



State of Ohio Environmental Protection Agency

Northwest District Office

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

**RE: Universal Cooperatives
Inc.
OHD 000 647 131
Henry County
DHWM, NWDO
Return to Compliance**

January 9, 2009

Mr. Michael Odey
Universal Cooperatives Inc.
P.O. Box 471
Napoleon, OH 43545

Dear Mr. Odey:

Thank you for sending the December 18, 2008, response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated November 13, 2008. The documentation from Universal Cooperatives Inc. (UCI) was dated December 17, 2008, by the facility and included a cover letter, photographs of universal waste containers, and slides from the annual hazardous waste training.

My review of this documentation reveals that UCI has now abated all violations discovered during the October 24, 2008, inspection. The following is a summary of the violations cited in the November 13, 2008, NOV and the facility's compliance with respect to each violation:

Violations:

1. **Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste Determination:** "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

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

On December 18, 2008, Ohio EPA received documentation that UCI will be managing spent lamps as universal waste. Veolia Environmental Service Technology Solutions will recycle the spent lamps for UCI. UCI also included photographic documentation of the spent lamp containers. However, Ohio EPA could not tell from the photographs if these containers were properly labeled "Universal waste-lamps" or if the accumulation start date was written on the containers.

During a phone conversation on January 5, 2009, you told Ohio EPA that the lamp containers were labeled "Universal waste-lamps" and that the accumulation start date was written on the box on the first day the lamps were placed inside. Ohio EPA would like to remind UCI that these containers should also be kept closed at all times.

With this information, this violation is considered abated on December 18, 2008.

2. **OAC Rule 3745-65-16(C), Personnel training:** "Facility personnel must take part in an annual review of the initial training required in paragraph (A) of this rule."

UCI failed to continuously complete annual refresher training within 365 days of the initial training.

On December 18, 2008, Ohio EPA received documentation that UCI has implemented a schedule for the annual hazardous waste training to be conducted every three quarters by U.S. Compliance Corporation. This practice of conducting the training every three quarters will ensure that all employees will receive the proper annual training within 365 days of the last training.

With this information, this violation is considered abated on December 18, 2008.

General Concerns:

- A. **Personnel Training:** During the inspection, Ohio EPA spoke with UCI about the personnel training given to the employees. Ohio EPA requested that UCI submit a detailed description of the items covered during the

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annual training and information showing that the instructor of the annual training is trained in hazardous waste procedures.

On December 18, 2008, Ohio EPA received the requested documentation. No further information needs to be submitted for this general concern. This general concern is considered addressed.

- B. **Definition of "annual" and "weekly":** Ohio EPA would like to remind UCI that Ohio EPA defines "weekly" as "every seven days" and not a calendar week. Likewise, Ohio EPA defines "annually" as every 365 days and not a calendar year.

No further information needs to be submitted for this general concern. This general concern is considered addressed.

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

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Enclosures

cc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO, Henry County File: Universal Cooperatives, 1990-~~

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.