



**Environmental  
Protection Agency**

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

Re: Express Service Center  
OHR000156893  
Complaint # 2937  
Defiance County  
Hazardous Waste/Used Oil  
**2011** Notice of Violation

August 3, 2010

Mr. Deron Eicher  
Express Service Center  
299 East Meuse Argonne Road  
Hicksville, Ohio 43526

Dear Mr. Eicher:

**This Notice of Violation (NOV) letter was originally sent to you on April 14, 2010. It is repeated below in its entirety. You were required to respond to it, in writing, within 30 days. Ohio EPA has not received a written response from you. You must respond within 15 days of your receipt of this second NOV letter.**

On March 18, 2010, Ohio EPA conducted a complaint investigation (CI) and compliance evaluation inspection (CEI) of Express Service Center (ESC) located in Hicksville, Ohio. I was accompanied by Colleen Weaver of Ohio EPA's Division of Hazardous Waste Management. We inspected ESC to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). Our inspection included observations of your facility's operations. According to Complaint #2937, received by Ohio EPA on November 5, 2009, the complainant alleges that you dump used oil and antifreeze outside your shop. This letter will explain the validity of the complaint and the result of the inspection.

ESC is an automotive repair business. We did not observe junk cars, car parts on the ground or evidence of used oil or antifreeze releases. Therefore, the complaint is not valid.

However, as a result of our inspection, we found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following and send me the required information, **within 30 days** of your receipt of this letter:

**1. Universal Waste Labeling - Lamps  
OAC Rule 3745-273-14(E)**

Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste Lamps", "Waste Lamps" or "Used Lamps".

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ESC did not properly label the spent lamps with one of the required phrases. In order to correct this violation, ESC must properly label each spent lamp container and submit photographic documentation that this has been done.

**2. Accumulation Time for Universal Waste Lamps  
OAC Rule 3745-273-15(C)**

A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

ESC was not able to demonstrate the length of time the universal waste lamps were accumulated. In order to correct this violation, ESC must place a date on each container once a universal waste lamp is placed into it and submit photographic documentation that this has been done.

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. I have enclosed copies of the following documents, to assist you in properly managing your spent lamps: Fluorescent Lamps: What You Should Know and Computer, Fluorescent Lamp and Ballast Recyclers. I recommend that you review these documents carefully and contact me if you have any questions. The first document describes the rules you must follow in order to manage lamps as a universal waste.

As a used oil generator you are required to store used oil in containers or aboveground tanks that are in good condition (no severe rusting, apparent structural defects or deterioration) and not leaking. Containers, aboveground tanks and fill pipes for underground tanks must be labeled with the words "Used Oil." If leaks are detected, the generator must: stop the release; contain the release; clean up and manage properly the released used oil and other materials related to the release; and, if necessary, repair or replace any leaking containers or tanks prior to returning them to service.

I have enclosed copies of the following used oil fact sheets: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, and Used Oil Recyclers. Please review these carefully and contact me immediately if you have any questions.

You may be able to further reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs and you may possibly reduce your regulatory requirements. I have enclosed a copy of Pollution Prevention Opportunities, a worksheet that can help you recognize opportunities for reducing waste and conserving energy at your business. I have also enclosed a copy of the fact sheet Management of Electronic Waste from Businesses. Please review this information and contact me if you have any questions.

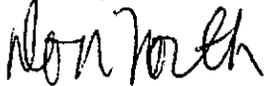
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I encourage you to schedule a pollution prevention assessment for your business because there are often many opportunities for businesses like yours to reduce waste and save money. If you wish to talk about an assessment or if you have other questions about pollution prevention, please feel free to contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 644-3469. There is no charge for an assessment.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link [http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc\\_serve.php?2=subscriptionpage](http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage). Please feel free to share this information with your colleagues.

Enclosed you will find a copy of the checklists I completed as a result of the inspection. If you have any questions, please feel free to contact me at (419) 373-3074. You can find copies of the rules and other information at <http://www.epa.ohio.gov/dhwm>. Ohio EPA also has helpful information about pollution prevention at <http://www.epa.ohio.gov/ocapp>.

Sincerely,



Don North  
District Representative  
Division of Hazardous Waste Management

//lr

pc: Colleen Weaver, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
{DHWM;NWDO}; Defiance County, Express Service Center File

ec: Don North, 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.