



Mandatory Annual Report

Including
Self-Certification

for
**Vehicle Dismantling
Facilities**



New York State Department of Environmental Conservation
Division of Solid and Hazardous Materials
Bureau of Solid Waste, Reduction and Recycling
625 Broadway, Albany, New York 12233-7253
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printed on 100% post-consumer recycled paper

May 11, 2007

What is an Annual Report?

Vehicle Dismantling Facilities, sometimes known as junkyards, scrap yards, etc., provide a valuable service that contributes to our environmental quality of life and conservation of our natural resources through the recycling of auto parts and scrap metals. In order to improve environmental protection and to comply with Environmental Conservation Law (ECL) Article 27, Title 23: Vehicle Dismantling Facilities, vehicle dismantling facilities **must** complete and submit an Annual Report to the New York State Department of Environmental Conservation (DEC). The Annual Report will demonstrate that they are complying with the solid waste environmental requirements that apply to their business. Completing and submitting this form fulfills the Annual Report requirement.

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

Copies of the Annual Report Form will be mailed to dismantling facilities each spring. 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

The Annual Report Form for the year 2006 **must be submitted by July 31, 2007**. Beginning in 2008, Annual Report Forms must be submitted no later than 60 days after the first day in January following each year of operation (i.e. on or around March 1). Originals of the Annual Report Form must be submitted to:

New York State Department of Environmental Conservation
Division of Solid and Hazardous Materials
Bureau of Solid Waste, Reduction and Recycling
625 Broadway, Albany, New York 12233-7253
and
to your appropriate Regional Office
Attn: Solid & Hazardous Waste Engineer
(See Attachment 1 for your DEC Regional Office)

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 at least \$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, PCB capacitors, etc.

Some of the major requirements included in the new law are:

- An Annual Report which requires the following information must be submitted:
 - Number of vehicles received, crushed/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 ECL 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 containing fluids such as lead acid batteries, mercury containing devices, PCB capacitors, 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 not be stored on the ground and must be covered to prevent contact with water. Leaking batteries must be stored in leakproof containers.
- PCB capacitors, if present in ELVs, must be stored in a labeled container for recycling or disposal. Capacitors are primarily found in vehicles manufactured prior to 1978.
- Mercury containing devices, if present in ELVs, must be stored in a labeled container for recycling. Disposal of mercury containing devices is prohibited in accordance with ECL Section 27-2105.
- Undeployed air bags and seat belt pretensioners should be deployed following manufacturers' recommendations, unless they will be reused. However, it is illegal resell air bags in New York State. If air bags are deployed, they need not be removed from the vehicle 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 pages 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 of the completed certification checklist for your files, and mail the original signed copies to the two DEC offices at the addresses listed in the Submission Timeline.
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 the Self-Certification/Annual Report Form?

Compliance with environmental regulations is a requirement 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 penalties or with significantly

- reduced penalties,
- making you better prepared for a random DEC inspection,
- 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 an employee or neighbor 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.

Step-by-Step Instructions for Filling out the Annual Report Form.

Section 1 - Owner/Facility Information

In this section, list the name and address of your business, the individual that DEC should contact if there are questions about your Annual Report Form, and your New York State Department of Motor Vehicle (DMV) Number.

Section 2 - Vehicles Processed

Provide the information requested. Note that if your facility received 25 or fewer vehicles during the year and did not have 50 or more vehicles on-site at any one time, only Sections 1, 2, 3 and 8 need be completed.

Section 3 - Waste Fluids and Components Recovered

Complete the Waste Fluid Table and account for all waste fluids managed at the facility during the reporting period. Provide the number of mercury containing devices and lead acid batteries recovered.

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. 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

If applicable, list the reporting requirements of any specific solid waste permits, consent orders and/or registrations not covered by the previous sections of this form. Identify the reporting requirements with their respective responses, attaching additional sheets as necessary.

Section 7 - Compliance Certification

The Compliance Certification Section parallels ECL Article 27, Title 23 and several other environmental regulatory requirements. Read the questions and check the appropriate boxes. If you are in compliance, check the "Yes" box.

What If You Are Not in Compliance?

If you are not in compliance, check the "No" box. If the "No" box is checked, you need to 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.

