### 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

Everett Kneer Kneers LLC 332 Moonlawn Road Troy, NY 12180 Please See that this
was emailed on 2/21/22
Doth 5:42 pm and to
regional (R4) & 5:44 pm
Thank you

August 9, 2022

Dear Everett Kneer:

Re: Issuance of a Notice of Violation (NOV) – Kneers LLC [42V52201]

VDF - large - registration

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 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 2021 by March 1, 2022, 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 2021 annual report forms are available online at: http://www.dec.ny.gov/chemical/52706.html.



- Complete the fillable pdf form(s) applicable to your facility or facilities OR
   Download the forms applicable to your facility or facilities and fill out the
   form(s) by hand.
- Print the form(s) double-sided.
- Sign the form(s).
- Make a copy for your records.

Thank you for your cooperation in this matter.

- 6. E-mail the completed form(s) to the DEC Central Office at <a href="mailto:swmfannualreport@dec.ny.gov">swmfannualreport@dec.ny.gov</a> or fax to (518) 402-9041. (If you cannot e-mail or fax the form(s) or if there are lengthy attachments to the annual report(s), save the document onto a disk or thumb drive and mail to the Central Office at the address on the top of this letter.)
- 7. E-mail the completed form(s) to the DEC's Regional Office that has jurisdiction over your facility. (If you cannot e-mail the form(s) or if there are lengthy attachments to the annual report(s), mail the original completed form to your respective DEC Regional Office.) Contact information for the DEC Regional Offices can be found on the last page of the form(s).

Note: If your facility is no longer an active solid waste management facility or no longer performs a solid waste management activity or if you have other questions, please contact the DEC's Regional Office that has jurisdiction over your facility.

 3		
 	_ Sincerely,	
	Josef Mille	ill

Joseph O'Connell, P.E.

Director

Bureau of Solid Waste Management

#### Jania Full Readers | Trint | Close Enhant View

From: "WENDY KNEER" < WENDYK@searchtheweb.com>

**Reply-To**: <WENDYK@searchtheweb.com> **To**: <swmfannualreport@dec.ny.gov>

Subject: Kneers 2021 Annual Facilities Vehicle Salvage Report

Date: Mon 02/21/22 05:42 PM

Please accept our 2021 annual facility report for:

Kneers 332B Moonlawn Road Troy, NY 12180

Thank you!

Attachment: Bave Maw

Name: Kneers 2021 Annual Report.pdf

Type: application/pdf

WENDY KMEER (WENDYK@scarentheweb.com; - Mon, 61/21/22 17:45:47 -0600

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Proof of proofs

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From: "WENDY KNEER" < WENDYK@searchtheweb.com>

**Reply-To**: <WENDYK@searchtheweb.com> **To**: <SWMFannualreportR4@dec.ny.gov>

Subject: Kneers 2021 annual facility vehicle salvage report

Date: Mon 02/21/22 05:44 PM

Please accept our 2021 annual facility report for:

Kneers 332B Moonlawn Road Please see proof of grand

Thank you!

Troy, NY 12180

Attachment: 5ave

Name: Kneers 2021 Annual Report.pdf

Type: application/pdf

WENDY KMERR (WENDYK@searchtheweb.com) - Mon, 02/22/22 17:45:29 -9800

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# VEHICLE DISMANTLING FACILITY, MOTOR VEHICLE REPAIR SHOP AND MOBILE VEHICLE CRUSHER ANNUAL REPORT

Submit the Annual Report no later than March 1, 2022

This annual report is for the year of operation from January 01, 2021 to December 31, 2021

