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DIVISION OF SOLID WASTE MGT
AUG 05 2013
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE ENVIRONMENTAL FIELD OFFICE
711 R. S. GASS BOULEVARD
NASHVILLE, TENNESSEE 37243
PHONE (615) 687-7000 STATEWIDE 1-888-891-8332 FAX (615) 687-7078

Group No _____
ID No _____

July 29, 2013

CERTIFIED MAIL
7011 0110 0002 0049 9551
RETURN RECEIPT REQUESTED

David Adkins, General Manager
Queen City Metals, Inc.
1309 Tylertown Road
Clarksville, Tennessee 37040

Dear Mr. Adkins:

This letter confirms the observations and recommendations, which were made during the Hazardous Waste Generator Inspection concerning your facility on June 14, 2013. The attached inspection report details the violations, which were noted during the inspection. These violations should be corrected immediately.

A follow-up inspection will be conducted to verify that the appropriate corrective action has been taken.

If you have any questions concerning this letter or any part of the inspection report, please do not hesitate to contact me at (615) 687-7021.

Sincerely,

Al Mojais for Jack Arvin

Jack Arvin
Division of Solid Waste Management
JDA/bbm/jdal84 Queen City Metals, Inc. 6 13.doc

cc: DSWM - Central Office

HAZARDOUS WASTE INSPECTION REPORT

SITE/PHYSICAL LOCATION

Queen City Metals, Inc.
1309 Tylertown Road
Clarksville, Tennessee 37040
Montgomery County

PRIMARY CONTACT

David Adkins, General Manager
Queen City Metals, Inc.
1309 Tylertown Road Clarksville, Tennessee 37040
(931) 647-1500

DATE/TIME OF INSPECTION

June 14, 2013
11:00 a.m.

INSPECTION PARTICIPANTS

David Adkins, General Manager, Queen City Metals, Inc.
Jack Arvin, TDEC-SWM

REPORT PREPARED BY

Jack Arvin
Tennessee Department of Environment and Conservation
Division of Solid and Hazardous Waste Management
Nashville Environmental Field Office
711 R.S. Gass Boulevard
Nashville, Tennessee 37243-1550
Phone: (615) 687-7021
Fax: (615) 687-7078

PURPOSE OF THE INSPECTION

This investigation was conducted in response to a complaint and to evaluate the compliance status of Queen City Metals, Inc. (QCM) with the applicable requirements of the Rules and Regulations promulgated pursuant to the Hazardous Waste Management Act, T.C.A. § 68-212-101 et seq. and Hazardous Waste Reduction Act, T.C.A. § 68-212-301 et seq. and the Used Oil Collection Act of 1993, T.C.A. § 68-211-1001 et seq.

FACILITY DESCRIPTION

QCM is a salvage auto parts and metals recycling business, and they are a used oil, universal waste and hazardous waste generator. The facility consists of an automobile dismantling shop, portable car crushing unit, scrap metals operation and administrative offices.

In the dismantling shop they drill holes in the automobiles' oil reservoir to drain the used oil and pump it to one of two 500-gallon above ground used oil tanks along with transmission fluid and gear oil. Neither oil tank was labeled. There was also a portable used oil container in this area and it was not labeled. The residual used oil generated during the crushing operation is collected in the portable container and added to the above ground tanks. The vehicles' gasoline is also removed from their gasoline tanks and pumped to a 1000-gallon above ground storage tank. This 1000-gallon hazardous waste tank was not labeled or dated.

Storm water runoff from the site drains into a ditch and runs through a retention pond. Per Mr. Adkins, the Division of Water Resources has inspected this water and declared that it is free from any used oil contaminations.

INSPECTION FINDINGS

One of the major residual material streams from QCM is used oil. Used oil, transmission fluid and gear oil are collected from vehicles and pumped to two 500-gallon tanks. Used oil filters are punctured, drained, crushed and disposed of in the trash or they are crushed along with the vehicles during the crushing operation. The two 500-gallon used oil tanks were not labeled as "Used Oil". The portable used oil container, used to collect residual oil from the crushing process, was also unlabeled. The used oil is collected by H & H Oil Company and transported off-site for processing.

QCM also collects gasoline from junk vehicles. This gas is pumped into a 1000-gallon above ground storage tank. The gasoline is collected by H & H Oil Company and transported offsite. There is some confusion about how the oil and gas are handled by H & H at the site. During the inspection Mr. Adkins called H & H Oil Company and he was told that the gasoline is mixed with the used oil, but QCM could not initially produce manifests showing how much gasoline H & H removed from the site. During another attempt by Mr. Adkins to obtain gasoline manifests, he was told by H & H Oil Company that they do not mix the gasoline with the used oil and that

they only transport it to Allied Energy Company in Alabama. Allied Energy Company then supposedly refines the gasoline and re-sells it. [It is noted under the Records Review section that gas, oil and water are possibly transported by H & H as a mixture.]

Recovered antifreeze from junk cars is also picked up by H & H Oil Company and is recycled.

Spent lead-acid batteries are periodically generated. They are stacked on wooden pallets and are being reclaimed.

Universal waste lamps are disposed of in the trash.

Since QCM generates hazardous waste gasoline during their normal operation, they are a hazardous waste generator, but their rate of generation is not known to indicate their generation status at this time.

RECORDS REVIEW

The records for used oil being removed by H & H Oil Company were reviewed during this inspection.

