



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

January 20, 2017

Michael Russell, Director Permitting & Inspections
City of Portland
389 Congress Street
Room 315
Portland, Maine 04101

Re: Draft License for JSD & Son, Inc., dba Lockard's Collision Center, 238 Riverside Street,
Portland, Maine

Dear Mr. Russell:

Please find the enclosed draft renewal license for the beneficial reuse of hazardous waste on-site, for your review. JSD & Son, Inc. dba Lockard's Collision Center has operated a solvent distillation unit in accordance with Department issued licenses since 1993. The most recent license expired, necessitating a new license application.

After reviewing the draft license, please provide a written response by February 3, 2016 indicating if the license is acceptable as written, or if the City of Portland has any specific concerns or comments.

Please feel free to call me directly at (207) 822-6347 if you have any questions regarding this license renewal.

Sincerely,

Andrew Slusarski
OHMS II
Division of Materials Management
Department of Environmental Protection

cc: Michael Hudson, Hazardous Waste Management Unit Coordinator
File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

IN THE MATTER OF

DRAFT

JSD & SON, INC. dba LOCKARD'S COLLISION)
CENTER) MAINE HAZARDOUS
PORTLAND, CUMBERLAND COUNTY, MAINE) WASTE, SEPTAGE AND SOLID
ABBREVIATED LICENSE FOR BENEFICIAL) WASTE MANAGEMENT ACT
USE OR REUSE OF HAZARDOUS WASTE)
ON SITE)
LICENSE #O-000266-HL-B-N) NEW LICENSE

Pursuant to the provisions of the *Maine Hazardous Waste, Septage and Solid Waste Management Act*, 38 M.R.S. §§1301 to 1319-Y, and the *Maine Hazardous Waste Management Rules*, 06-096 C.M.R. ch. 850 to 857 (last amended March 11, 2015), the Department of Environmental Protection ("Department") has considered the application of JSD & SON, INC. dba LOCKARD'S COLLISION CENTER ("Lockard's") with its supportive data, agency review comments and other related materials on file and FINDS THE FOLLOWING FACTS:

1. APPLICATION SUMMARY

- A. Application: On September 12, 2016, JSD & SON, INC. doing business as Lockard's Collision Center at 238 Riverside Street, located in Portland, Maine, submitted an application for renewal of its abbreviated license for a solvent distillation unit which it operates for the beneficial reuse of waste solvents generated at its facility. Since the application was submitted subsequent to the date of expiration of the previous license, it was necessary to treat it as a new license application, pursuant to 06-096 C.M.R. ch. 2, § 21(A) (last amended October 19, 2015).
- B. History: Lockard's operates an auto body repair and painting shop at this facility. As a result of painting activities, Lockard's generates waste paints, thinners and spray gun cleaner from which they reclaim and beneficially reuse the recoverable solvents on site.

Lockard's is located on 238 Riverside Street in Portland, Maine. The facility is leased by Lockard's from Davison/Bisson LLC, a Maine limited liability company. This is the second application submitted by Lockard's for an abbreviated license for the treatment of hazardous waste on the site of generation at this location. Lockard's previous license #O-000266-HL-A-N expired on March 26, 2015.

Lockard's notified the Department that it operates as a small quantity hazardous waste generator.

JSD & SON, INC. dba LOCKARD'S COLLISION CENTER)	MAINE HAZARDOUS WASTE, SEPTAGE AND SOLID WASTE MANAGEMENT ACT
PORTLAND, CUMBERLAND COUNTY, MAINE)	
ABBREVIATED LICENSE FOR BENEFICIAL USE OR REUSE OF HAZARDOUS WASTE ONSITE)	
LICENSE #O-000266-HL-B-N)	NEW LICENSE

DRAFT

C. Summary of Proposal: The applicant proposes to continue operation of an existing solvent distillation system for waste paints and solvent. Lockard's estimates that it will generate and reclaim approximately five (5) to ten (10) gallons of waste paint and solvent mixture each month. The recycling unit being utilized is a Encore URS500P2 solvent distillation unit manufactured by Uni-Ram Corporation of Ontario, Canada. The unit has a capacity of five (5) gallons and a cycle time of 5 to 6 hours.

2. PROCESS DESCRIPTION

A. Handling and Storage: The URS500P2 treatment unit is located and operated in the paint mixing room, which is an approximately 9 foot by 13 foot room located inside the paint shop within the body shop building. The paint mixing room is a specially built with floor level ventilation and spill containment. During business hours, the area is accessible only to authorized employees. During non-business hours, the building is kept locked and is monitored by a building security system.

