.

Automotive Breakdown Areas

- The automotive breakdown areas fail to meet the intent of the Multi-Sector General Permit. I noted an abundance of used fluids associated with the breakdown of the vehicles at this site (See Figure 4). Again, a covered area with secondary containment should be provided for all automotive breakdown areas. Temporary staging areas for used fluids associated with vehicle breakdown should be stored in a manner where secondary containment is provided. I noted open barrels with used oil and/or used fluids, exposed to storm water posing a potential threat to storm water quality (See Figure 5).

Storm Water Sampling Points

- I evaluated the storm water sampling point associated with this site. Based on my site observations it appears this sampling point is representative, and all storm water sampling must be conducted in conjunction with the conditions set forth in your Multi-sector General Permit.

Self-Inspections

- Daily self-inspections should be performed at this facility to determine if there are any used fluids within the salvage yard area. All used fluids should be removed and properly abated upon discovery. A log of these inspections must be incorporated into your Storm Water Pollution Prevention Plan.

Follow up Inspections:

- A follow up inspection was conducted on September 16, 2013. During the inspection, I found the majority of the oil removed from the grounds and the large roll-off containers. A large frac tank was onsite ensuring proper disposal of the used oil. The agency will formally request copies of all oil disposal receipts for evaluation. I indicated during the September 16, 2013 inspection to remove the large roll-off containers from their current location to evaluate the conditions underneath. All used oils must be collected for proper

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disposal. In addition, all stained soils must be removed, place in a container, then evaluated for proper disposal. Please continue with remediation activities until completion. In addition, please provide daily updates to our attention until such time you are advised to discontinue. Daily updates should be sent to Peter.Maneff@epa.ohio.gov and Erin.Sherer@epa.ohio.gov.

If you have any questions regarding this letter or my inspections, please do not hesitate to contact me at our Central District Office at 614-728-3844. Please contact me or Peter Maneff immediately upon completion of the used oil remediation activities. A follow up inspection is required to ensure full compliance with the Multi-Sector General Permit. ***The date of the follow up inspection is scheduled for October 29, 2013. Failure to comply with the conditions of the Multi-Sector Permit will result in a formal recommendation of enforcement, including civil penalties.***

Sincerely



Harry Kallipolitis
Storm Water Coordinator
Ohio EPA, Division of Surface Water

Email: Harry.Kallipolitis@epa.ohio.gov

c. Peter Maneff
Erin Sherer



Figure 3: Used Oil noted in container

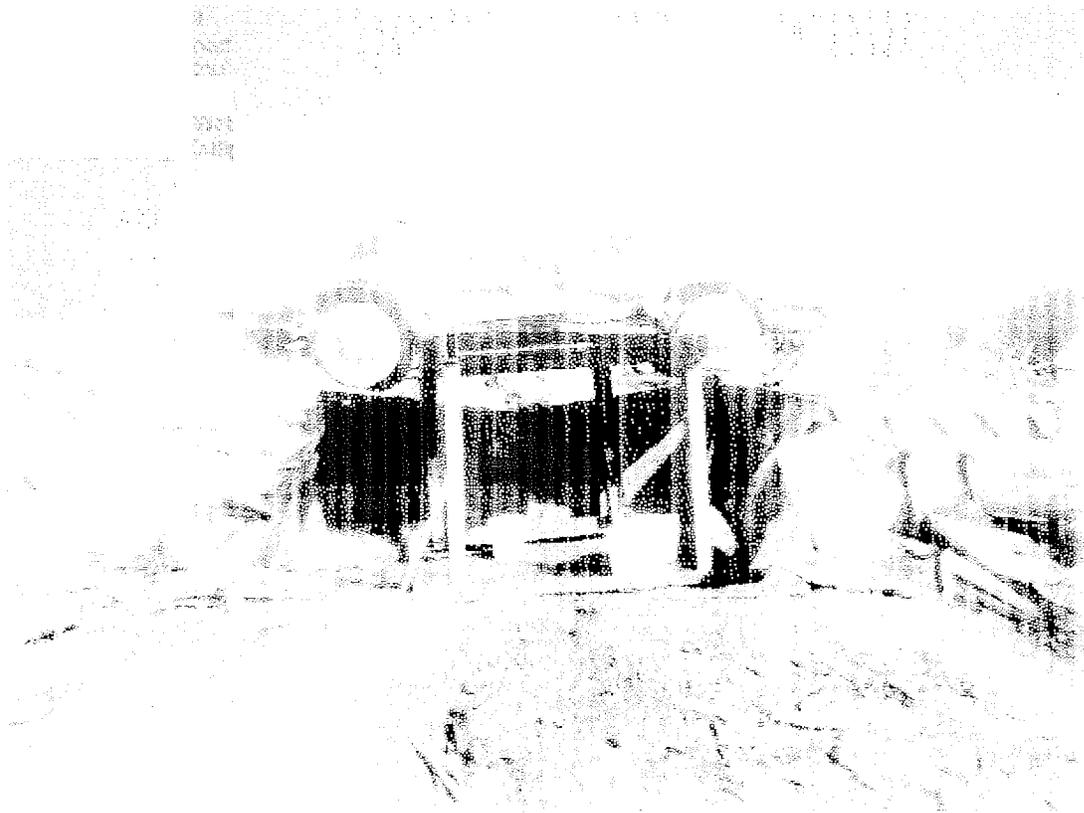


Figure 4: soil staining noted from breakdown area



Figure 5: Improper storage of fluids exposed to storm water