



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Rd.  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.ohio.gov

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

**RE: Allen County Engineers  
OHD020267225  
Allen County  
DHWM, NWDO  
Return to Compliance**

May 3, 2010

Mr. P.J. Johnson  
Allen County Engineers  
1501 North Sugar Street  
Lima, OH 45801-3136

Dear Mr. Johnson:

Thank you for sending the response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated March 31, 2010. Allen County Engineers' (ACE's) response was received by Ohio EPA on April 20, 2010. The response included a cover letter, information on universal waste lamps, and analytical results from the sampling of the bioremediation unit (Smart Washer part washer) filters.

My review of the submitted information reveals that ACE has abated all violations discovered during the March 11, 2010, compliance evaluation inspection as outlined below. ACE will remain a non-generator of hazardous waste and a generator of used oil, lead-acid batteries, and universal waste lamps.

**Violations:**

1. **Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste Determination:** "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..."

ACE failed to evaluate the filters from the Smart Washer prior to sending them off site for disposal in the local landfill.

Mr. P.J. Johnson  
May 3, 2010  
Page Two

On April 20, 2010, Ohio EPA received documentation that the sample of the filter from the bioremediation unit (Smart Washer parts washer) was analyzed by Alloway laboratories. The analyses show that the filters are non-hazardous waste. ACE may continue to dispose of the filters in the trash.

*Therefore, this violation is considered abated on April 20, 2010.*

**General Concerns:**

- A. **Universal Waste Lamps:** ACE does not own the building at 1501 North Sugar Street. This building is owned by the Allen County Commissioners. At the time of the inspection, ACE stated that the universal waste lamps were being changed by the Allen County Courthouse building maintenance staff per the Allen County Commissioners. These lamps were being taken off site to be recycled. However, ACE was contemplating taking over building maintenance such as spent lamp maintenance. Ohio EPA explained all the spent lamp management options open to ACE if they choose to conduct the building maintenance.

On April 20, 2010, Ohio EPA received documentation that ACE will continue to have the universal waste lamps replaced and managed by the owner of the building, the Allen County Commissioners.

No further information needs to be submitted to Ohio EPA pertaining to this general concern. This general concern is considered addressed on April 20, 2010.

- B. **Antifreeze Filtering Unit:** During the inspection, ACE described to Ohio EPA how all antifreeze removed from the engines is not waste as they use it in other engines. However, ACE is looking into an antifreeze filtration unit. Ohio EPA would like to remind ACE that any waste generated by the antifreeze filtration unit (such as a filters, metal bits, or liquid) needs to be evaluated prior to disposal.

No further information needs to be submitted to Ohio EPA pertaining to this general concern. This general concern serves as a reminder to ACE and is considered addressed.

Mr. P. J. Johnson  
May 3, 2010  
Page Three

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,

*Kara Reynolds*

Kara Reynolds  
Environmental Specialist  
Division of Hazardous Waste Management

/lb

cc: Colleen Weaver, DHWM, NWDO  
Kara Reynolds, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
~~DHWM, NWDO-Allen County File: Allen County Engineers~~

**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.