



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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: Complaint # 25⁵33, 2749, 2766,
2769 & 2770
Glenn Hunter & Associates
OHR000124396
Fulton County
Hazardous Waste/Used Oil
Notice of Violation

May 20, 2008

Mr. Glenn Hunter
Glenn Hunter & Associates
3672 Co. Rd. 6-1
Delta, Ohio 43515

Dear Mr. Hunter:

On May 7, 2008, I investigated five complaints, regarding management of materials at Glenn Hunter & Associates' (GH&A) facility, located at 3672 Co. Rd. 3672 near Delta, Ohio. I was accompanied by Mr. Justin Williams of Ohio EPA's Division of Surface Water and we were accompanied, during the entire investigation, by Mr. Brian Hunter of GH&A. The complaints were received by Ohio EPA on June 2, 2006, December 3, 2007, April 1, 2008, April 23, 2008 and April 25, 2008. The complainants alleged the following: that GH&A is bringing hazardous waste to its facility, that it is creating excessive fugitive dust from crushing operations and stockpiles, that it is burying hazardous waste at its facility, that large piles of refractory brick are being created at the facility and that they could be hazardous. This letter will explain the validity of the complaint, the result of my investigation, the initial violations that I observed, what you must do to correct the violations and information that you must provide to Ohio EPA.

On May 7, 2008, I toured the facility and photographed many of the different refractory brick, stockpiles and crushing operations. I observed excessive fugitive dust, refractory used as fill material, and large piles of refractory. There may be some validity to the complaint received.

Brian Hunter explained that GH&A performs refractory tear-outs at glass furnaces and transports the refractory back to its facility for recycling. Some of the refractory is crushed and made into various mixes suitable for new refractory but much of it is separated and recycled as a bulk solid. It is transported off-site in covered dump trailers to other facilities that manufacture refractory. GH&S also crushes and separates steel slag. The steel that is separated from this operation is returned to the steel mills it comes from. Brian explained that GH&A is attempting to enclose its operations in order to control dust and noise.

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As a result of my investigation, I 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. **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."

GH&A failed to label the following containers and tanks of used oil with the words "Used Oil": two tanks and approximately one dozen drums under an enclosure, one tote of used hydraulic fluid nearby, and one open, full, drum of used oil in the same general area as the rest of the containers. In order to correct this violation, GH&A must label all tanks and containers of used oil with the words "Used Oil" and submit to me photographs documenting their proper labeling.

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).

GH&A failed to store used oil in a container in good condition. I observed that one full 55-gallon drum of used oil, in the same vicinity as the drums under the enclosure, was not closed. In order to correct this violation, GH&A must immediately close the drum and submit to me photographs documenting its proper storage condition.

In addition to a response to the violations cited in this letter, Ohio EPA is requesting that GH&A submit the following information, within 30 days of receipt of this letter:

1. A chemical or manufacturers description of each of the refractory stored at GH&A.
2. An explanation of the on-line statements, "GH&A is a company that began business in 1986 with one goal in mind, the separation of hazardous and non-hazardous material and then recycling removing all liabilities from your company and supply you with a Certificate of Recycling." (emphasis mine). "In separation of non-hazardous from hazardous material a cost saving along as the cost rising of hazardous waste landfills." (emphasis mine)

3. A description of where the various materials come from and when, including the time period for the storage of the piles and the companies that the materials come from.
4. A description of where the various materials are shipped, including the names of the businesses.
5. A description of GH&A's typical production volumes.
6. Any chemical analyses of material handled at the facility or any environmental media sampled at the facility.
7. During a previous complaint investigation, on July 14, 2005, Mr. Phil Ray explained to me that "Refractory is sampled and evaluated for TCLP metals...GHA may perform the sampling and analysis of refractory or the facility may do it. As a result, GHA will know if any of the refractory is hazardous waste. They [GH&A] may perform the demolition/tear-down or the facility may do it themselves. In either case, the analyses will indicate if any of the refractory must be segregated since it possesses a characteristic of hazardous waste." However, on May 7, 2008, Mr. Brian Hunter said that none of the refractory from tear-outs is hazardous waste. Please explain this difference in descriptions.
8. A copy of the mining permit.
9. Please explain how Universal Minerals, Inc. is utilized, or how another company of its type is utilized.
10. On May 7, 2008, Mr. Brian Hunter said that chrome brick did not have enough chrome in it to be hazardous. However, documentation in the file indicates that certain brick has a high percentage of chromic oxide. For example, Magnex OHR Magnesite-Chrome Brick has 13.1% and Magnex H Magnesite-Chrome Brick has 8.8% chromic oxide. Please explain this difference in descriptions.
11. Please explain, if you can, where the two water samples were taken from in April and May of 1998.
12. An explanation of the statement in your brochure that "Our trained personnel have over 8 years in recycling hazardous refractories including: MGO, AZS, Mono M&H, Zircon, TZB, Fireclays, Silica, Chrome." (emphasis mine)
13. A description of the role that Joe Quigley has with your company and his phone number.
14. A complete list of the refractory handled at the facility.
15. A MSDS for each of the refractory.
16. A proposal to have the neighboring wells sampled and the water analyzed.

