



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.state.oh.us

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

Re: Defiance Fire Department  
Defiance County  
Hazardous Waste  
OHR000150169  
Return to Compliance

June 2, 2009

Chief Mark Marentette  
Defiance Fire Department  
702 W. 3<sup>rd</sup> Street  
Defiance, Ohio 43512

Dear Chief Marentette:

Thank you for your September 9, 2008, response to Ohio EPA's July 24, 2008, Notice of Violation letter. The Defiance Fire Department (DFD) submitted documentation showing that the used oil tote is now properly labeled, and that the fluorescent bulbs will be managed as universal waste, properly stored, dated, and recycled. My review of this documentation reveals that DFD has adequately demonstrated abatement of all of the violations discovered during the July 10, 2008, compliance evaluation inspection.

The following is a summary of the violations cited and your compliance with respect to each:

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

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

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

DFD must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If DFD decides to conduct waste sampling, please notify me at least seven days prior to the sampling event date, so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. If DFD plans to manage the spent fluorescent bulbs as universal waste, please submit photographic documentation showing the storage containers properly closed, labeled, and dated. DFD 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 that this has been completed. In addition, DFD must submit the name of the facility where you plan to recycle the bulbs.

**On September 9, 2008, DFD submitted photographic documentation showing the fluorescent bulbs properly stored in closed and dated containers. The boxes of spent fluorescent bulbs will be managed by Waste Management's LampTracker recycling program. In addition, you indicated in your letter that proper universal waste handling was covered in your safety committee meeting.**

***With this information, this violation is considered abated.***

**2. OAC Rule 3745-279-22(C)(1) and 3745-279-45(G): Labeling:**

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

DFD had several 5-gallon storage containers of used oil located inside the building that were not properly labeled.

DFD properly labeled the containers with the words "used oil" at the time of our inspection.

***Therefore, this violation is considered abated.***

**3. OAC Rule 3745-279-24: Off-Site Shipment:**

Generators shall ensure that their used oil is transported only by transporters who have obtained an EPA identification number.

DFD has been giving the used oil generated at the fire station to Exceptional Motorcar who is burning it in their on-site burner.

DFD must immediately cease giving used oil to any person or transporter who does not have an EPA identification number. DFD must notify Ohio EPA with how you plan to manage your used oil in the future and provide the applicable documentation for review.

**On September 9, 2008, DFD submitted photographic documentation showing the tote of used oil properly labeled "used oil" and Safety Kleen the designated recycler who will be picking up your used oil.**

***With this information, this violation is considered abated.***

Mr. Mark Marentette, Fire Chief  
June 2, 2009  
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Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,

*Melissa L. Boyers*

Melissa L. Boyers  
Division of Hazardous Waste Management

/lr

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
DHWM;NWDO Defiance 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.