



Maine Auto Recyclers Association

Spring 2014

MARA OFFICERS

President

Kerby Littlefield
Littlefield's Garage
Dexter, ME

Vice President

Beth Cyr
Paul's Pick-A-Part
Chelsea, ME

Secretary

Paul Pinette
Paul's Pick-A-Part
Chelsea, ME

Treasurer

Lisa Mitchell
Aable Auto Parts
Chelsea, ME

DIRECTORS

Ronald Baron
Silver's Auto Parts
Orono, ME

Jeff Bazinet
Auto & Truck Recyclers
Windham, ME

Ovide Corbeil
Ovide's Used Cars
Bridgton, ME

Bob Miville
Aable Auto Parts
Chelsea, ME

Randy Spain
Green Point Auto Parts
Brewer, ME

EXECUTIVE DIRECTOR

Bill Bell
Bell Associates
Portland, ME

MARA Elects New Officers; Initiates New Programs

At their March 27 Annual Meeting, Maine's auto recyclers elected Kerby Littlefield (Littlefield's Garage, Dexter) to a two-year term as president, with Beth Cyr (Paul's Pick-A-Part, Chelsea) elected Vice President. Pick-A-Part owner Paul Pinette, who has previously served as MARA president, agreed to serve as Secretary, with long-time MARA Treasurer Lisa Mitchell (Aable Auto Parts, Chelsea) re-elected Treasurer.

While the leadership of MARA continues to be centered near the state capital of Augusta, attendees at the Annual Meeting, held at Rooster's in Augusta, came from all parts of the state, including the owners of Caldwell's Auto in Limestone and Eric and Julia Dalton of Monticello Metal Shippers, also in The County.

The 45 MARA members present thanked outgoing president Ovide Corbeil (Ovide's Used Cars, Bridgton) for his two years of leadership, and welcomed the proposal from the incoming officers to create a MARA scholarship program to assist MARA family members in obtaining technical education necessary to enter the auto recycling business. The details of this program will soon be drafted by the MARA Executive Board and shared with the members.

Incoming President Littlefield also announced that MARA will be initiating a Quarterly Newsletter – of which this is the first edition!

Product Stewardship A Success for Maine

Case Study #4 Automobile Switches



Mercury is a heavy metal that can be toxic to the central nervous system. Removing mercury from old cars before processing them is a vital part of reducing exposure to this dangerous element."

– Lani Graham, MD, MPH,
Former Director, Maine Bureau of Health

Maine's largest environmental organization, The Natural Resources Council of Maine, selected our Mercury Switch Recycling Program for a special, and very favorable, report. See page 5.

MARA Civics Lesson: How a Bill Doesn't Become Law

In response to widespread concern about metal thefts, Maine's legislature in 2012 enacted a law imposing certain requirements on purchasers of scrap metal. Under MARA's leadership, auto recyclers joined with scrap metal purchasers such as Schnitzer to see that the final version of the bill was workable. Buyers of scrap metal are now required to obtain photo ID from the seller, along with other information, and must pay for the metal via check or debit card. This record-keeping has created a paperwork burden for our members who purchase scrap metal, but appears to be working.

At the time of passage, all parties agreed that "gypsy" purchasers of scrap metal, including pickup owners from New Hampshire and Massachusetts, would not be deterred from purchasing scrap metal of doubtful origin. Hence the introduction, in early 2013, of legislation (LD 809) "to create a licensing requirement for scrap metal processors similar to that for persons operating an automobile graveyard, automobile recycling business or junkyard".

At the time of the legislative hearing and subsequent committee work sessions, all parties agreed that Maine Bureau of Motor Vehicles, which oversees auto recycling, would be the logical entity to enforce scrap metal licensing as well. The Bureau, however, made it very clear that an appropriation would be required to enable enforcement. BMV proposed five new staff positions (three detectives and two clerical) to administer the new law. At one of these summer work sessions, it was proposed that these positions be funded by a special tax on scrap metal transactions. This went over like a lead balloon with Schnitzer and our MARA ("tax the legitimate dealers to pay for law enforcement to catch the bad guys?") and was quickly dropped.

