

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**S ELISE ARCHER
 ASSISTANT MANAGER
 CINCINNATI TAN
 8179 PRINCETON GLENDALE ROAD
 HAMILTON OH 45011**

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Rachel Dobbs* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

6-21-07

Address different from item 1? Yes
 or delivery address below: No

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7004 1160 0000 6169 6658

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• Sender: Please print your name, address, and ZIP+4 in this box •

OEPA SWDO
CATHY ALTMAN DHWM
401 E FIFTH STREET
DAYTON OH 45402



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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To: Ms. Elise Archer Asst. MGR
 Street, Apt. No.,
 or PO Box No. Cinti Tan 8179 Princeton Glendon
 City, State, ZIP+4 Hamilton OH 45011 RD.

Certified Mail Provides:

PS Form 3800, June 2002 (Reverse)

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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June 20, 2007

CERTIFIED MAIL

Ms. Elise Archer
Assistant Manager
Cincinnati Tan
8179 Princeton-Glendale Road
Hamilton, Ohio 45011

RE: Complaint Investigation

Dear Ms. Archer:

Thank you for assisting me during my complaint investigation on June 14, 2007. The complaint alleged improper disposal of tanning bed bulbs by Cincinnati Tan located at 8179 Princeton-Glendale Road. During the investigation, it was determined that Cincinnati Tan was disposing of the tanning bed bulbs in the dumpster. Therefore, Cincinnati Tan is in violation of the following Ohio hazardous waste regulation:

1. **Hazardous waste determination, Ohio Administrative Code (OAC) 3745-52-11:** Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste using the following method:
 - (A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code.
 - (B) He must then determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code.
 - (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either:
 - (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or

Ms. Elise Archer
June 20, 2007

- (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

Cincinnati Tan failed to comply with this regulation by not properly evaluating the bulbs prior to disposing of them. **Therefore, Cincinnati Tan is in violation of OAC 3745-52-11.** To return to compliance, Cincinnati Tan must evaluate and properly dispose of the bulbs.

If the bulbs are determined to be hazardous, the bulbs must either be managed as hazardous waste or universal waste. If the bulbs are managed as hazardous waste, Cincinnati Tan must comply with all applicable hazardous waste regulations. However, Cincinnati Tan can reduce its regulatory burden by managing the bulbs as universal waste and recycling the bulbs. Enclosed is a copy of a guidance document titled "Universal Waste Rules for Handlers of Lamps" and a list of recyclers in Ohio. Ohio EPA recommends generators recycle all bulbs, whether hazardous or not.

Please be aware, illegal disposal of hazardous waste could result in Ohio EPA citing additional violations to Cincinnati Tan.

A re-inspection will be conducted within thirty days of receipt of this letter. If you have any questions, please call me at (937) 285-6093.

Sincerely,



Cathy L. Altman
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM-SWDO/SWDO File
Cincinnati Tan Co. Inc.

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

Universal Waste Rules for Handlers of Lamps

DHWM Guidance Document

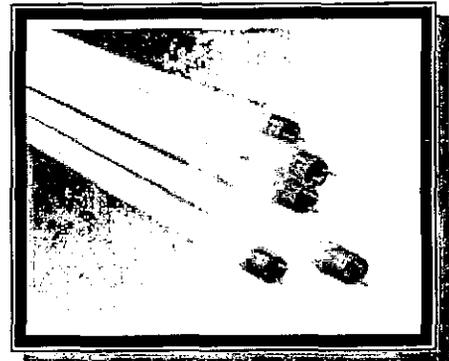
Date: June 2005

Purpose:

This guidance document is intended to provide handlers with an overview of the universal waste rules (UWR) as they pertain to hazardous waste lamps. Ohio's UWR are found in Ohio Administrative Code (OAC) Chapter 3745-273. This document is not intended to be a substitute for reading the universal waste rules.

Introduction:

Ohio EPA's use of the term "lamp" [see OAC rule 3745-50-10(A)] applies generically to hazardous waste lamps including: incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps. Fluorescent lamps may contain up to 40 milligrams (mg) of elemental mercury, depending on the brand and manufacturer date. Lamps may also contain lead and cadmium. Because most lamps exhibit the characteristic of toxicity for heavy metals when disposed, they could be a hazardous waste.



A waste must be a hazardous waste before it is defined as a universal waste. If a hazardous waste stream is not managed under the universal waste rules, then it must be managed as a hazardous waste under the applicable regulations if the waste exhibits any hazardous waste characteristic. Non-hazardous lamps also can be managed as universal wastes, although the universal waste compliance standards are not required.