There were no records of manifests showing the amount of gasoline being removed from the site. Mr. Adkins promised to obtain the gasoline manifests from Allied Energy Company and send a copy to this Division in order to determine the generation status of QCM. After the inspection visit Mr. Adkins faxed three (3) forms from H & H Oil Company. These forms were dated February 8, 2013, February 15, 2013 and February 27, 2013. As part of the heading for each form were two boxes which allowed the form to be designated as a Used Oil Manifest Invoice or a Used Oil Voucher. The February 8, 2013 form is a used oil voucher for removal of 1,825 gallons of used gasoline and used oil/water mixture. QCM is identified as the generator. The February 15, 2013 form shows the removal of 900 gallons of the same mixture. However, Music City Pick-A-Part is listed as the generator with a note that may be intended to list a correction to QCM as the generator. The third form is for removal of 3500 gallons of the same mixture on February 27, 2013. The 15th and 27th forms do not indicate if the forms were for a used oil manifest invoice or voucher. A delivery manifest was emailed to the Nashville Field Office on July 9, 2013 by Mr. Adkins indicating that H & H Oil, LLC shipped a 'product' identified as 'Tmix' or 'Transmix Component' to Allied Energy Corp in Birmingham, Alabama on June 28, 2013. This Office is not aware of any indication on the delivery manifest of a connection to QCM. The only information on the manifest is (TO 5575, 9111 meter), which does not indicate exactly what and how much was shipped, and an unloading ticket from Allied Energy was included that the unload ticket T05575 was received by them on June 29, 2013.

Mr. Adkins alleges that QCM generates between 3 to 400 gallons of gasoline per year. Therefore, based on generator's knowledge QCM is a Conditionally Exempt Small Quantity Generator (CESQG) if the amount of hazardous waste generated does not exceed 220 pounds per month. The February 2013 manifests show that a total of 6225 gallons of mixture of gasoline,

used oil and water was removed from the site during this month. There is no indication of the quantity of gasoline or oil/water mix in each of the February loads.

VIOLATIONS

The following violations were noted during this compliance evaluation inspection:

VIOLATION #1 (Failure to label a used oil container or tank)

By failing to label the portable used oil container and the 500-gallon used oil tanks with the words "Used Oil", QCM is violating Rule 0400-12-01-.11(3)(c)3(i), which requires:

"Containers and above ground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words 'Used Oil.'"

QCM must label all used oil containers and tanks with the words "Used Oil."

VIOLATION #2 (Failure to properly dispose of the universal fluorescent lamps)

For failure to properly dispose of the used fluorescent lamps, QCM violated Rule 0400-12-01-.12(2)(b)1, which state in part:

"A small quantity handler of universal waste is prohibited from disposing of universal waste."

QCM shall immediately manage the used fluorescent lamps according to universal waste regulations.

RECOMMENDATIONS AND REMARKS

According to Rule 0400-12-01-.02(1)(e)10, if a conditionally exempt small quantity generator's wastes are mixed with used oil, the mixture is subject to Rule 0400-12-01-.11. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated.

There are several unresolved issues with QCM. First, while it appears that QCM is probably a conditionally exempt small quantity generator, it is not clear because there appears to be no record of QCM's gasoline generation rate nor has there been a hazardous waste determination made on the gasoline. There are some indications that gasoline is being mixed with oil at QCM. However, there is no indication if QCM is making a hazardous waste determination on the resultant mixture. Additionally, the final destination of the QCM gas/oil/water mixture it is not clear.

To resolve these issues, QCM shall, to the best of its ability, determine an estimate of the amount of waste gasoline it has generated (collected for management as something other than automobile fuel) thus far during the year 2013. A copy of this documentation shall be provided to this Office within thirty days of receiving this letter.

QCM shall make a hazardous waste determination on the accumulated waste gasoline on site. This determination shall be in accordance with Rule 0400-12-01-.03(1)(b) and QCM shall keep records thereof as required by Rule 0400-12-01-.03(5)(a)3.

QCM shall determine the management practice implemented in handling the used oil and waste gasoline generated at its facility. This determination shall include information on the practice of mixing gasoline and oil and shall document the frequency of mixing and the proportions of each waste stream in the mixture. If the gasoline and the oil from QCM is being mixed, QCM shall establish a protocol for making a hazardous waste determination on the resulting mixture for each mixing event. This determination and protocol shall be documented. A copy of this documentation shall be provided to this Office within thirty days of receiving this letter.

QCM shall determine and provide to this Office a statement of the ultimate disposition of the gasoline and used oil (or mixture if appropriate) generated at its facility within thirty days of receiving this letter.

Guidance on management of fluorescent bulbs (universal waste) and used oil filters is attached for your reference. Also, "Used Oil" stickers are attached for your use in labeling the appropriate tanks and containers.

I appreciate the time and cooperation I was given during the inspection. If there are any questions regarding this report, contact Jack Arvin at (615) 687-7021.

SIGNED: Al Majors for Jack Arvin DATE: 7/30/2013

REVIEWED: Al Majors DATE: 7/30/2013

cc: DSWM-Central Office

List of the Photos for: Queen City Metals, Inc.

Photos Taken by: Jack Arvin

Date : 7/14/2013

Location: 1309 Tylertown Road, Clarksville, TN 37040

- Photo Number 1: Retention Pond for storm water
- Photo Number 2: Used Oil being drained from junk cars
- Photo Number 3: Batteries stacked on wooden pallet
- Photo Number 4: Used Oil Tanks – not labeled
- Photo Number 5: Used Oil Portable Container – not labeled
- Photo Number 6: Junk Car Crusher
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