



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: RTH Processing, Inc.
Allen County
OHR000161471
Hazardous Waste
Return to Compliance

October 12, 2010

Mr. Ted Horstman
RTH Processing, Inc.
1430 North Main Street
Delphos, Ohio 45833

Dear Mr. Horstman:

Thank you for your September 1, 2010, response to Ohio EPA's August 26, 2010, Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. You submitted information regarding the facility plans for the management of universal waste bulbs. My review of the documentation submitted reveals that RTH Processing, Inc. (RTH) has adequately demonstrated abatement of the violations cited in the August 26, 2010, NOV/PRTC.

The following is a summary of the violations cited in the August 26, 2010, NOV/PRTC as a result of our August 16, 2010, inspection and your compliance with respect to it:

1. Waste Evaluation, OAC Rule 3745-52-11:

RTH failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. A copy of Fluorescent Lamps: What You Should Know, was given to you at the time of our inspection. I recommend that you review this document and contact me if you have any questions.

RTH must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If RTH plans to manage the spent fluorescent bulbs when generated as universal waste, please submit the name of the facility where you plan to recycle the bulbs. Managing the spent fluorescent bulbs as universal waste eliminates the need for analytical testing.

RTH must also properly train employees, who handle or have responsibility for managing universal waste, on waste handling and emergency procedures relative to their responsibilities and send me documentation (memo or sign-in sheets) that this has been completed.

On September 1, 2010, RTH submitted information regarding the proper management of universal waste lamps. You indicated that you have reviewed the fact sheets, provided by Ohio EPA, and you will be responsible for the management of universal waste. RTH plans to manage all spent fluorescent bulbs as universal waste. RTH intends to ship the universal waste lamps off-site for recycling using Waste Management - Lamp Tracker.

With this information, this violation has been abated.

2. OAC Rule 3745-279-22(C)(1): Labeling:

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "used oil."

RTH had two 55-gallon drums of used oil that were not properly labeled.

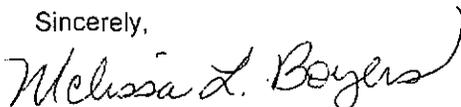
At the time of our inspection, RTH properly labeled the two 55-gallon drums with the words "used oil". A copy of the fact sheet, The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, was given to you at the time of our inspection. Please review this information and contact me if you have any questions.

This violation was previously abated in the Notice of Violation/Partial Return to Compliance letter dated August 26, 2010.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

/lb

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
~~DHWM, NWDO, 2010, Allen County, General File~~

ec: Melissa Boyers, DHWM, NWDO

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.