



# Maine Auto Recyclers Association

July 2008

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## MARA Seeking Crackdown on “Junkies” Dumping Fluids

At MARA’s Annual Meeting, several members voiced strong concern about illegal handling of fluids by persons picking up and hauling junk cars to cash in on the excellent prices being paid by scrap metal yards. MARA’s Executive Board members promised a strong response.

Ten days later, MARA paid an early morning visit to the Schnitzer Steel site in Portland, where both legitimate and questionable operators were lined up to deliver junk cars loaded on to a wide array of rigs. (See photos!)

MARA immediately sent these photos to David Ladd, the Municipal and Industrial Stormwater Coordinator at DEP, who promptly took our concerns to top DEP officials. Shortly thereafter, MARA reported to DEP an obvious violation, in which a hauler was seen draining fluids on the street nearby Schnitzer. David Ladd contacted the City of Portland as follows: “We at DEP are very concerned about this practice of improper fluid handling and the illegal discharge of hazardous materials. We intend to work with MARA and others to find potential solutions to this illegal activity. The City should be equally concerned, and I hope will have a coordinated approach with the treatment plant and police department to evaluate this problem. Respectfully, David Ladd Municipal and Industrial Stormwater Coordinator”.

MARA President Berube has emailed to David Ladd at DEP the following: “ Licensed auto recyclers spend a lot of money each and every year to properly handle fluids, mercury switches, and freon. We have Storm Water Runoff plans in place, and Best Management Practices that we use to help keep our storm water runoff clean. Who monitors the guys that haul 100 cars a month to scrap yards? Scrap yards turn cars away if they have fluids in them. These cars don’t come to Auto Recyclers because we don’t pay as much money as the Scrap yards. The cars leave and come back with no fluids, where did the fluids go? Where are (*cont. on Page 2*)



Scrap metal haulers lined up at 7 am to deliver to Schnitzer Steel in Portland

**Which of these vehicles had their fluids properly drained, as required of auto recyclers?**

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the Mercury switches going? We can't pay as much as scrap yards because we have D.E.P. rules to follow, they cost us a lot of money, and we are ok with that. The junkies are handling more cars than Auto Recyclers and they have no rules or regulations to follow. Remember the little yellow ducks floating down stream to the ocean. The junkies, who are at this time are handling thousands of cars in Maine, are sending little yellow ducks into our streams.

We need to get together and try to solve this problem as soon as possible, like we did with Mercury switches.”

MARA has since continued to speak to various officials at DEP and also Bureau of Motor Vehicles about the problem. There seems to be a concerted effort to crack down on illegal haulers, if not on illegal disposal of fluids. DEP is working on a comprehensive approach.



**The good...**



**The bad...**



**And the ugly.**

## MARA, Secretary of State, and BMV Discuss Upcoming Changes in Dealer License Plate Procedures

A number of Maine legislators have been complaining for quite some time about abuse of the Dealer Plate. Such abuse – however isolated- enables vehicle owners to avoid paying local taxes, and has prompted the Secretary of State (who is elected by the Legislature) and the Bureau of Motor Vehicles to review the current statutes.

The Bureau of Motor Vehicles (BMV) has now published rules which limit the number of extra business plates –after the first four-- to one plate per 25 vehicles sold, and limit the family plate to a business which

sells 25 vehicles or more per year.

Because this provision seemed potentially unfair to recyclers, who clearly are intended for inclusion under these new rules, MARA's leadership met last month with Garry Hinkley of BMV together with Sue Harris-Pomerleau, who handles our business at BMV on a day-to-day basis. Earlier in the year, MARA had met with Secretary of State Matt Dunlap, who was extremely supportive of our concerns.

It is clear, as result of our meeting with Mr. Hinkley

and Ms. Harris-Pomerleau, that BMV intends to go forward with some limitations on dealer plates. **HOWEVER** – and here is the important part: BMV is adamant that recyclers report sales of any vehicle for scrap or crushing on Form MVD 15 (as has been required, but not always done, at present and in the past).

**SUCH DISPOSITION OF VEHICLES, AS REPORTED AS SALES TO BMV, SHALL BE COUNTED AS SALES FOR PURPOSES OF ELIGIBILITY FOR DEALER AND FAMILY PLATES.**

## New Salvage Yards Not Permitted Near Public Wells

Effective October 1, 2008, a new Maine law designed to protect drinking water supplies prohibits an “automobile graveyard...or an automobile recycling business” from being installed in a “wellhead protection zone.”

A “wellhead protection zone” means within 300 feet of a private drinking water well or within 1,000 feet of a public drinking water well. “Public” means water which is accessed by the public, such as a well serving a school, general store, restaurant, church, or any other place frequented by the public.

However, the key phrase in the new law is “may not INSTALL”. This means may not “start up”. EXISTING salvage yards and recycling businesses are “grandfathered”, and may even expand within a “wellhead protection zone” without being in violation.

## MARA Annual Meeting Reviews DEP Oversight

At MARA’s Annual Meeting in April, in Augusta, DEP Stormwater Compliance Director David Ladd and specialists David McCaskill and Lauren Lohn provided the 50 MARA members and guests with a comprehensive overview of compliance work. They stated that 176 Maine auto and scrap recycling facilities have provided Notices of Intent to meet all reporting and permit requirements, thereby getting on DEP’s radar screen in a positive manner.

Inspections have focused mostly on Stormwater Protection Plans, maintenance of Best Management Practices, and compliance with site inspection recordkeeping requirements.

DEP is now working with the Bureau of Motor Vehicles to find the smaller, unlicensed facilities. Cooperating facilities will be given timelines for making changes; facilities which do not indicate intent to comply will ultimately face enforcement actions.

**Editorial Note:** MARA has found David Ladd and DEP to be reasonable, flexible, and supportive in working with our industry. This does not mean that some recyclers haven’t had to make some expensive improvements! MARA has made the firm FB Environmental available to members needing assistance, at a fraction of the cost which such consulting work would cost otherwise. MARA seeks to make EPA/DEP compliance as fair and affordable as possible for our members.



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Association**

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## **Key Points about Handling Fluids**

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**MOST BASIC:** You do NOT want to have your fluids classified as Hazardous Waste. Store fluids safely, avoid contamination, and don't allow large quantities to accumulate. Re-use on site whenever possible.

1. Fluid draining should be done under a roofed area, ideally over a sealed concrete pad.
2. When possible, store fluids in a container of 55 gallons or less. This will avoid having the fluid classified as a "waste", requiring special handling. Containers should be covered, labeled, stored under a roofed area with secondary containment, and away from storm drains.
3. As owner of your property, you are responsible for fluids from your property. If vehicle is sold to a crusher, be sure the crusher operator removes the fluids (or PAYS YOU EXTRA for you to remove said fluids).
4. Avoid contamination of fluids. Used lubricant oils (crankcase, brake, transmission, power steering) can be mixed together. But don't mix oils with gasoline or cleaning solvents. Cost of getting rid of contaminated fluids is incredibly high; such fluids must be transported by a Hazardous Waste hauler, of which there are only a few in Maine.
5. Used oils can be burned in a space heater. Never use for road oiling, dust control, or the like. Do not store more than 1,320 gallons on your site, or you will have triggered a new paperwork requirement.
6. Drain vehicle gas into a "gas caddy" and use or give away this gas.
7. Waste antifreeze must be separately labeled and stored, not mixed with other fluids, and should be recycled.
8. Small spills are perhaps inevitable. Have spill kits on hand, clean up promptly, and handle spill clean-up materials as you would a toxic chemical, not as regular trash.