



**2010
Mandatory
Annual Report
Including
Self-Certification
for
Vehicle Dismantling
Facilities**

**INSTRUCTION
PAMPHLET**

New York State
Department of Environmental Conservation
Division of Materials Management
Bureau of Permitting and Planning
625 Broadway, Albany, New York 12233-7253

Phone: (518) 402-8705

FAX: (518) 402-9041

Email: vdinfo@gw.dec.state.ny.us

Website: www.dec.ny.gov

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Where can I get a copy of the Annual Report Form?

Forms and other information related to NYSDEC's Vehicle Dismantling Facility Program can also be found at

<http://www.dec.ny.gov/chemical/8505.html>

Submission Timeline

This Annual Report Form, completed with information for the year 2010, **must be submitted by March 2, 2011.**

Submission Instructions

- 1) **Complete the form and sign it.**
- 2) **Make a photocopy for your records.**
- 3) **Fax the completed form to 518-402-9041 or email it to vdinfo@gw.dec.state.ny.us. If you cannot fax or email, mail a copy to the Central Office address on the back of the form.**
- 4) **Mail the ORIGINAL completed form to your Regional Office at the address listed on the back of the form.**

Do I Have to Submit an Annual Report?

YES. Facilities with operations involving dismantling, storage, transfer, recycling and disposal of automobiles must complete this Annual Report Form. Compliance with Environmental Conservation Law (ECL) Article 27, Chapter 23 is **MANDATORY**. Failure to submit the Annual Report Form is a violation of ECL 71-4003 and **may result in a penalty of up to \$500 for each day the Annual Report Form is late.**

What is ECL Article 27, Title 23?

On July 26, 2006, ECL Article 27, Title 23: Vehicle Dismantling Facilities was signed into law. This law expands the solid waste management requirements for facilities that dismantle automobiles and generate used vehicle fluids and other materials such as mercury switches, etc.

Some of the major requirements are:

- An Annual Report which includes the following information must be submitted:
 - Number of vehicles received, crushed or removed, and stored,
 - Area of facility used for End of Life Vehicle (ELV) storage,
 - Quantity and disposition of waste vehicle fluids, and
 - Violations of any applicable rules and regulations, especially Article 27, Title 23
- Stored ELVs must be free of uncontrolled leaks.
- All fluid draining/collection activities must take place on a concrete pad or equivalent surface.
- Prior to vehicle crushing or shredding, vehicle fluids or parts such as lead acid batteries, mercury containing devices, and refrigerants must be removed in accordance with best management practices.
- Fluids must be stored in closed, clearly marked, undamaged containers that are placed on a bermed surface of concrete or equivalent material.
- Lead acid batteries must be stored off the ground and must be covered to prevent contact with precipitation. Leaking batteries must be stored in leakproof containers.
- Mercury-containing devices, if present in ELVs, must be removed and stored in a labeled container for recycling. Disposal of mercury containing devices is prohibited in accordance with ECL Section 27-2105.
- Air bags must be deployed or removed prior to crushing or shredding. It is illegal to resell salvage air bags in New York State. Deployed air bags need not be removed from vehicles prior to crushing.

How Do I Fill Out this Annual Report Form?

1. Read this Annual Report Form and answer all the questions that apply to your facility. You may not have to answer all of the questions on the form. Please write "Not Applicable" on questions that do not pertain to your facility.
2. Walk through your facility with the Annual Report Form and identify all the areas where you are already in compliance, and those where you will need to make changes to come into compliance.
3. If your facility is out of compliance, be sure to include a summary describing when and how each violation will be corrected.
4. Review your Annual Report Form for completeness. Once this is done, make a copy for your files, fax the form to 518-402-9041 or email it to vdinfo@gw.dec.state.ny.us and mail the original signed copy to your Regional DEC office at the address listed on the back of the form.
5. If needed records or information are not readily obtainable, change record keeping practices to make next year's reporting easier.

What Is Not Covered by this Annual Report Form?

This Annual Report Form is primarily intended to cover solid waste compliance requirements. Hazardous waste management and stormwater management requirements are expressly not fulfilled by completion of this report. There are also other Federal, State or Local requirements or permits that apply to your facility such as air requirements, building codes, fire codes, local dismantler permits, etc., that are not covered in this Annual Report Form. You must also comply with those requirements.

What Benefits Does Your Facility Receive by Completing Annual Report Form?