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It will be necessary for Ohio EPA to sample various materials at your facility. I will be contacting you soon to schedule a day for this. It will be necessary for someone knowledgeable about the operations of the facility and materials handled to accompany Ohio EPA on the day of sampling. You may be required to conduct sampling and analyses of materials at your facility.

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: Universal Waste Rules for Handlers of Lamps 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: Used Oil Generators and Used Oil Recyclers. Please review these carefully and contact me immediately if you have any questions.

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, used oil and universal 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://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

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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 on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp>.

Sincerely,



Don North
District Representative
Division of Hazardous Waste Management

/csi

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

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office

Ohio Environmental Protection Agency
RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM

For Ohio EPA use only

2. Site EPA ID No. EPA ID Number: **04R 000124 396**

Name: **Glenn Hunter + Associates** Website (optional):

Street Address: **3672 Co. Rd. 6-1**

City, Town, or Village: **Delta** State: **OH**

County Name: **Fulton** Zip Code: **43515**

5. Site Land Type (check only one)

Private	County	District	Federal	Indian	Municipal	State	Other
<input type="checkbox"/>							

6. NAICS code(s) www.census.gov/epcd/www/naics.html

A.	B.
C.	D.

First Name: **Glenn** MI: Last Name: **Hunter**

Phone Number: **419-822-9103** Phone Number Extension:

E-Mail Address:

Fax Number: Fax Number Extension:

Street or P.O. Box:

City, Town or Village:

State: Country: Zip Code:

8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.

A. Name of Site's Legal Owner: Date Became Owner (mm/dd/yyyy):

Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Street or P.O. Box:

City, Town, or Village: Owner Phone #:

State: Country: Zip Code:

B. Name of Site's Operator: Date Became Operator (mm/dd/yyyy):

Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Street or P.O. Box:

City, Town, or Village: Operator Phone #:

State: Country: Zip Code:

Regulations Cite: Yes No

Type of Regulated Waste Activity (Mark 'X' in all of the appropriate boxes.)

Not Regulated

A. Hazardous Waste Activities
 (choose only one of the following categories)

UNKNOWN: Cited for violation of 3745-52-11

a. Large Quantity Generator (LQG):

b. Small Quantity Generator (SQG)

c. Conditionally Exempt Small Quantity Generator

d. United States Importer of Hazardous Waste

e. Mixed Waste (hazardous and radioactive) Generator

3. Treater, Storer or Disposer of Hazardous Waste

4. Recycler of Hazardous Waste

5. Exempt Boiler and/or Industrial Furnace

a. Small Quantity On-site Burner Exemption

b. Smelting, Melting, Refining Furnace Exemption

6. Underground Injection Control Facility

B. Universal Waste Activities

1. Small Quantity Handler of Universal Waste
 (Indicate types of universal waste generated and/or accumulated (check all boxes that apply):

2. Large Quantity Handler of Universal Waste
 (accumulates 5,000 kg or more).

3. Destination Facility for Universal Waste
 (Check all boxes below that apply for each of the three types of facilities above.)

	Generated	Accumulated
A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input type="checkbox"/>	<input type="checkbox"/>

C. Used Oil Activities

1. Used Oil Generator

2. Used Oil Transporter Indicate Type(s) of Activity(ies)

Transporter

Transfer Facility

3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)

Processor

Re-refiner

4. Off-Specification Used Oil Burner

5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)

a. Marketer Who Directs Shipment of Off-Specification Oil

b. Used Oil to Off-Specification Used Oil Burner

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

Y / N	Announced ?	Additional Facility Representatives:
Y / N	Tanks?	Other comments:
Y / N	Containers?	

13	Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm-dd-yyyy) (HH:MM)
	Don North		5-7-08

14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of owner, operator, or an authorized representative	Name and Title (Print)	Date (mm-dd-yyyy)