



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

CON 12-15
Doc # 28278

APR 19 2013

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7001-0320-0002-5014-4799

Mr. Dewayne Carroll
Carroll Auto Wrecking
1610 Scott Avenue
Des Moines, Iowa 50317

RE: Carroll Auto Wrecking
Des Moines, Iowa
RCRA ID: IAD043487172

Dear Mr. Carroll:

Request for Information

On June 1-2, 2011, a representative of the U. S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report and your June 23, 2011, response to the Notice of Violation (NOV) and has determined that a violation of RCRA was documented. We are requesting additional information regarding your facility's compliance status. Enclosed is the listed violation followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.

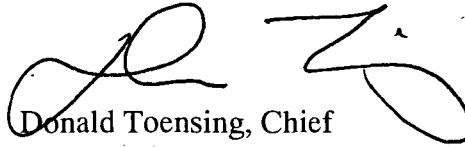
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Within thirty (30) calendar days of receiving this letter, please mail your response to: Deborah Bredehoft, AWMD/WEMM, U. S. Environmental Protection Agency, 11201 Renner Blvd., Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Ms. Bredehoft, of my staff, at (913) 551-7164.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald Toensing', written over the printed name.

Donald Toensing, Chief
Waste Enforcement and Materials Management Branch
Air and Waste Management Division

Enclosures (3)

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

List of Violations
Carroll Auto Wrecking
Des Moines, Iowa
RCRA ID: IAD043487172

1. Title 40 Code of Federal Regulations (40 CFR) 279.22(c)(1) – Failure to label a container of used oil with the words “Used Oil.” – This violation was corrected during the inspection.

Requested Information
Carroll Auto Wrecking
Des Moines, Iowa
RCRA ID: IAD043487172

1. At the time of the EPA's June 1-2, 2011 compliance evaluation inspection, your facility was managing its used oil filters by storing them in a plastic bag and then taking them to O'Reilly Auto. Please provide the following about your used oil filter management:
 - a. indicate if the filters were punctured, crushed, or dismantled and hot-drained prior to taking them to O'Reilly Auto;
 - b. indicate if the bags of used oil filters are labeled with anything; and
 - c. indicate what O'Reilly Auto does with the used oil filters.
2. At the time of the EPA's inspection, your facility was removing approximately ten mercury switches per month that were sent to End of Life Vehicle Solutions Corporation in Farmington, Michigan. Please provide copies of your shipping papers used to remove any mercury switches from your facility within the last three years prior to receipt of this letter.
3. At the time of the EPA's inspection, your facility was collecting and storing batteries to be recycled through Interstate Battery. You stated that you call Interstate Battery immediately to collect batteries that are damaged or leaking. Please fully describe the steps your facility has taken to manage the damaged batteries or to control any releases.
4. During the EPA's inspection, receipts of pick-up of the waste parts washer solvent were collected. On the December 8, 2010, receipt, the waste was removed as a D039 hazardous waste. On the March 4, 2011, receipt, the waste was not assigned any waste codes. Please complete a hazardous waste determination and report to the EPA the results of your hazardous waste determination on your waste parts washer solvent. A hazardous waste determination includes the following:
 - a. a determination of whether or not the waste has been excluded from regulation under Title 40 Code of Federal Regulations (40 CFR) 261.4.
 - b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - c. a determination of whether or not the waste is identified as a characteristic hazardous waste in 40 CFR 261 Subpart C. To determine whether the waste meets any of the characteristics provided in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**

- d. If your facility elects to apply knowledge to make a waste determination on the waste parts washer solvent, you must provide a detailed explanation and your reasoning regarding the basis for this determination. MSDS may provide information to supplement your response. **Also, if you apply knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**
5. Regarding the waste degreaser from degreasing engines from salvage vehicles, you stated that the engines are sprayed with degreaser while hanging in the air and that the oil and degreaser that drips from the engine is caught with sawdust shavings that are placed on the ground under the engine. You then stated that the sawdust is placed in the trash. The degreaser becomes a waste as it drips from the engines, prior to being mixed with the saw dust. Therefore, a waste determination needs to be completed on the waste degreaser prior to the degreaser mixing with the sawdust. A waste determination is completed by providing the following:
- a. a determination of whether or not the waste has been excluded from regulation under Title 40 Code of Federal Regulations (40 CFR) 261.4.
 - b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - c. a determination of whether or not the waste is identified as a characteristic hazardous waste in 40 CFR 261 Subpart C. To determine whether the waste meets any of the characteristics provided in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**
 - d. If your facility elects to apply knowledge to make a waste determination of the waste degreaser, you must provide a detailed explanation and your reasoning regarding the basis for this determination. MSDS may provide information to supplement your response. **Also, if you apply knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**
6. At the time of the EPA's inspection, the fluorescent lamps were collected by an electrician named Mr. Bobby Mason of Des Moines, Iowa. Since the lamps come from your facility, Carroll Auto Wrecking is a co-generator of the lamps. Please provide the following information regarding the spent lamps:
- a. identify the number of lamps generated by your facility on a yearly basis; and
 - b. indicate what Mr. Mason does with the waste lamps from your facility.

3007 RESPONSE INSTRUCTIONS

- Identify the Person(s) responding to this request on your behalf.
- Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- For each numbered item, identify all persons consulted in the preparation of the answer.
- For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.