Compliance with environmental regulations is required of all vehicle dismantling facilities. You may receive the following benefits:

- improved facility safety and environmental protection
- compliance with Article 27, Title 23,
- reduced inspection priority by DEC,
- the ability to correct environmental violations without or with significantly reduced penalties,
- better preparation for random DEC inspections,
- free technical assistance

Note: Completing an Annual Report Form is MANDATORY and does not guarantee that your business will not be subject to a random, unannounced DEC inspection or an inspection prompted by a complaint. Both state and federal environmental agencies have the authority to perform such inspections. These inspections can result in enforcement actions against your facility that could result in penalties of up to \$1,500 per day per violation for solid waste violations and up to \$37,500 per day per violation for hazardous waste violations. Completing this Annual Report Form will identify deficiencies and prepare your facility in the event of an inspection. Keep copies of your checklists to assist you in demonstrating compliance with applicable state and federal regulations.

What If You Are Not in Compliance?

If you are not in compliance, you must provide the approximate date when you will be in compliance and provide a written description of how the violation will be corrected on an attached sheet of paper. This Return-To-Compliance Plan must be approved by Department staff and does not preclude the Department from bringing enforcement action related to reported violations.

Who can sign Section 8 of the Annual Report Form?

The Certification Statement is a preprinted statement which says that the person signing the form agrees the information being submitted is true, and correct to the best of their knowledge, has reviewed the completed form, has ensured that management systems are in place that will keep the facility in compliance with environmental protection requirements throughout the coming year, and understands that there may be serious consequences for submitting false information to DEC.

The statement may only be signed by the owner, partner or officer of the entity owning the facility, or the owner, partner or officer of the entity controlling the facility. The signer must be either a person who owns the facility in whole or in part, or who is responsible for the overall operation of a facility or a part of a facility with the authority and knowledge to make and implement decisions.



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This Vehicle Dismantling Facilities Annual Report Form
is for the year of operation from
January 1- December 31, 2010

SECTION 1
Owner/Facility Information

Facility Name _____
(please print or type)

Facility Location _____

City/Town _____ State NY Zip _____

County _____

NYSDEC Region # _____
(see Attachment 1 to determine the Region in which your facility is located)

NYS Department of Motor Vehicle Registration Number _____
Registration Type (Vehicle Dismantler, Mobile Crusher, etc.) _____

Facility Contact _____

Title _____

Phone # (____) _____ - _____ Fax # (____) _____ - _____

Email Address _____

Owner/Operator Name _____

Phone Number (____) _____ - _____

Mailing Address _____

State _____ Zip _____

--For Office Use Only--

SECTION 2

End-of-Life Vehicles (ELVs) Processed

- Provide the number of ELVs received from January 1 to December 31: _____

- Provide the number of ELVs crushed and/or removed from the facility from January 1 to December 31: _____

- Provide the number of ELVs stored at the facility as of December 31: _____

- Provide the highest number of ELVs stored at the facility at any one time from January 1 to December 31: _____

- Provide the approximate area used for the storage of vehicles (acres): _____ acres

- Provide the names of scrap metal processors to which you sold or sent decommissioned ELVs:
 - 1) _____
 - 2) _____
 - 3) _____

- CHECK THIS BOX & COMPLETE ONLY SECTIONS 3 & 8 BELOW IF:
YOUR FACILITY RECEIVED 25 OR FEWER ELVs DURING THE YEAR AND
DID NOT HAVE 50 OR MORE ELVs ON-SITE AT ANY ONE TIME.**
→▶ Please write "Not Applicable" on sections that do not pertain to your facility.

- CHECK THIS BOX & COMPLETE ONLY SECTION 8 BELOW IF:
YOUR FACILITY HAS NOT PROCESSED OR STORED ANY ELVs DURING THE
YEAR.**
→▶ Please write "Not Applicable" on sections that do not pertain to your facility.

IF NEITHER OF THESE DESCRIPTIONS APPLIES TO YOUR FACILITY,
COMPLETE THE ENTIRE FORM BELOW:

Section 3 Waste Fluids Recovered

Complete this table by reporting volumes of ELV waste fluids managed at the facility during the reporting period. Qualitative responses (i.e. J's or X's) are not acceptable. Report only fluids generated from dismantling operations (not general car repair, etc.)

Waste Fluid Recovered	Fluid Volume (Gallons)				Name & Address of Major Recipients <i>(Indicate permitted facility or permitted Part 364 transporter accepting waste fluids.)</i>
	Used on-site (oil heater, etc.)	Stored on-site at year-end	Sold/ Recycled off-site	Disposed off-site*	
Refrigerant (in pounds)					
Used Oil** (in gallons)					
Diesel Fuel (in gallons)					
Gasoline (in gallons)					
Engine Coolant/ Antifreeze (in gallons)					
Window Washing Fluid (in gallons)					
Other _____					
Other _____					

Note: Attach additional 8.5" x 11" sheets as needed.

