

**HAZARDOUS WASTE SECTION - COMPLIANCE BRANCH
FILE TRANSMITTAL & DATA ENTRY FORM**

Your Name: Phil Orozco
Facility ID Number: NCS000002043
Facility Name: CJ Iron & Metal of NC
Document Group: Enforcement (E)
Document Type: E- Ticket Notice of Violation (TNOV)
Description for File: TNOV Docket #2014-095 issued for Complaint Investigation conducted on 9/23/14
Date of Document: 9/26/2014
Author(s) of Document: Phil Orozco

Inspector ID #: NC018 **Suborganization:** Eastern Region
Comments for RCRAInfo: TNOV Docket #2014-095 issued for Complaint Investigation conducted on 9/23/14

For Violations:

Enforcement Date: 9/26/2014 **Docket Number:** 2014-095
Enforcement Type: TNOV **How many violations were there?** 1
For IANOV or CO: The facility is

Outcome Measures for CSE for IANOV or CO:

Waste Involved	Volume	Exposure Media (a, gw, sw, s)	Distance to Residences	Number of People involved	Distance to On-site wells	Distance to Off-site wells

Violation #1:

Date Determined: 9/23/2014
Scheduled Return to Compliance: 11/24/2014 **Actual Return to Compliance:** [Click here to enter a date.](#)

Regulation Description: 40 CFR 279.22(d)
Comment: Facility failed to respond to releases of used oil
For CSE, Corrections to Violations were:

File Room Use Only

	Month	Day	Year
Date Received by File Room:			
Date Scanned:			
Date Uploaded:			

Scanner's Initials:



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

September 26, 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Brad Levitt
CJ Iron & Metal of NC
317 Providence Rd.
Oxford, NC 27565

Subject: NOTICE OF VIOLATION
Docket #2014-095
CJ Iron & Metal of NC- NCS 000 002 043
Granville County, NC

Dear Mr. Levitt:

On December 18, 1980, the State of North Carolina, Hazardous Waste Section (State) was authorized to operate the State RCRA hazardous waste program under the Solid Waste Management Act (ACT), N.C.G.S. 130A, Article 9 and rules promulgated thereto at 15A NCAC 13A (Rules) in lieu of the federal RCRA program.

On September 23, 2014, Phillip Orozco, representing the North Carolina Hazardous Waste Section inspected CJ Iron & Metal of NC, a scrap metal business, located in Oxford, NC, for compliance with North Carolina Hazardous Waste Management Rules. During that inspection, the following violation was noted:

Citation

Specifics

40 CFR 279.22(d) Response to releases. Upon detection of a release of used oil to the environment that is not subject to the requirements of part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, a generator must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the released used oil;
- (3) Clean up and manage properly the released used oil and other materials; and
- (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

Upon inspection, five small puddles were observed near three different containers/truck beds located on the ground in the South corner of the scrap yard. Used motors and transmissions were being stored in these

containers. The puddles contained mostly used oil and other car fluids with very little water apparent. A discharge of petroleum fluid was occurring at the time of inspection.

CJ Iron & Metal of NC is in violation of the cited rule in that it did not attempt stop the release, contain the released used oil, clean up or manage properly the released used oil and other materials, and repair or replace the leaking used oil storage containers.

In further satisfaction of **Docket #2014-095**, CJ Iron & Metal of NC shall provide a written statement indicating that they will comply with the rule(s) and work with the Hazardous Waste Section to take all corrective actions necessary to clean-up and properly dispose of the contaminated waste (soil and water) generated by the incident. The statement should also describe all corrective actions taken to date. Mail this statement to Phillip G. Orozco, NCDENR, Division of Waste Management - Hazardous Waste Section, 1646 Mail Service Center, Raleigh, NC, 27699-1646, within 30 days of receipt of this Notice.

You are hereby required to comply with the noted violation(s) immediately. A re-inspection of the area will be performed upon completion of all corrective actions. If compliance with the violation(s) noted above are not met, pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701 - .0707, an administrative penalty of up to \$32,500.00 per day may be assessed for violation of the hazardous waste law or regulations.

Sincerely,



Phillip G. Orozco
Environmental Senior Specialist

cc: Central Files