The treatment unit treats the waste paint thinners and gun-cleaning solvents through a distillation process. All of the waste being treated is generated in the paint mixing room. Lockard's accumulates a maximum of five (5) gallons of waste paints and thinners prior to recycling. The waste is collected in a closed plastic container labeled as "Hazardous Waste" located in the paint mixing room. Once a sufficient amount of waste has been accumulated, it is manually siphoned from the 5-gallon storage container into the treatment unit. The waste will be treated and beneficially used or reused within 90 days of the date when it was generated. All hazardous waste containers will be managed in accordance with 06-096 C.M.R. ch. 851, § 8(B)(2), (3),(4); § 13(B)(1); § 13(C)(1), (3), (4); and, §13(D).

The Department finds that waste will be stored in accordance with the applicable provisions of 06-096 C.M.R. ch. 851. The Department further finds that waste will be beneficially used or reused within 90 days of the date when it was generated.

B. Reclamation Process: Once the distillation unit is filled and the unit is started, the recycling process is automatic. The recycling process is achieved by heating the waste solvents to a vapor state, which allows the solvents to flow through a condenser and are cooled back to a liquid state producing a clean solvent mixture. The recycled solvents drain into a 5-gallon container for reuse in the painting operations. Paint solids (still bottoms) remaining at the end of the distillation cycle are placed into a drum marked as "Hazardous Waste" within the Paint

JSD & SON, INC. dba LOCKARD'S COLLISION) MAINE HAZARDOUS WASTE,
 CENTER) SEPTAGE AND SOLID WASTE
 PORTLAND, CUMBERLAND COUNTY, MAINE) MANAGEMENT ACT
 ABBREVIATED LICENSE FOR BENEFICIAL USE)
 OR REUSE OF HAZARDOUS WASTE ONSITE)
 LICENSE #O-000266-HL-B-N) NEW LICENSE

DRAFT

Mixing Room to be transported off-site by a Maine licensed hazardous waste transporter.

The recycling time for one solvent batch is approximately five to six hours. Lockard's will maintain a log of daily use of the distillation unit including the quantity treated each day that it is operated and inspections of the distillation unit each day that it is operated.

The recycled solvents are collected and stored in a 5-gallon container that is labeled as "Recycled Solvent". No more than five (5) gallons of recycled solvents will be on hand at any one time.

The distillation unit is operated by a trained operator and in accordance with the manufacturer's instructions.

The Department finds that Lockard's has provided a detailed description of the proposed treatment system that demonstrates that waste will be beneficially used or reused on the site in a manner that does not constitute disposal, incineration, burning or other thermal treatment.

- C. Identity and Volume: Lockard's treats a mixture of waste paint solids and thinners as well as waste gun cleaning solvents, all of which may contain the following hazardous waste solvents:

<u>Hazardous Waste</u>	<u>Hazardous Characteristics</u>	<u>EPA Waste Code</u>
Toluene	Ignitable, Toxic	F005
Xylene	Ignitable	F003
Acetone	Ignitable	F003
Methyl Alcohol	Ignitable	F003
Methyl Ethyl Ketone	Ignitable, Toxic	F005
Methyl Isobutyl Ketone	Ignitable	F003
Isopropyl Alcohol	Ignitable	D001
Naptha	Ignitable	D001
Other solvents	Ignitable	D001

Lockard's estimates that it will generate and reclaim up to ten (10) gallons of waste paint and solvent mixture each month. One (1) drum will be used to store the waste still bottoms. The Department finds that Lockard's has adequately identified the type and quantity of hazardous waste proposed to be handled at the facility.

JSD & SON, INC. dba LOCKARD'S COLLISION) MAINE HAZARDOUS WASTE,
 CENTER) SEPTAGE AND SOLID WASTE
 PORTLAND, CUMBERLAND COUNTY, MAINE) MANAGEMENT ACT
 ABBREVIATED LICENSE FOR BENEFICIAL USE)
 OR REUSE OF HAZARDOUS WASTE ONSITE)
 LICENSE #O-000266-HL-B-N) NEW LICENSE

DRAFT

D. Recordkeeping: Lockard's will maintain a log of daily use of the distillation unit including the quantity treated each day that it is operated and inspections of the distillation unit each day that it is operated.

3. PUBLIC NOTICE

Lockard's published public notice of its application with the Department on September 8, 2016 in the Portland Press Herald. On or about September 7, 2016, Lockard's notified abutters by certified mail of their application for an abbreviated license. No public comments were received by the Department. The Department finds that Lockard's has provided public notice of intent to file in conformance with the provisions of the Department's *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. ch. 2, § 14.