- * Any fluids disposed must undergo a hazardous waste determination and proper handling, storage and disposal if hazardous.
- ** Includes Engine Oil, Transmission Fluid, Axle Fluids, Hydraulic Fluid, Power Steering Fluid, Brake Fluid, etc.

Section 3 (cont.)

Mercury Switches Collected

Provide the number of mercury-containing devices recovered. Including but not limited to hood & trunk lighting switches (H&TS) and antilock brake assemblies (ABS).

H&TS _____
(Number)

ABS _____
(Number)

Indicate permitted facility or permitted transporter accepting mercury containing devices:

Note: Use additional 8.5" x 11" sheets as needed.

Lead-Acid Batteries Collected

Provide the number of lead-acid batteries recovered and their disposition.

Lead-Acid Batteries collected from ELVs _____

Indicate permitted facility or permitted transport accepting lead-acid batteries:

- Any materials disposed must undergo a hazardous waste determination and proper handling, storage and disposal if hazardous

SECTION 4

Problems

Identify any problems encountered during the reporting period (e.g. specific occurrences which have led to changes in facility procedures) and methods for resolution of the problems. Include fires, explosions and spills that result in liquids reaching ground or surface water. List submissions (required by this section) that have been attached to this form or the reasons for not attaching a required piece of information:

SECTION 5

Changes

Identify any changes in the operation that have occurred during the reporting period (e.g. equipment, and operational procedure changes). List submissions (required by this section) that have been attached to this form or the reasons for not attaching a required piece of information:

SECTION 6

Permit/Consent Order/Registration Reporting Requirements

Are there any additional permit/consent order/registration reporting requirements not covered by the previous sections of this form? Yes No

If yes, identify the reporting requirements with their respective responses below, attaching additional sheets as necessary. List submissions (required by this section) that have been attached to this form or the reasons for not attaching a required piece of information:

SECTION 7

Compliance Certification

As of December 31, 2010:

Waste Management Compliance Checklist	NA	Yes	No	Date of Return to Compliance
1. Does your facility store <u>less than</u> 1,000 tires?				
1a. If you store <u>more than</u> 1,000 tires, do you have a Part 360 permit for tire storage?				
2. Is a system in place to control vegetation and prevent it from encroaching onto fire access lanes or driveways?				
3. Have you recorded the date of receipt for all end-of-life vehicles received?				
4. Are the end-of-life vehicle records available on-site?				
5. Have all end-of-life vehicles been inspected, upon arrival, for leaking fluids and unauthorized wastes?				
6. Have all observed leaks been remedied or contained?				
7. Does your facility have a written Contingency Plan?				
8. Are facility personnel trained to implement the Contingency Plan?				
9. Does your Contingency Plan include actions to be taken in the event of the following?				
9a. Fire.				
9b. Spill or release of vehicle waste fluids.				
9c. Unauthorized material received at facility.				
10. Are spills of waste fluids, if any occur, reported to the NYSDEC Spills Hotline within two hours of detection?				
11. Are all vehicle residues prevented from migrating from or running off your property?				
12. Is dust controlled to prevent interference with facility operations or from leaving facility site?				
13. Are vectors (mosquitoes, rats, mice, etc.) controlled to prevent interference with facility operations?				
14. Are waste fluids kept from being discharged onto the ground or into surface waters?				
15. Is access to your facility controlled by: fences, gates, sign and/or natural barriers (not vehicles)?				
15a. Are the access controls working (i.e. controlling access)?				
16. Are fluids drained from end-of-life vehicles on a pad constructed of concrete or equivalent material?				
17. Are you doing the following with your concrete (or equivalent surface) pad that is used for vehicle dismantling, fluid draining, crushing, etc. ?				
17a. Cleaning daily.				
17b. Cleaning spills as they occur.				
17c. Collecting and properly disposing of absorbent materials.				

