



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Complaints #2553, 2749, 2766, 2769, 2770
Glenn Hunter & Associates
OHR000124396
Fulton County
Hazardous Waste / Used Oil
Return to Compliance

June 9, 2009

Mr. Glenn Hunter
Glenn Hunter & Associates
3672 County Road 6-1
Delta, Ohio 43515

Dear Mr. Hunter:

I received your responses to my August 13, 2008, Second Notice of Violation (NOV) letter on August 25, August 27, September 2, September 3, and October 14, 2008. The documentation that you submitted included: a copy of the shipping paper for your used oil, and a description of the materials and processes used at your facility.

As a result of my investigation on May 7, 2008, I found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you were required to do the following and send me the required information within 30 days of your receipt of this letter. The status of the violations is described below. Please be advised that the investigation conducted on May 7, 2008, was specifically limited to a review of your compliance with the state's used oil and hazardous waste laws. This letter summarizes the violations of the used oil and hazardous waste laws discovered during the investigation.

1. **Used Oil Labeling**
OAC Rule 3745-279-22(C)(1)

Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

In order to correct this violation, GH&A was required to submit copies of the shipping papers documenting the off-site shipment and destination for the used oil.

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On September 3, 2008, you submitted a copy of the shipping paper for 300 gallons of used oil, which was picked up by DISC Environmental Services, Inc. Therefore, this violation has been corrected.

2. **Condition of Units
OAC Rule 3745-279-22(B)**

Containers and aboveground tanks used to store used oil at generator facilities must be in good condition (no severe rusting, apparent structural defects or deterioration).

It was noted in the Second NOV, dated August 13, 2008, that this violation was corrected in a letter from you dated June 17, 2008.

In addition to a response to the violations cited in the May 20, 2008 Notice of Violation (NOV) letter, Ohio EPA, Division of Hazardous Waste Management (DHWM) requested that GH&A submit additional information about the materials it handles. **This additional information was provided in phone conversations between Don North, Ohio EPA, DHWM, and Bob DiNardo, consultant for GH&A on August 25, September 2, and October 14, 2008; in a letter dated August 27, 2008, which was presented to Ohio EPA, DHWM, during a meeting on September 3, 2008; and in discussions during the meeting of September 3, 2008.**

Based on the information provided, Ohio EPA determined that GH&A was also in violation of the following Ohio hazardous waste law. In order to correct this violation, you were required to do the following and send me the required information, **within 30 days** of your receipt of this letter:

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

A generator must determine whether its waste is hazardous by first determining if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35; by testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24; or by applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

GH&A had failed to adequately evaluate the Gold Chrome brick which it crushed. Also, GH&A continued to make the claim that the refractory at its site was not waste and therefore could not be hazardous waste. Even though Ohio EPA, DHWM, did not agree with this interpretation, GH&A was not willing to sample and analyze the materials at its facility.

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Therefore, Ohio EPA, DHWM, conducted its own sampling of the various refractory and slag materials at the site on October 20, 2008. The results were received by Ohio EPA, DHWM, on November 26, 2008. According to the analytical results, some of the materials do contain chromium. However, none of the chromium concentrations were above the regulatory limit (for a hazardous waste). In other words, Ohio EPA, DHWM, did not find evidence that any hazardous waste was being stored at the facility. As a result of Ohio EPA's sampling and analyses, this violation has been corrected.

If you have any questions, please feel free to contact me at (419)373-3074.

Sincerely,



Don North
Environmental Specialist
Division of Hazardous Waste Management

/csl

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO File: Fulton County, Glenn Hunter & Assoc.

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.