SECTION 1 - FACILITY INFORMATION

	FACILITY	INFORMATION			
facility name: Kneer's					
FACILITY LOCATION ADDRESS:	FACILITY	CITY:		STATE:	ZIP CODE:
332B Moonlawn Rd	Troy	Troy			12180
FACILITY TOWN:	FACILITY	COUNTY:	FACIL	ITY PHO	NE NUMBER:
Brunswick	Rens	selaer	518	-238	-3400
FACILITY NYS PLANNING UNIT: (A list of N Not affiliated with a NYS Planning Unit	IYS Planning Un	its can be found at the end o	of this repor	t). NY	SDEC GION #: 4
FACILITY TYPE: Vehicle Dismantler DMV I.D. #7096919		Vehicle Repair Shop e Vehicle Crusher	<b>NYS DE</b> 0 5015	CACTIVIT	Y CODE:
FACILITY CONTACT:	public	CONTACT PHONE	C	ONTACT	FAX NUMBER:
Nicholas Arnold	private	NUMBER: 518-238-3400	5	18-23	8-3400
CONTACT EMAIL ADDRESS: (AC \( \)	oldnick	1743 agmail.	com	19-716	
	OWNER	INFORMATION			
owner name: MaryLee and Everett Kneer	OWNER 6 518-238	PHONE NUMBER: 3-3400		er fax n 238-340	
OWNER ADDRESS: 332B Moonlawn Rd	OWNER O	CITY:		STATE: NY	<b>ZIP CODE</b> : 12180
OWNER CONTACT:		CONTACT EMAIL ADD			
MaryLee and Everett Kneer	arno	oldnick 743 2	gmai	1.000	7
	OPERATO	R INFORMATION			
OPERATOR NAME: same as owner	•			□public <b>②</b> private	
	PRE	FERENCES			
Preferred address to receive correspondent  Other (provide):	ce: 🏻 Facility l	ocation address		wner addres	S
Preferred email address: Facility Contact  Other (provide):		Owner Contact			
Preferred individual to receive corresponder	nce: Faci	lity Contact	vner Contact		

Provide the number of ELVs received from January 1 to December 31:	0	
Provide the number of ELVS received from Sandary 1 to December 51.		
Provide the number of ELVs crushed and/or removed from the facility	0	
from January 1 to December 31:	325	
Provide the number of ELVs stored at the facility as of December 31:	525	
Provide the highest number of ELVs stored at the facility	325	
at any one time from January 1 to December 31:	020	
	9	
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 dec	commissioned EL	.Vs:
n/a		
n/a		
2) 1774		
<sub>3)</sub> n/a		
n/a		
	S (ELVs) PRO	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE	S (ELVs) PRO	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE	S (ELVs) PRO	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE  Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL	0	OCESSED —
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE  Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL	0	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE  Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL    N/a	0	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE  Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL    N/a	0	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE  Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL  [1]	0	OCESSED
Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL  (a) n/a  (b) 1	0	OCESSED
Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL	0	OCESSED
Provide the number of ELVs crushed from January 1 to December 3:  Provide the names of each facility where you crushed decommissioned EL    n/a	0	OCESSED
ECTION 2B MOBILE CRUSHERS - END-OF-LIFE VEHICLE Provide the number of ELVs crushed from January 1 to December 3: Provide the names of each facility where you crushed decommissioned EL  [1] n/a  [2]	0	OCESSED

#### **SECTION 3 - WASTE FLUIDS RECOVERED**

Complete this table by reporting <u>volumes</u> of End-of-Life Vehicle (ELV) waste fluids managed at the facility during the reporting period. <u>Qualitative responses (i.e.  $\sqrt{s}$  or X's) are not acceptable</u>. Report only fluids generated from dismantling operations (not general car repair, etc.).

		Fluid	Destination Name & Address		
Waste Fluid Recovered	Used on-site (oil heater, etc.)		Sold/ Recycled off-site	Disposed off-site*	(Indicate permitted facility or permitted Part 364 transporter accepting waste fluids.)
Refrigerant (pounds)	0	0	0	0	n/a
Used Oil** (gallons)	0	0	0	0	n/a
Diesel Fuel (gallons)	0	0	0	0	n/a
Gasoline (gallons)	0	0	0	0	n/a
Engine Coolant/ Antifreeze (gallons)	0	0	0	0	n/a
Window Washing Fluid (gallons)	0	0	0	0	n/a
Other (specify)	0	0	0	0	n/a
Common market					

Any fluids disposed must undergo a hazardous waste determination and proper handling, storage, and disposal, if hazardous.

<sup>\*\*</sup> Includes Engine Oil, Transmission Fluid, Axle Fluids, Hydraulic Fluid, Power Steering Fluid, Brake Fluid, etc.