The final report required by LD 809 was presented to the Maine Legislature by BMV on January 30, 2014. This report outlines a serious problem. 28 Maine police departments, only a portion of the statewide total, reported total metal thefts, going back less than two years, of nearly \$2.4 million. This included 310 reported catalytic converter thefts and 1146 reports of scrap metal theft. Prime victims of metal theft were CMP and Bangor Hydro, but also included numerous thefts from homes, of course particularly vacant homes.

This report generated new proposed legislation—LD 1846, not printed until March 26, 2014 (watch the dates here). It set forth very specific proposals for licensing "scrap metal recyclers" and "mobile scrap metal dealers," with the mobile guys being the real target of the proposed new law, beginning with a requirement that the name of their business be displayed on their pickup trucks. It was made clear that auto recyclers, already covered by a license requirement, would not be required to obtain a second license.

Only one thing was lacking—a provision for funding any enforcement.

On March 27, MARA held its Annual meeting, at which time we had the opportunity to discuss the proposal. Our members listened to Kerby Littlefield, Dave Bolduc (DAB Inc.) and MARA Executive Director Bill Bell, who had participated in the working group meetings over the preceding six months, explain that the legislation was well intended but, without provision for enforcement, would impose a paperwork requirement—a log of all purchases--and an annual fee of \$150 on the legitimate metal recyclers, but could be ignored by the illegitimate. We voted to oppose the bill.

On March 28, the Legislature's Labor and Commerce Committee held its formal hearing on LD 1846. While BMV testified in support of the bill, their testimony noted that "we are concerned about taking on additional responsibilities without the additional resources to carry out this program." MARA spoke in opposition to the bill, citing the views of our members expressed the previous evening. Schnitzer's representative also spoke in opposition, and the scrap metal firm from Lisbon which had previously been outspoken in support of the licensing requirement now stated that "there are problems with the proposal."

Immediately following the hearing, the Senate Committee Chairman advised the bill's sponsor that he would work next year in support of new proposal, but he would at this time entertain an Ought Not to Pass motion. This was immediately done, and the bill was on March 30 officially filed as "Dead."

Until next year...

What is SPCC & What Do You Need to Know About It?

What is SPCC?

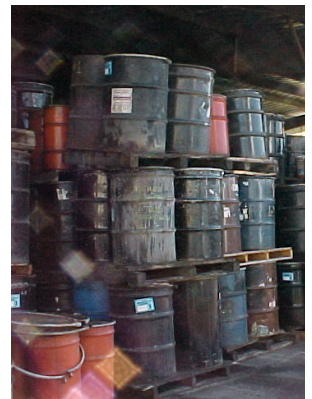
SPCC stands for Spill Prevention and Counter Measures Control Plan. Any facility with more than 1,320 gallons of storage capacity for oil or oil-like materials is required to have a SPCC. The SPCC focuses on above ground oil storage containers larger than 55 gallons (full or empty). The term “oil” refers to petroleum oils such as gasoline, diesel and heating oil.

What do MARA Members Need to Know?

SPCC is regulated by the U.S. Environmental Protection Agency (EPA). If your yard exceeds the minimum storage capacity of 1,320 gallons, then you need an SPCC or you will be at risk of being out of compliance. Minimum fines from EPA for being out of compliance have been on the order of \$7,000 - \$8,000.

Here's what you can do:

1. Conduct an inventory of your facility and document the total storage capacity of containers that hold oil or oil-like material that are greater than 55 gallons. This includes heating oil used in oil burners, gas buggies, and even empty drums.
2. If your total storage exceeds 1,320 gallons, but is less than 10,000 gallons (Tier 1), you should either develop a self-certified SPCC (no engineering required), or reduce the total storage capacity by recycling unused drums, or ensure that empty drums are clean, lids are off and stored under cover in an area that is labeled “Empty Drum Storage”. If you don't need them, don't keep them.
3. If you determine that your storage exceeds 10,000 gallons, (Tier 2) then you will need to have a SPCC developed by a certified engineer.
4. Remember, with or without a SPCC, make sure that you have adequate secondary containment! A good rule of thumb is to install secondary containment that can capture 20% of the total capacity of the containers.



For more information, on SPCC, visit the Maine DEP website: <http://www.maine.gov/dep/waste/spcc/index.html>.