Section 8 - Annual Report Form & Self Certification Compliance Statement

Please note that it is your responsibility to keep your facility in compliance with environmental regulations at all times. You may be subject to enforcement action if you do not comply with the regulations.

The Certification Statement is a preprinted statement which says that the person signing the form:

- Has authority to sign on behalf of the company
- Has reviewed the completed form.
- Agrees the information being submitted is true, and correct to the best of their knowledge.
- Has ensured that management systems are in place that will keep the facility in compliance with environmental protection requirements throughout the coming year.
- 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.

The person who signs the form must also print or type his or her name and title on the appropriate lines and date the form.

DO YOU KNOW??

Don't dispose of used absorbents, contaminated soil, used shop towels, or similar wastes in cars to be crushed or shredded.

VEHICLE DISMANTLING FACILITIES Annual Report Form

This Vehicle Dismantling Facilities Annual Report Form is for the year of operation
from

January 1 - December 31, 2006

SECTION 1

Owner/Facility Information

Facility Name _____
(please print or type)

Facility Location _____

State _____ Zip _____

Facility Contact _____

Title _____

NYS Department of Motor Vehicle Registration Number _____

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

Email Address _____

City/Town _____

County _____

NYSDEC Region # _____

(see Attachment 1 to Determine Which Region)

Owner/Operator Name _____

Phone Number (____) _____ - _____

Mailing Address _____

State _____ Zip _____

SECTION 2

Vehicles Processed

Provide the number of end-of-life vehicles received at the facility from January 1 to December 31: _____

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

Provide the number of end-of-life vehicles stored at the facility as of December 31: _____

Provide the highest number of end-of-life vehicles 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

- IF YOU RECEIVED 25 OR FEWER VEHICLES DURING THE YEAR AND DID NOT HAVE 50 OR MORE VEHICLES ON-SITE AT ANY ONE TIME, CHECK THIS BOX & ONLY COMPLETE SECTIONS 3 & 8 BELOW.**

→ Please write "Not Applicable" on pages that do not pertain to your facility.

DID YOU KNOW??

All mercury containing vehicle components must be removed and properly managed and recycled.

DID YOU KNOW??

Lead acid batteries are exempt from hazardous waste regulations only if they are sent for recycling.

DID YOU KNOW??

Containers should always remain closed except when adding or removing waste.

Section 3 Waste Fluids Recovered

Complete the Waste Fluid Table and account for all waste fluids managed at the facility during the reporting period.

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	Stored on-site	Sold/ Recycled	Disposed *	
Refrigerant (volume in pounds)					
Engine Oil					
Transmission Fluid					
Engine Coolant/ Antifreeze					
Gasoline					
Diesel Fuel					
Brake Fluid					
Power Steering Fluid					
Window Washing Fluid					
Hydraulic Fluid					
Other _____					
Other _____					

Note: Use and 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.

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), antilock brake assemblies (ABS), and high intensity discharge head lamps (HID).

H&TS _____
(Number)

ABS _____
(Number)

HID _____
(Number)

Indicate permitted facility or permitted transporter accepting mercury containing devices:

Note: Attach and 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 recovered _____

Lead-Acid Batteries recycled _____

Lead-Acid Batteries disposed _____

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:

DRAFT

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, 2006:

Please see page 4 for instructions on completing this section.

Waste Management Compliance Checklist	NA	Yes	No	Date of Return to Compliance
1. Does your facility store less than 1,000 tires?				
1a. If you store more than 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 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 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 (mosquitos, rats, mice, etc.) controlled to prevent interference with facility operations?				
14. Have waste fluids been 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 (controlling access)?				
16. Are you doing the following with your concrete or equivalent surface pad, used for vehicle dismantling, fluid draining, crushing, etc. ?				
16a. Cleaning daily.				
16b. Cleaning spills as they occur.				
16c. Collecting and properly disposing of absorbent materials.				
17. Are fluids drained from end-of-life vehicles and stored in containers on a pad constructed of concrete or equivalent material?				