Waste Management Compliance Checklist	NA	Yes	No	Date of Return to Compliance
18. Have the following wastes been drained, removed, deployed, collected and/or stored following best management practices, prior to vehicle crushing or shredding?				
18a. Fluids (including engine oil, transmission fluid, transaxle fluid, front and rear axle fluid, brake fluid, power steering fluid, coolant, and fuel).				
18b. Lead acid batteries.				
18c. Mercury switches or other mercury containing devices, if any.				
18d. Refrigerants, if any.				
18e. Air bags.				
18f. PCB capacitors, if any.				
19. Are fluids stored separately & in containers that are compatible with their contents?				
20. Are fluids stored in closed containers?				
21. Are containers which contain waste fluids in good condition and not visibly leaking?				
22. Are containers clearly and legibly labeled to describe their contents?				
23. Are containers stored on a bermed pad constructed of concrete or equivalent material?				
24. Are lead-acid batteries stored upright and off the ground?				
25. Are lead-acid batteries covered to protect them from precipitation?				
26. Are all lead-acid batteries sent for recycling within one-year of receipt?				
27. Are <u>leaking</u> lead-acid batteries, if any are encountered, stored in leakproof containers separated from intact batteries?				
27a. Are provisions in place to absorb any acid leakage?				
28. Are mercury switches and other mercury containing devices stored in appropriate, labeled containers and then sent for recycling?				
29. Are PCB capacitors, if any are encountered, removed and stored in appropriate, labeled containers for recycling or disposal?				
30. Is used oil stored in accordance with local building codes, local fire codes, and the NYS Uniform Fire Prevention & Building Code?				
31. If sent off-site, is used oil transported via a permitted hauler?				
32. If used oil is burned onsite:				
32a. Is used oil burned in a used oil space heating unit, with a maximum capacity of 0.5 million BTU's per hour or less?				
32b. Do on-site space heaters burn only used oil that is generated on-site or received from household do-it-yourself generators?				
32c. Are combustion gases from used oil space heaters vented to the outside ambient air?				

SECTION 8

Annual Report Form & Self Certification Compliance Statement

Owner, Operator, or Responsible Representative must:

**1) Sign, date and submit a completed form to the appropriate
NYSDEC Regional Office (See Attachment 1)**

2) Do one of the following:

Fax a completed form to (518) 402-9041, or

Email to vdinfo@gw.dec.state.ny.us, or

Mail to

New York State Department of Environmental Conservation

Division of Materials Management

Bureau of Permitting and Planning

625 Broadway, 9th Floor, Albany, New York 12233-7253

UNDER THE PENALTY OF PERJURY, I CERTIFY THAT I AM THE OWNER, PARTNER OR OFFICER OF THE ENTITY OWNING THE FACILITY, OR THE OWNER, PARTNER OR OFFICER OF THE ENTITY CONTROLLING THE FACILITY, NAMED ON THIS ANNUAL REPORT FORM, AND:

- I. THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS SUBMITTAL, INCLUDING ANY AND ALL DOCUMENTS ACCOMPANYING THIS ANNUAL REPORT FORM AND CERTIFICATION STATEMENT;**
- II. THAT, BASED ON MY INQUIRY OF THOSE INDIVIDUALS RESPONSIBLE FOR OBTAINING THE INFORMATION, THE INFORMATION CONTAINED IN THIS SUBMITTAL IS, TO THE BEST OF MY KNOWLEDGE, TRUE, ACCURATE AND COMPLETE;**
- III. THAT SYSTEMS TO MAINTAIN COMPLIANCE ARE IN PLACE AT THE FACILITY AND WILL BE MAINTAINED FOR THE COMING YEAR EVEN IF PROCESSES OR OPERATING PROCEDURES ARE CHANGED OVER THE COURSE OF THE YEAR; AND**
- IV. THAT I AM FULLY AUTHORIZED TO MAKE THIS ATTESTATION ON BEHALF OF THIS FACILITY.**

I AM AWARE THAT FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

Signature

Date

Name (Print or Type)

Title (Print or Type)

Address

City

State and Zip

(____)____-_____
Phone Number

Email address

ATTACHMENTS: [] Yes [] No

Attachment 1 NYSDEC OFFICES



- Central** Bureau of Permitting and Planning
625 Broadway
Albany, NY 12233-7253 **(518) 402-8705**
- Region 1** Nassau and Suffolk Counties **(631) 444-0375**
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409
- Region 2** Boroughs of Brooklyn, Bronx, Manhattan, Queens and Staten Island **(718) 482-4894**
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407
- Region 3** Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester Counties
(845) 256-3000
21 South Putt Corners
New Paltz, NY 12561
- Region 4** Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady, and Schoharie Counties **(518) 357-2045**
1130 N. Westcott Road
Schenectady, NY 12306-2014
- Region 5** Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren and Washington Counties
(518) 897-1200
P.O. Box 296
1115 NYS Route 86
Ray Brook, NY 12977-0296
- Region 6** Herkimer, Jefferson, Lewis, Oneida and St. Lawrence Counties **(315) 785-2513**
317 Washington St.
Watertown, NY 13601
- Region 7** Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga and Tompkins Counties **(315) 426-7419**
615 Erie Blvd. West
Syracuse, NY 13204-2400
- Region 8** Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Schuyler, Steuben, Wayne, and Yates Counties **(585) 226-5411**
6274 E. Avon-Lima Road
Avon, NY 14414-9519
- Region 9** Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Wyoming Counties
(716) 851-7220
270 Michigan Avenue
Buffalo, N.Y. 14203-2999