Tires: How many can be stored onsite without a permit?

Solid Waste Rules, Chapter 402, Section 7, <http://www.maine.gov/dep/waste/solidwaste/#ru> allows up to 1,000 tires on site for storage-must keep records for tires coming in and out. Greater than 1,000 tires stored on site requires a permit.



Accumulation of tires is acceptable at governmental agencies, retail tire dealers, tire retreaders, or other commercial businesses which remove or accept tires from motor vehicles, provided that no more than a total of 1000 tires are stockpiled at any time and provided tires removed from the site are removed by a licensed non-hazardous waste transporter.

DEP Solid Waste Contact:
Cindi Darling, Cyndi.W.Darling@maine.gov

You Don't Want to Get a Letter Like This

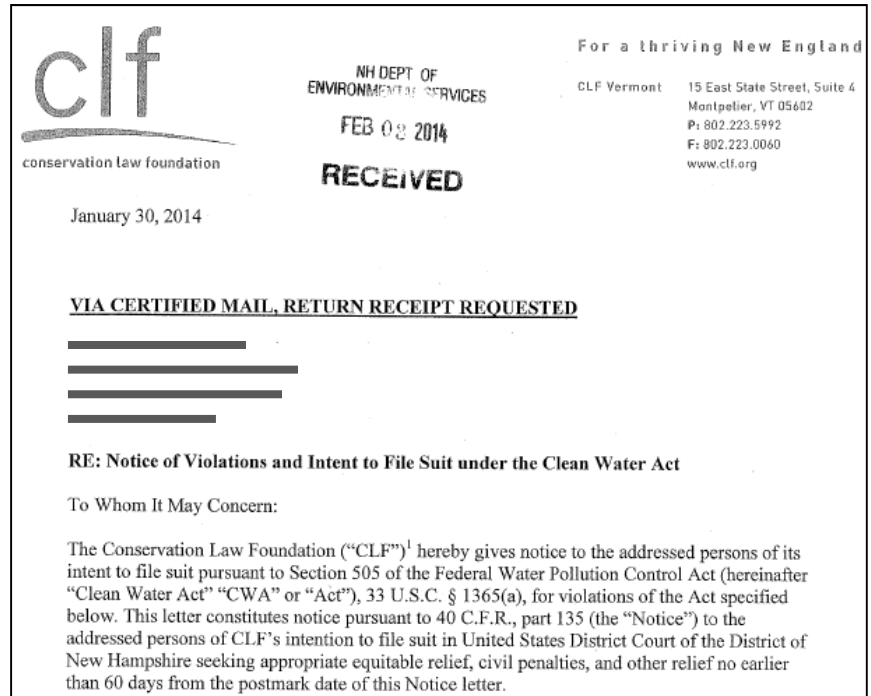
And we at MARA certainly don't want you to get such a letter.

But three New Hampshire recyclers (one in Londonderry, one in Rochester, and one in Meredith) have!

All of these letters to New Hampshire firms charge that "the subject of this action...is discharging stormwater directly associated with the auto salvage...and has failed to obtain coverage under any Clean Water Act permit including the Multi-Sector General Permit adopted by EPA..."

Are You in Compliance? At our Annual Meeting, it was made clear that DEP is increasing compliance enforcement.

MARA can help you make sure. Call Jen Jespersen at our allied consulting firm, FB Environmental, 207-221-6699 to discuss.



Don't Forget to Conduct Your Quarterly Visual Monitoring!

Who should conduct Quarterly Monitoring?

If you are a salvage yard or scrap metal recycler with a current multi-sector general permit filed with the State of Maine, you are required to conduct quarterly monitoring and file your results with your stormwater plan.

Salvage Yards (Sector M)- Visual Monitoring Only

Scrap Metal Recyclers (Sector N)- Benchmark Monitoring

When to Conduct Quarterly Monitoring

- Once Every Quarter (4X/year)

January 1- March 31

April 1- June 30

July 1 - September 30

October 1 - December 31

- During a Qualifying Rain Event

Precipitation, ice or snow melt that **produces a measurable discharge** at an outfall that occurs **at least 72 hours from a previous qualifying storm event**. Check outfall every 15 minutes after rain starts to determine when runoff begins.

