

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Solid Waste Management  
625 Broadway, Albany, New York 12233-7260  
P: (518) 402-8678 | F: (518) 402-9041  
www.dec.ny.gov

May 30, 2019

Jan R. Kellen  
Keller's Salvage Yard  
1011 Federal Road  
Erin, NY 14838

Dear Jan R. Kellen:

Re: Issuance of a Notice of Violation (NOV) – Keller's Salvage Yard  
[7065499]  
Vehicle Dismantling Facility

This letter serves to provide you with a Notice of Violation (NOV) setting forth the specific actions that constitute the violation(s) involving Article 27, Title 7 of the Environmental Conservation Law ("ECL"). As the owner or operator of a permitted/registered solid waste management facility, you are required to comply with the operating and reporting requirements contained in 6 NYCRR Part 360. Facility Annual Reports are due to the New York State Department of Environmental Conservation (DEC) no later than March 1 of each year for the previous year of operation. This NOV is issued because our records indicate that your facility failed to submit a solid waste management facility annual report for operating year 2018 by March 1, 2019, as required by 6 NYCRR 360.19(k)(3).

DEC staff must receive your facility's annual report within fourteen (14) days of this letter's date. If the annual report is not received by the date specified above, DEC will commence an enforcement action against you which may include an enforcement hearing. Failure to submit a solid waste management facility annual report is a violation of 6 NYCRR Part 360 and can result in a penalty of up to \$7,500 per violation and an additional penalty of up to \$1,500 per day that the violation continues, as specified in ECL §71-2703.

Follow the directions below to complete the annual report submission process. Further instructions can be found on the Annual Report Forms:

1. The 2018 annual report forms are available online at:  
<http://www.dec.ny.gov/chemical/52706.html>.

## SCRAP METAL PROCESSORS ANNUAL REPORT

Submit the Annual Report no later than March 1, 2019.

This annual report is for the year of operation from January 01, 2018 to December 31, 2018

### SECTION 1 – FACILITY INFORMATION

| FACILITY INFORMATION  |  |  |                            |
|---|--|--|----------------------------|
| <b>FACILITY NAME:</b><br>Jan Keller's Salvage Yard  |  |  |                            |
| <b>FACILITY LOCATION ADDRESS:</b><br>45 Keller Drive  | <b>FACILITY CITY:</b><br>Erin  | <b>STATE:</b><br>NY  | <b>ZIP CODE:</b><br>14838  |
| <b>FACILITY TOWN:</b><br>Erin   | <b>FACILITY COUNTY:</b><br>Chemung   | <b>FACILITY PHONE NUMBER:</b><br>607-739-3485                                  |                            |
| <b>FACILITY NYS PLANNING UNIT:</b> (A list of NYS Planning Units can be found at the end of this report).<br>Chemung County   |  |  | <b>NYSDEC REGION #:</b> 8  |
| <b>FACILITY CONTACT:</b><br>Jan Keller  | <input type="checkbox"/> public<br><input checked="" type="checkbox"/> private | <b>CONTACT PHONE NUMBER:</b><br>607-739-3485                                   | <b>CONTACT FAX NUMBER:</b> |
| <b>CONTACT EMAIL ADDRESS:</b> jkeller910@yahoo.com  |  |  |                            |
| OWNER INFORMATION   |  |  |                            |
| <b>OWNER NAME:</b><br>Jan Keller  | <b>OWNER PHONE NUMBER:</b><br>607-739-3485                                     | <b>OWNER FAX NUMBER:</b>   |                            |
| <b>OWNER ADDRESS:</b><br>1011 Federal Road  | <b>OWNER CITY:</b><br>Erin   | <b>STATE:</b><br>NY  | <b>ZIP CODE:</b><br>14838  |
| <b>OWNER CONTACT:</b>   | <b>OWNER CONTACT EMAIL ADDRESS:</b><br>jkeller910@yahoo.com                    |  |                            |
| OPERATOR INFORMATION  |  |  |                            |
| <b>OPERATOR NAME:</b>   | <input checked="" type="checkbox"/> same as owner                              | <input type="checkbox"/> public<br><input checked="" type="checkbox"/> private |                            |
| PREFERENCES   |  |  |                            |
| <b>Preferred address to receive correspondence:</b> <input type="checkbox"/> Facility location address <input checked="" type="checkbox"/> Owner address<br><input type="checkbox"/> Other (provide): |  |  |                            |
| <b>Preferred email address:</b> <input checked="" type="checkbox"/> Facility Contact <input type="checkbox"/> Owner Contact<br><input type="checkbox"/> Other (provide):                              |  |  |                            |
| <b>Preferred individual to receive correspondence:</b> <input type="checkbox"/> Facility Contact <input checked="" type="checkbox"/> Owner Contact<br><input type="checkbox"/> Other (provide):       |  |  |                            |

Did you operate in 2018?  Yes; Complete this form.