### **SECTION 4 - SCRAP METAL**

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

	Danahard	Ct	C+ O# C#-	Destination		
Material Types	Received (tons)	Stored On Site (tons)	Sent Off Site (tons)	NYS <u>Planning Unit (or state if</u> other than New York)	Me	crap etal essor
Ferrous Scrap Metal	0	0	0	Not Planning Unit affiliated	<b>∐Y</b> es	No
Aluminum Scrap Metal	0	0	0	Not Planning Unit affiliated ▼	□Yes	No
Lead Weights	0	0	0	Not Planning Unit affiliated	∐Yes	No
Non – Ferrous Scrap Metal	0	0	0	Not Planning Unit affiliated	∐Yes	<b>≅ N</b> o
Other (specify):	0	0	0	Not Planning Unit affiliated   ▼	☐Yes	₩No
					□Yes	<b>■</b> No

#### **SECTION 5 - MERCURY SWITCHES COLLECTED**

Provide the number of mercury-containing devices recov (H&TS) and antilock brake assemblies (ABS).	e <u>red</u> . Including but not limited to hood & trunk	lighting switches
H&TS 0 (Number)	ABS0 (Number)	
Indicate permitted facility or permitted transporter accepti	ing mercury containing devices:	
SECTION 6 - A	IR BAGS COLLECTED	
Provide the number of air bags recovered.		
Number of Air Bags Removed:	Number of Air Bags Deployed:	
Indicate permitted facility or permitted transporter acce	pting air bags:	

Reprinted (12/21)

## SECTION 7 - LEAD-ACID BATTERIES COLLECTED

Provide the number of lead-acid batteries <u>recovered</u> and their disposition.	0	
umber of Lead-Acid Batteries collected from ELVs:		
ndicate permitted facility or permitted transporter accepting lead-acid batterion/a	es:	
Any materials disposed must undergo a hazardous waste determination and	proper handling, st	orage and disposal, if
SECTION 8 – WASTE TIRES CO	LLECTED	
lumber of waste tires stored on-site:	100	as of December 31
Number of used tires available for sale on-site:	0	as of December 3°
Number of used tires sold:	0	during operating year
Number of waste tires shipped off-site for recycling, disposal, other:	0	during operating year
ndicate name of facility(ies) accepting waste tires:		
SECTION 9 — SELF INSPECT  Number of self-inspections conducted for the year:	RIONS خوجه ناهم کاده کا	variety and danvel
Are self-inspection records up-to-date with inspector name, what was ins	spected, time and da	ate of inspection?
At a minimum, are fluid storage areas, vehicles, vehicle storage areas in:  ■Yes □No	spected for leaks/sp	oills?
SECTION 10 - PROBLEM	MS	
Were any problems encountered during the reporting period (e.g., specific facility procedures)?	c occurrences which	n have led to changes in
Yes No If yes, attach additional sheets identifying each problem	and the methods fo	r resolution of the proble
SECTION 11 - CHANGE	:S	
Were there any changes from approved reports, plans, specifications, ar	nd permit conditions	?
Yes No If yes, attach additional sheets identifying changes with	a justification for ea	ach change.

## SECTION 12 - COMPLIANCE CERTIFICATION

## As of December 31, 2021:

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

					Date of Return to
7	Waste Management Compliance Checklist	NA	Yes	No	Compliance
18.	Have the following wastes been drained, removed, deployed, collected and/or store practices, prior to vehicle crushing or shredding?	d follow	ing bes	st mana	
	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.		1		
	18c. Mercury switches or other mercury containing devices, if any.		~		
	18d. Refrigerants, if any.		~		
	18e. Air bags.		V		
	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?		1		
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 leak-proof 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 you do not burn used oil onsite check NA for 32a., 32b., 32c. If you do, then answ	/ег 32а.	, <b>32</b> b.,	32c:	
	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?	V			
	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?	V			