4. TITLE, RIGHT, OR INTEREST

Lockard's provided a copy of the lease for this property. The term for this lease is 246 months beginning on August 1, 2009 through December 31, 2029. The property is owned by and leased from Davison/ Bisson LLC, a limited liability company with a place of business in Portland, Maine. The deed for this property is recorded in Book 33787, page 256 at the Cumberland County Registry of Deeds in Portland, Maine. The Department finds that Lockard's has demonstrated sufficient title, right, or interest in the property on which the treatment unit is proposed to operate.

5. CORPORATE STANDING

JSD & Son, Inc. dba Lockard's is currently in good standing according to the Maine Department of the Secretary of State and is incorporated under the laws of the State of Maine.

BASED on the above Findings of Fact and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. Waste solvents will be stored in accordance with applicable provisions of 06-096 C.M.R. ch. 851, prior to beneficial use or reuse.
2. Waste solvents will be not be transported off-site following treatment and will be beneficially used or reused on-site within 90 days of the date when generated.

JSD & SON, INC. dba LOCKARD'S COLLISION CENTER)	MAINE HAZARDOUS WASTE, SEPTAGE AND SOLID WASTE MANAGEMENT ACT
PORTLAND, CUMBERLAND COUNTY, MAINE)	
ABBREVIATED LICENSE FOR BENEFICIAL USE OR REUSE OF HAZARDOUS WASTE ONSITE)	
LICENSE #O-000266-HL-B-N)	NEW LICENSE



3. Waste solvents will be beneficially used or reused in a manner that does not constitute disposal, incineration, burning or other thermal treatment.
4. Lockard's has adequately identified the type and quantity of hazardous waste proposed to be handled at the facility.
5. Lockard's has provided proper public notice of its application to the Department.
6. Lockard's has demonstrated sufficient title, right or interest in the property.
7. The operation of the distillation unit and beneficial use of the waste will not pollute any water of the State, contaminate the ambient air, constitute a hazard to health or welfare or create a nuisance provided that: it is operated in accordance with Maine's Hazardous Waste Management Rules and the terms of this license; Lockard's maintains daily operational and inspection logs for the treatment unit and weekly inspection logs for any associated containers of hazardous waste; and, Lockard's operates the treatment unit in accordance with the manufacturer's instructions and within its design capacity.

THEREFORE, the Department APPROVES the above noted application of Lockard's SUBJECT TO THE ATTACHED CONDITIONS and all applicable standards and regulations.

1. The Standard Conditions of Approval, a copy of which is attached as Appendix A.
2. The invalidity or unenforceability of any provision, or part thereof, of this license shall not affect the remainder of the provision or any other provisions. This license shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
3. The term of this license shall be five (5) years from the date of signature.
4. Lockard's shall not use or reuse the waste in a manner constituting disposal, or burn, incinerate or otherwise thermally treat the waste.
5. Lockard's shall comply with all other applicable standards for generators in 06-096 C.M.R. ch. 850 and ch. 851.
6. Lockard's shall maintain daily operational and inspection logs for this licensed unit and weekly inspection logs for any associated containers of hazardous waste. The daily operational and inspection logs of the distillation unit shall identify the date the unit was operated, and the type and quantity of hazardous waste treated for each day of operation.

JSD & SON, INC. dba LOCKARD'S COLLISION) MAINE HAZARDOUS WASTE,
CENTER) SEPTAGE AND SOLID WASTE
PORTLAND, CUMBERLAND COUNTY, MAINE) MANAGEMENT ACT
ABBREVIATED LICENSE FOR BENEFICIAL USE)
OR REUSE OF HAZARDOUS WASTE ONSITE)
LICENSE #O-000266-HL-B-N) NEW LICENSE

DRAFT

The logs shall also note the date of the inspection and the results of inspecting the distillation unit and any associated piping or hosing, including any deficiencies found along with the corrective actions undertaken. The weekly inspection logs for any associated containers of hazardous waste shall include the date and results of the inspection including whether or not containers are properly labeled as "Hazardous Waste" with an accumulation start date, and are closed, free of rust, bulges and leaks, and stored on a firm working surface with containment that prevent spillage from leaving the area. Each entry shall be signed or initialed by the inspector.

7. Lockard's shall operate its distillation unit in accordance with the manufacturer's instructions and within its design capacity (i.e. five (5) gallons).
8. Upon cessation of use, the unit shall be properly closed, including the cleaning of all parts and the certification of closure by Lockard's and an independent Professional Engineer in accordance with 06-096 C.M.R. ch. 856, § 11(C)(3).

DONE AND DATED AT AUGUSTA, MAINE THIS _____ DAY
OF _____, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
Paul Mercer, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

Date of initial receipt of application: 09/12/2016

Date application accepted for processing: 09/30/2016

Date filed with Board of Environmental Protection: _____