- Within the First 60 Minutes to 2.25 Hours

Collect samples from each designated stormwater outfall. Pour sample into a 1L Imhoff cone and fill out form. Let sit 1 hour before filling out the section on settled solids.

For more information on sampling methods or to download monitoring forms, visit the MARA website: <http://www.maineautorecyclers.org/2013training.html> or contact FB Environmental for assistance (207) 221-6699.

Annual Employee Training

Last year MARA hosted three regional stormwater trainings for MARA members. The purpose of the trainings was to provide information to help salvage facilities meet the State's annual employee training requirement.

If you have not yet conducted your annual training for 2014, you can easily access training materials from the 2013 regional trainings on the MARA website:

<http://www.maineautorecyclers.org/2013training.html>.

Remember that the annual training is required for ALL employees who work in areas where industrial materials or activities are exposed to stormwater. Such training is also required of employees responsible for the stormwater plan.

Don't forget to file a copy of the training record in your SWPPP:

- ✓ Provide a brief description of the training
- ✓ Topics covered
- ✓ Training date
- ✓ Printed name and signatures of employees at the training

For assistance with your annual training, contact FB Environmental at (207) 221-6699.

From the Natural Resources Council of Maine Report on the Mercury Switch Recycling Program

Why was the Mercury Switch Removal and Recycling Program Created?

Mercury is a serious toxic metal and a potent neurotoxin. It attacks the developing brains of infants and children, causing brain damage and developmental problems in children. It has also been linked to health problems in adults.

If mercury auto switches are not removed from a vehicle prior to scrap recycling, mercury is released during the smelting process. Mercury persists and accumulates in the environment and in wildlife, where it causes developmental and neurological effects. Levels of mercury in Maine fish, loons, and eagles are among the highest in North America. Maine health officials have produced safe guidelines to limit fish consumption from Maine's inland waters due to mercury contamination levels.

In 2001 the Maine Legislature created a "product stewardship" program for mercury-containing switches in motor vehicles. This law established a system in which car manufacturers, car dismantlers, and scrap recyclers share responsibility

for safely collecting and recycling mercury switches from old cars. This prevents mercury exposure, which harms the health of Maine people and the environment. More than 60,000 switches have been recovered and recycled through the program since it began in 2003, preventing more than 130 pounds of mercury from entering Maine's environment.

Since 2011, Maine's program has been administered as part of a national program called End of Life Vehicle Solutions (ELVS). ELVS is a product stewardship organization formed by the automobile manufacturers that are required to recycle mercury switches. They provide collection buckets, pay for shipping and recycling, and pay the cash incentive to dismantlers and scrap metal recyclers for each switch.



(continued on next page)

Mercury Switch Program (cont.)

The Program:

- Automobile dismantlers, junkyards, and scrap metal recyclers remove mercury switches before the vehicles are crushed.
- The Maine Department of Environmental Protection provides information and training on switch removal.
- Vehicle manufacturers provide for a consolidation and recycling system for the switches and pay a cash bounty for every switch returned.
- Incentive payments for switches have increased over the life of the program, from \$1 per unit in 2003 to \$4 per unit today.

Leading Participants Have Included:

Littlefield's Late Model Used Parts, Corinna

Littlefield's Late Model Used Parts is an automobile dismantling and recycling business located in the small town of Corinna. Owner Kerby Littlefield has been working at the garage for more than 40 years, at first under his father and then taking over the business in 1989. The 68-year-old business employs 5 full-time employees. Their business is to purchase damaged cars at auction from around the country, transport them to the garage, dismantle them piece by piece, and sell the parts to customers in Maine and beyond.

The garage, like all others in the state, is required to remove mercury switches from the vehicles before they are dismantled and sold for usable parts or scrapped for metal. Ed Poulin, who has worked at Littlefield's for 27 years, dismantles the vehicles one by one, removes all the mercury switches, and stores them for recycling.

"It doesn't take too much time. I like taking things apart so I don't mind removing the switches," says Ed. "It's pretty simple. I usually know which cars have the switches, and if I'm not sure I can consult the instructions we've been given."