				Date of Return
Waste Management Compliance Checklist	NΑ	Yes	No	Compliance
Is waste oil kept from being mixed with brake cleaner, carb cleaner, antifreeze, solvents, gasoline, or degreasers?		~		
Are sludges from sumps and oil/water separators stored in covered, closed and labeled containers?	V			
Are sludges properly recycled or disposed?	V			
Are used oil filters properly drained, crushed or dismantled?		V		
Are drained oil filters properly recycled or disposed?		~		
If your facility does not require an SPDES Multi-Sector General Permit (MSGP) for Stormwater Discharge, check NA for 38a, 38b, 38c. If your facility requires an SPDES MSGP answer 38a, 38b, 38c:				
38a. If required by the SPDES MSGP, has a Stormwater Pollution Prevention Plan been prepared for this facility?		V		
38b. 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?		V		
38c. Has the facility's Annual Certification Report for the SPDES MSGP been submitted within the previous year?		V		
-vehicle wastes write NA. If these materials are handled at your facility, what is maximum amount of this material that your facility generates in any calendar		_		pounds gallons
Attach additional sheets as necessary.)				
	Is waste oil kept from being mixed with brake cleaner, carb cleaner, antifreeze, solvents, gasoline, or degreasers?  Are sludges from sumps and oil/water separators stored in covered, closed and labeled containers?  Are sludges properly recycled or disposed?  Are used oil filters properly drained, crushed or dismantled?  Are drained oil filters properly recycled or disposed?  If your facility does not require an SPDES Multi-Sector General Permit (MSGP) for Stormwater Discharge, check NA for 38a, 38b, 38c. If your facility requires an SPDES MSGP answer 38a, 38b, 38c:  38a. If required by the SPDES MSGP, has a Stormwater Pollution Prevention Plan been prepared for this facility?  38b. 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?  38c. Has the facility's Annual Certification Report for the SPDES MSGP been	Is waste oil kept from being mixed with brake cleaner, carb cleaner, antifreeze, solvents, gasoline, or degreasers?  Are sludges from sumps and oil/water separators stored in covered, closed and labeled containers?  Are sludges properly recycled or disposed?  Are used oil filters properly drained, crushed or dismantled?  Are drained oil filters properly recycled or disposed?  If your facility does not require an SPDES Multi-Sector General Permit (MSGP) for Stormwater Discharge, check NA for 38a, 38b, 38c. If your facility requires an SPDES MSGP answer 38a, 38b, 38c.  38a. If required by the SPDES MSGP, has a Stormwater Pollution Prevention Plan been prepared for this facility?  38b. 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?  38c. Has the facility's Annual Certification Report for the SPDES MSGP been submitted within the previous year?  If your facility does not handle cleaning solvents, degreasers, battery acids or evehicle wastes write NA. If these materials are handled at your facility, what is maximum amount of this material that your facility generates in any calendar atth?	Is waste oil kept from being mixed with brake cleaner, carb cleaner, antifreeze, solvents, gasoline, or degreasers?  Are sludges from sumps and oil/water separators stored in covered, closed and labeled containers?  Are sludges properly recycled or disposed?  Are used oil filters properly drained, crushed or dismantled?  Are drained oil filters properly recycled or disposed?  If your facility does not require an SPDES Multi-Sector General Permit (MSGP) for Stormwater Discharge, check NA for 38a, 38b, 38c. If your facility requires an SPDES MSGP answer 38a, 38b, 38c:  38a. If required by the SPDES MSGP, has a Stormwater Pollution Prevention Plan been prepared for this facility?  38b. 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?  38c. Has the facility's Annual Certification Report for the SPDES MSGP been submitted within the previous year?  If your facility does not handle cleaning solvents, degreasers, battery acids or vehicle wastes write NA. If these materials are handled at your facility, what is maximum amount of this material that your facility generates in any calendar inth?	Is waste oil kept from being mixed with brake cleaner, carb cleaner, antifreeze, solvents, gasoline, or degreasers?  Are sludges from sumps and oil/water separators stored in covered, closed and labeled containers?  Are sludges properly recycled or disposed?  Are used oil filters properly drained, crushed or dismantled?  Are drained oil filters properly recycled or disposed?  If your facility does not require an SPDES Multi-Sector General Permit (MSGP) for Stomwater Discharge, check NA for 38a, 38b, 38c. If your facility requires an SPDES MSGP answer 38a, 38b, 38c.  38a. If required by the SPDES MSGP, has a Stormwater Pollution Prevention Plan been prepared for this facility?  38b. 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?  38c. Has the facility's Annual Certification Report for the SPDES MSGP been submitted within the previous year?  If your facility does not handle cleaning solvents, degreasers, battery acids or vehicle wastes write NA. If these materials are handled at your facility, what is maximum amount of this material that your facility generates in any calendar with?

8

#### SECTION 13 - 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.

<b>(-)</b>	
May Lee Love	2.21-22 Date
MaryLee A Kneer	owner
Name (Print or Type)	Title (Print or Type)
arnold nick 743 agni Email (Prin	
Address	City
NY 12180	518 238 3499 Phone Number

	 1	 ı
ATTACHMENTS:	YES	NO