



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

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www.epa.state.oh.us

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

Re: **Complaint #2596**  
ProTeam Corvette Sales  
Henry County  
Hazardous Waste  
Partial Return to Compliance

September 16, 2008

Mr. Terry Michaelis, President  
ProTeam Corvette Sales  
1410 North Scott Street  
Napoleon, Ohio 43545

Dear Mr. Michaelis:

Thank you for your June 17, 2008, and September 5, 2008, responses to Ohio EPA's April 11, 2008, 2<sup>nd</sup> Notice of Violation (NOV) letter. My review of the documentation submitted reveals that ProTeam Corvette Sales (ProTeam) has adequately demonstrated abatement of one of the two violations cited.

The following is a summary of the violations cited in the October 25, 2007, NOV 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.
  - a. ProTeam 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.

**On June 17, 2008, ProTeam submitted a letter stating that you plan to manage your spent fluorescent bulbs as universal waste. Your bulbs will be recycled at Environmental Recycling in Bowling Green, Ohio.**

**To abate this violation, ProTeam must submit photographic documentation showing the storage containers properly closed, labeled, and dated. ProTeam must also properly train employees, who handle or have responsibility for managing universal waste, on waste handling and emergency procedures relative to their responsibilities. ProTeam must submit documentation to show employees have been trained on how to properly manage universal waste. The submitted information should include what information was covered during the training and the names of the employees who attended.**

***This violation has not been abated.***

- b.** At the time of the inspection, ProTeam did not have waste evaluation documentation for the spent paint filters. ProTeam has historically disposed of this spent material as a non-hazardous waste. ProTeam must immediately cease disposing of the waste paint filters as non-hazardous waste until a proper waste evaluation has been completed.

ProTeam must obtain a representative sample of the spent paint filters and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). You must 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. To abate this violation, ProTeam must submit a copy of the analytical results to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise ProTeam on proper disposal options for this waste stream.

**On September 5, 2008, ProTeam submitted a copy of the analytical results for the paint booth filters that were sampled on August 12, 2008. The submitted analytical results indicate that the spent paint booth filters are a non-hazardous waste. These filters may be managed as a solid waste.**

***This violation is considered abated.***

- c.** ProTeam had two drums located in the outside storage area that were not labeled and at the time of the inspection the contents were unknown. You stated that they may contain oil or kerosene, but would need to check with the maintenance department to determine what was in the drums.

ProTeam must submit to Ohio EPA documentation to demonstrate the contents of the two drums. If you are unable to determine the contents based upon the operations conducted in the maintenance department, ProTeam will need to conduct a proper waste evaluation. ProTeam must obtain a representative sample of the contents of each drum and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010), volatile organics (SW-846 Method 1311/8260), pH and flashpoint. You must 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. To abate this violation, ProTeam must submit a copy of the analytical results to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise ProTeam on proper disposal options for this waste stream.

**On June 17, 2008, ProTeam submitted a letter stating that the two drums referenced above, contained old gasoline. Old gasoline is generated when it is removed from the corvettes ProTeam is buying and selling. DISC Environmental (DISC) has historically picked up this old gasoline for recycling. ProTeam plans to have DISC pick up the two drums gasoline. ProTeam must submit a copy of the receipt for the two drums of old gasoline once they are removed by DISC from your facility.**

***This violation has not been abated.***

***These violations have not been completely 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."

ProTeam had one tank of used oil that was not properly labeled.

ProTeam properly labeled the tank with the words "used oil" at the time of our investigation.

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

Please submit documentation demonstrating abatement of the above outstanding violation (number 1: a and c) to this office within **15** days of receipt of this letter.

Mr. Terry Michaelis, President  
September 16, 2008  
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If 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

/llr

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
DHWM, NWDO File: ProTeam Corvette Sales 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.