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.				
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 <u>leaking</u> lead-acid batteries stored in leakproof containers separated from intact batteries?				
26a. Are provisions in place to absorb any acid leakage?				
26b. Are dates recorded for when each leaking battery is separated and stored in a leakproof container?				
27. Are mercury switches and other mercury containing devices stored in appropriate, labeled containers and then sent for recycling?				
28. Are PCB capacitors, if any are present, removed and stored in an appropriate, labeled containers for recycling or disposal?				
29. Is used oil stored in accordance with local building codes, local fire codes, and the NYS Uniform Fire Prevention & Building Code?				
30. Is used oil transported off-site via a permitted hauler?				
31. If used oil is burned onsite:				
31a. 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?				
31b. Do on-site space heaters burn only used oil that is generated on-site or received from household do-it-yourself generators?				
31c. Are combustion gases from used oil space heaters vented to the outside ambient air?				
32. Is waste oil kept from being mixed with brake cleaner, carb cleaner, antifreeze, solvents, gasoline, or degreasers?				
33. Are sludges from sumps and oil/water separators stored in covered, closed and labeled containers?				

Waste Management Compliance Checklist	NA	Yes	No	Date of Return to Compliance
34. Are sludges properly recycled or disposed ?				
35. Are used oil filters properly hot drained, crushed or dismantled?				
36. Are drained oil filters properly recycled or disposed?				
37. Is the facility permitted under the SPDES Multi-Sector General Permit (MSGP) for Stormwater Discharges?				
38. Has a Stormwater Pollution Prevention Plan been prepared for this facility in accordance with the requirements of the SPDES MSGP?				
39. Is the information provided in the facility's original Notice of Intent or Termination submission for the SPDES MSGP still accurate and up-to-date?				
40. Has the facility's Annual Certification Report for the SPDES MSGP been submitted within the previous year? (Starting 3/31/08)				
41. Does your facility handle any of the following: cleaning solvents or degreasers, battery acid separated from lead acid batteries, or non-vehicle wastes such as drummed liquids, paint waste, etc?				
41a. If yes, what is the maximum amount of this material that your facility generates in any calendar month? <p style="text-align: center;">_____ pounds</p> <p style="text-align: center;">_____ gallons</p>				
TOTAL NUMBER OF NO's checked off.				

Do you have any other Environmental Conservation Law or regulatory violations?
(Attach additional sheets as necessary.)

Do you have any other Vehicle Transportation Law violations?
(Attach additional sheets as necessary.)

SECTION 8

Annual Report Form & Self Certification Compliance Statement

Owner, Operator, or Responsible Representative must sign, date and submit a completed form to:
(each with an original signature)

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
Bureau of Solid Waste, Reduction & Recycling
625 Broadway, 9th Floor
Albany, New York 12233-7253

and to

The appropriate NYSDEC Regional Office (See Attachment 1)

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

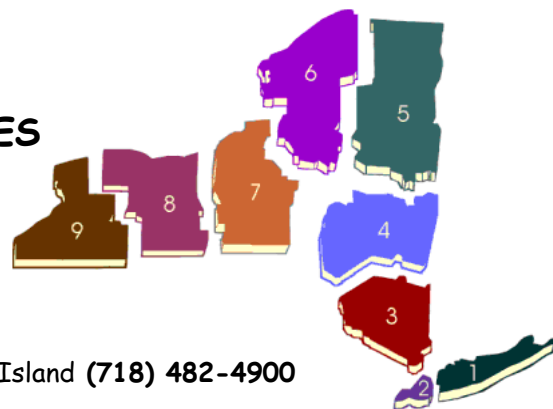
State and Zip

(____) _____ - _____
Phone Number

Email address

ATTACHMENTS: Yes No

Attachment 1
NYSDEC REGIONAL OFFICES



- Region 1** Nassau and Suffolk Counties **(631) 444-0231**
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409
- Region 2** Boroughs of Brooklyn, Bronx, Manhattan, Queens and Staten Island **(718) 482-4900**
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) 357-2234**
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) 785-2239**
317 Washington St.
Watertown, NY 13601
- Region 7** Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga and Tompkins Counties **(315) 426-7400**
615 Erie Blvd. West
Syracuse, NY 13204-2400
- Region 8** Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Schuyler, Steuben, Wayne, and Yates Counties **(585) 226-2466**
6274 E. Avon-Lima Road
Avon, NY 14414-9519
- Region 9** Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Wyoming Counties **(716) 851-7000**
270 Michigan Avenue
Buffalo, N.Y. 14203-2999