Background:

Lamps have been added to Ohio's list of universal wastes (UW). The list of UW includes certain suspended and recalled pesticides, mercury-containing thermostats, and discarded batteries. When lamps were added to the list of universal wastes, Ohio revised the classification of hazardous lamps in the hazardous waste program.

Universal Waste Rules for Handlers of Lamps

Previously, **used** lamps that were being recycled were considered characteristic byproducts. This removed them from regulation as wastes and therefore hazardous wastes. Used lamps that were being discarded were to be evaluated to determine whether they were hazardous. Now hazardous lamps are considered "spent materials" and remain hazardous waste even when recycled, unless they are managed as universal wastes (see OAC rule [3745-51-02](#)). Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as UW. Managing hazardous waste lamps under the UWR eases certain regulations imposed on generators of spent lamps.



Non-hazardous Lamps: Ohio EPA recommends recycling lamps that do not exhibit hazardous waste characteristics. While these lamps are not hazardous waste, Ohio EPA encourages recycling rather than disposal. Non-hazardous lamps still contain low amounts of heavy metals such as mercury that could potentially harm the environment.

Who are UW handlers?

UW handlers include persons who generate, receive and store, but do not treat, dispose of or recycle UW generated elsewhere. Ohio's hazardous waste rules state that a person who receives and stores hazardous waste is required to have a storage permit. Generators of universal waste who want to take advantage of the UWR instead of the hazardous waste generator requirements, must comply with all UW handler requirements. The UWR allows these persons to accept and store UW from off-site without having to obtain a storage permit. However, UW handlers cannot treat, dispose of or recycle UW.

What are the UW handler categories?

UW handlers are classified into two categories based on the quantity of UW waste they accumulate at any time:

- small quantity handlers [accumulate less than 5,000 kilograms (11,023 pounds) of UW (not by type) at any time], or
- large quantity handlers [accumulate more than 5,000 kilograms (11,023 pounds) of UW (not by type) at any time].

If a small quantity UW handler accumulates more than 5,000 kilograms of UW on-site at any time, they must comply with the large quantity UW handler requirements for the remainder of the calendar year. All generators have the option of handling their UW under the UWR or under Ohio's hazardous waste generator requirements found in OAC Chapter [3745-52](#).

Universal Waste Rules for Handlers of Lamps

Note: UW should not be counted when making quantity determinations for hazardous waste generator categories (i.e., conditionally exempt small quantity generators (CESQGs), small quantity generators (SQGs) and large quantity generators (LQGs)). Universal waste handlers' status levels should not be confused with hazardous waste generator status levels.

May I use a lamp crusher to crush the lamps I generate?

The UWR prohibits handlers from crushing lamps. If you are the lamp generator and you want to continue crushing them, you have the option of managing those lamps under the hazardous waste generator requirements in OAC Chapter [3745-52](#). You cannot send crushed hazardous lamps to an unpermitted handler. They must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility accompanied by a hazardous waste manifest. While some commercially available lamp crushers are designed to control mercury emissions when properly maintained, please beware that due to the unique properties of mercury, there is a high potential for exposure to harmful mercury vapors when lamps are crushed.

What are the packaging requirements for UW lamps?

Lamps must be packaged to minimize breakage and must be designed to contain potential releases due to breakage. Some examples of acceptable packaging include double- or triple- ply cardboard containers with closed lids or packaging in which new lamps are shipped from the manufacturer. Broken, damaged or leaking lamps can be sent to permitted recycling facilities. Acceptable storage for broken lamps includes a closed 55-gallon steel drum or a closed wax fiberboard drum.

Warning: Because of its unique properties, mercury from broken or crushed lamps can become airborne at room temperature and can seep into cracks and porous materials such as cloth, carpet or wood, slowly emitting vapors over a long period. Immediate and proper containment of a mercury release is very important. For information on mercury containment and clean up, contact your local fire department or call [Ohio EPA's spill hotline](#) at (800) 282-9378.

Universal Waste Rules for Handlers of Lamps

What are the labeling requirements for UW lamps?

Universal waste lamps or their containers must be clearly marked "Universal Waste Lamp(s)," "Waste Lamp(s)" or "Used Lamp(s)." The containers should never be labeled "Hazardous Waste" unless being managed as such.