No; Complete and submit Sections 1 and 5.

## SECTION 2 - WASTE FLUIDS RECOVERED

Complete this table by reporting volumes or weights of waste fluids managed at the facility during the reporting period. Qualitative responses (i.e., √'s or X's) are not acceptable.

| Waste Fluid Recovered                | Fluid Volume (gallons) or Weight (pounds) |                            |                         |                    | Destination Name & Address  |
|--------------------------------------|---|----------------------------|-------------------------|--------------------|---|
|                                      | Used on-site (oil heater, etc.)           | Stored on-site at year-end | Sold/ Recycled off-site | Disposed off-site* | (Indicate permitted facility or permitted Part 364 transporter accepting waste fluids.) |
| Refrigerant (pounds)                 |   |                            |                         |                    |   |
| Used Oil** (gallons)                 |   |                            |                         |                    |   |
| Diesel Fuel (gallons)                |   |                            |                         |                    |   |
| Gasoline (gallons)                   |   |                            |                         |                    |   |
| Engine Coolant/ Antifreeze (gallons) |   |                            |                         |                    |   |
| Window Washing Fluid (gallons)       |   |                            |                         |                    |   |
| Mercury (pounds)                     |   |                            |                         |                    |   |
| Other (specify)                      |   |                            |                         |                    |   |
|                                      |   |                            |                         |                    |   |

\* 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- SCRAP METAL

Complete this table by reporting the amount of metal received, stored and sent off site, by the facility, during the reporting period.

| Material Types            | Received<br>(tons) | Stored On-Site<br>(tons) | Sent Off-Site<br>(tons) | Destination   |
|---------------------------|--------------------|--------------------------|-------------------------|---|
|                           |                    |                          |                         | NYS Planning Unit (or state if other than New York) |
| Ferrous Scrap Metal       |                    |                          |                         |   |
| Aluminum Scrap Metal      |                    |                          |                         |   |
| Lead Weights              |                    |                          |                         |   |
| Non - Ferrous Scrap Metal |                    |                          |                         |   |
| Other (specify):          |                    |                          |                         |   |
|                           |                    |                          |                         |   |

### SECTION 4 - PROBLEMS

Were any problems encountered during the reporting period (e.g., specific occurrences which have led to changes in facility procedures)?

Yes.    No.

If yes, attach additional sheets identifying each problem and the methods for resolution of the problem.

**SECTION 5 - SIGNATURE AND DATE BY OWNER OR OPERATOR**

Owner or Operator must sign, date and submit one completed form to the appropriate Regional Office (See attachment for Regional Office addresses, email addresses and Materials Management Contacts).

The Owner or Operator must also submit one copy by email, fax or mail to:

**New York State Department of Environmental Conservation  
Division of Materials Management  
Bureau of Solid Waste Management  
625 Broadway  
Albany, New York 12233-7260  
Fax 518-402-9041  
Email address: SWMFannualreport@dec.ny.gov**

I certify, under penalty of law, that the data and other information identified in this report have been prepared under my direction and supervision in compliance with a system designed to ensure that qualified personnel properly and accurately gather and evaluate this information. I am aware that any false statement I make in such report is punishable pursuant to section 71-2703(2) of the Environmental Conservation Law and section 210.45 of the Penal Law.

Jan R Keller  
Signature

6/2/2019  
Date

Jan R Keller  
Name (Print or Type)

Owner  
Title (Print or Type)

jkeller910@yahoo.com  
Email (Print or Type)

1011 Federal Road  
Address

Erin  
City

NY 14838  
State and Zip

607 739 3485  
Phone Number

ATTACHMENTS:  YES  NO