This is an easy program for us to carry out. And I think the cash incentive is a good way to get all the auto parts businesses in the state to do a good job.

—Owner Kirby Littlefield

Each switch is stored in a special "Universal Waste" collection bucket provided by the vehicle manufacturers. At Littlefield's, the dismantler simply drops the switch in the bucket and logs the Vehicle Identification Number on a form. After three years, or once the bucket is full, the garage ships the bucket to ELVS, the national product stewardship organization. Littlefield's receives \$4 for each switch returned. Their most recent shipment contained 128 switches; earning Littlefield's a payment of more than \$500.

About 100 Maine businesses – either auto dismantlers and recyclers or scrap metal recyclers – currently collect mercury switches for recycling. All of them benefit from the cash incentive provided by manufacturers for each switch returned. And because these businesses remove, collect, and safely dispose of these switches, mercury is kept out of our land, water, and air.



"I like taking things apart so I don't mind removing the switches."
— Ed Poulin, Auto Dismantler at Littlefield's

Mercury Switch Program (cont.)

Able Auto Parts, Chelsea

Since 1982 Bob Miville has owned Able Auto Parts in Chelsea. Now semiretired, Bob was instrumental in educating the automotive industry in New England about mercury removal.

His son Gabe Miville and daughter Lisa Mitchell now oversee the business. Able employs 7 total full-time employees. They purchase unwanted vehicles from customers around the state or from nation-wide auctions, dismantle the vehicles piece by piece, sell the re-useable parts to customers in Maine and beyond, and crush and sell the remaining parts to be recycled.

After 10 years of removing mercury switches from older cars, businesses like Able easily comply with the program. Their employees are pleased to be able to take steps to protect the environment

while also benefitting the business financially. “It feels good to know you’re doing something good for Maine,” says Miville, “And the payments we get for sending the switches in is that much more motivation.”



Gabe Miville and Lisa Mitchell of Able Auto Parts; Lisa is also the long-standing Treasurer of the Maine Auto Recyclers Association

Closing Notes from Your Executive Director



We thank Enid Mitnik of Maine DEP for administering the Mercury Switch program and always seeking to make it work better. And while we appreciate the Natural Resources Council of Maine’s attention to the program, it does need to be pointed out that we have at times disagreed sharply with NRCM on program details. Fortunately, the Maine Legislature’s Committee on Environment and Natural Resources repeatedly agreed with our approach.

Speaking of the Maine Legislature, attendees of our 2013 Annual Meeting in Lewiston will remember the discussion about the “**Right to Repair**” bill introduced in Maine, similar to the measure passed in 2012 in Massachusetts. Our meeting agreed to NOT support the proposed bill. At the legislative hearing, MARA advised legislators that Maine would be wise to postpone action because a national “compromise”

between auto manufacturers and the auto repair industry was being negotiated. The Maine Auto Dealers took the same position while also committing to a statewide program to inform auto repair firms how to access the repair codes.

The Maine Legislature did the right thing in holding off. **This January, groups representing 23 automakers and thousands of independent repair shops signed an agreement similar to the Massachusetts law. The automakers agreed to make available to independent repair shops the same diagnostic and repair tools that dealerships use.**

What brought the auto manufacturers to this agreement? A promise from the auto repair industry to stop lobbying for a national and state Right to Repair laws. The prospect of 50 different state laws was obviously a potential nightmare for the manufacturers.

Bill Bell, Executive Director



**Maine Auto
Recyclers Association**

Spring 2014

97A Exchange Street
Suite 305
Portland, ME 04101

Phone: 207-752-1392
Fax: 888-612-0941
E-mail: feedalliance@gwi.net

Free Stormwater Planning Assistance Available

Since 2005, MARA has been offering its members free technical assistance to support salvage yard operators with stormwater planning. To date, more than 30 yards have participated in the program.

If you have not yet received free technical assistance for stormwater planning, you are eligible for a free site visit valued at \$500.

For more information contact FB Environmental at (207) 221-6699.

Benefits of a free site visit:

- Development of a Site Map (required by state)
- Review of existing stormwater plan with suggestions for updating to meet current permit requirements
- On-site stormwater management recommendations
- Employee training (optional)

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