UW handlers must be able to demonstrate the accumulation time for all universal wastes. Accumulation begins with the date the lamps became a waste or were received. The handler may make this determination by:

- placing the lamps in a container and marking or labeling the container with the earliest date that any UW in the container became a waste or was received;
- marking or labeling the individual item of UW (i.e., each lamp) with the date it became a waste or was received;
- maintaining an inventory system on-site that identifies the date the lamp(s) being accumulated became a waste or was received;
- maintaining an inventory system on-site that identifies the earliest date that any UW in a group of UW items or a group of containers of UW became a waste or was received;
- placing the UW in a specific accumulation area and identifying the earliest date that any UW in the area became a waste or was received; or
- any other method which clearly demonstrates the length of time that the UW has been accumulated from the date it became a waste or was received.



Am I required to notify Ohio EPA of my UW activities?

Small quantity UW handlers and transporters are not required to notify Ohio EPA of their activities and are not required to obtain an EPA hazardous waste ID number. Large quantity UW handlers must notify Ohio EPA in writing and must obtain an EPA hazardous waste ID number prior to exceeding the 5,000 kg storage limit. Large quantity UW handlers that have previously notified Ohio EPA of their hazardous waste activities and who have received an EPA identification number are not required to renotify. For specifics on the notification requirements, see OAC rule 3745-273-32.

How long may I accumulate UW lamps?

If you are a UW handler, you may accumulate UW fluorescent lamps on-site for up to one year regardless of your status. If greater than a year accumulation is required, you must be able to prove that the accumulation is necessary in order to facilitate proper recovery, treatment or disposal.

Universal Waste Rules for Handlers of Lamps

Who can I send or take my UW lamps to?

As a universal waste handler, you can send or take lamps only to another UW handler or to a permitted (if in Ohio) destination facility. If you are sending your UW lamps to a facility outside Ohio, the out-of-state destination facility must be authorized by that state to accept lamps.

Am I required to manifest my UW lamps?

No. UW handlers are not required to manifest their off-site shipments. However, all UW handlers must ensure delivery of their universal waste to another UW handler or to a permitted destination facility as defined in OAC rule 3745-273-09(B).

Do I need to use a special transporter like I do for my other hazardous waste?

No. UW handlers are not required to use a certain transporter. Universal waste transporters, however, must comply with DOT packaging/labeling requirements, transfer facility storage requirements and must immediately contain all releases of universal waste in the event of a spill.

May I transport my own universal waste lamps?

Yes. Both small and large quantity universal waste handlers can transport their universal waste lamps to either another universal waste handler or to a universal waste destination facility if they comply with the universal waste transporter requirements in OAC rules 3745-273-50 through 3745-273-56.

What are my record-keeping requirements?

If you are a small quantity UW handler, you are not required to keep off-site shipment records of UW. If you are a large quantity UW handler, you are required to retain shipment records received on-site and shipments sent off-site for at least three years. For specifics, see OAC rule 3745-273-39.

For more information on Ohio's UWR, please see our guidance document entitled, "Universal Waste Rule" and our universal waste handler requirements summary table available on our Web page. If you have questions regarding information contained in this guidance document, please contact Ohio EPA's Division of Hazardous Waste Management's Regulatory Services Unit at 614-644-2917 or visit our Web site.



Computer, Fluorescent Lamp and Ballast Recyclers

updated April 2007

Company/Contact	Address	Telephone#	Fax#	Service(s) Offered
USA Lamp & Ballast	2010 Route 9W, Suite 6 Milton, NY 12547 email: http://www.usalamp.com	(845)795-1282	(845)795-1283	B (Processing facility for PCB and Non-PCB ballasts), BA, MCD, T
Mercury Refining Company	1218 Central Avenue Albany, NY 12205	(518)459-3505 (800)833-3505	N/A	ML, MCD, BA, Mercury Compounds, Mercury Contaminated Debris
OHIO				
Clean Harbors	4879 Spring Grove Avenue Cincinnati, OH 45232	(513)681-5738 (800)444-4244	(513)681-6246	ML, C, Ni-Cd Batteries
E Scrap	3465 Lost Nation Road, Unit 19 Willoughby, Ohio 44094 osumj@hotmail.com	(440)537-2828	N/A	C, Electronics
Environmental Recycling	527 E. Woodland Circle P.O. Box 167 Bowling Green, OH 43402 email: wgrabowski@envrecycle.com http://www.envrecycle.com	(419)354-6110 (800)284-9107	(419)-354-5110	ML, B, C, BA, MCD, Electronic Equipment, T, P
Falcon Technology Services, Inc.	2549 Westbelt Drive Columbus, Ohio 43228	(614)850-0648	(614)850-0646	C, T, Electronic Equipment
Fluorescent Recycling Inc.	3824 East 93 rd st Cleveland, OH 44105 fluorescentre@aol.com	216-341-1500	216-341-1600	ML, BA, B, T
Gem City Environmental Recycling	30 Mario Drive Dayton, Ohio 45409	937-623-3233	937-767-2767	ML, BA, MCD, C, B, P, T
Great Eastern Metals	6551 Grant Avenue Cleveland, Ohio 44105	216-441-3436	216-803-3467	C, BA, B, T, Electronic Equipment
Gross Electric	2807 North Reynolds Road Toledo, OH 43615	(419)537-1818 (800)824-7268	(419)537-6627	ML, MCD, B, BA
Lightsout, Inc./Harrington Electric	2301 Hamilton Avenue Cleveland, OH 44114	(216)621-6367	(216)621-7908	ML, B, BA, Transformers
Inline Computer recycling for charity Africa	896 West Wilbeth Rd. Akron, OH 44314 email: dcainir@ohiohills.com	(330)338-1276	(330)848-4422	C
Mayer Associates, Inc. Manufacturers Agent	2614 Charney Road University Heights, OH 44118	(216) 321-7098 (800) 995-9221	(216) 321-8816	ML

KEY:

ML - Mercury Containing Lamps
BA - Batteries
MCD - Mercury-Containing Devices

C - Computers
B - Ballasts
P - PCB Materials
T - Transportation Services

Computer, Fluorescent Lamp and Ballast Recyclers

updated April 2007

Company/Contact	Address	Telephone#	Fax#	Service(s) Offered
SARCOM, Inc.	8337-A Green Meadows Dr., N Lewis Center, OH 43035 email: Tonya.Lee@sarcom.com http://www.sarcom.com	(614)854-1601	(614)854-1660	C
Sierra Metals	224 Cedar Hill Road Lancaster, OH 43130 http://www.sierrametals.com	(800)400-6634	N/A	Computers and Electronics Equipment
Special Waste Systems, Inc.	325 N. Riverview Ave., Section C Miamisburg, OH 45342 www.specialwastesystems.com sales@specialwastesystems.com	(937)866-8898	(937)866-8181	ML, B, BA, MCD, C, Electronics
SunPro	7392 Whipple Ave., NW North Canton, OH 44720 http://www.sunproservices.com	(330)966-0910	(330)966-1954	ML, Elemental Mercury, B, MCD, T, P
Market 2 Market LLC	3700 Lacon Rd., Suite A Hilliard, OH 43026 www.market2market.com	(614)850-0313	(614)334-0074	C, Other Electronics
Tech Mart, Inc.	8211 Green Meadows Dr N Lewis Center, OH 43035 Email: ayman@tech-mart.net www.tech-mart.net	740-548-2431 Ext 101 Ayman Arafa	740-548-2479	C
TechUsed	2835 Charter Street Columbus, OH 43228	614-777-5557 614-306-8800	614-455-8468	C, Other Electronics
ToxCo	8090 Lancaster Newark Road P.O. Box 66 Baltimore, OH 43105 http://www.toxco.com	(877)461-2345 (740)862-9013	(740)862-4308	C and other Electronic Equipment
U.S.A. Lamp & Ballast Recycling	7806 Anthony Wayne Ave. Cincinnati, OH 45216 http://www.usalamp.com	(800)778-6645	(513)641-4156	ML, B, C, Batteries, MCD, Elemental Hg, Electronic Scrap
PENNSYLVANIA				
American Waste Management, Inc.	948 5 th Avenue Coraopolis, PA 15108	(412)262-0702	(412)262-0701	ML
Bethlehem Apparatus Co., Inc.	890 Front Street Hellertown, PA 18055	(610)838-7034	N/A	ML, MCD, Dental Amalgam
ComPreCycle, Inc.	201 North Braddock Avenue, Suite # 1, Pittsburgh, PA. 15208	(412)403-8208 (412)225.5509	N/A	C, Electronic Equipment
Dlubak's Glass Company	1600 Saxonburg Road Natrona Heights, PA 15065	(412)224-6611	N/A	ML, C, Glass

KEY:

ML - Mercury Containing Lamps
BA - Batteries
MCD - Mercury-Containing Devices

C - Computers
B - Ballasts
P - PCB Materials
T - Transportation Services