



State of Ohio Environmental Protection Agency

Northwest District Office

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

**Re: Stykemain Chevrolet-Pontiac, Inc.
Paulding County
DHWM, NWDO
Complaint 1559
Return to Compliance**

May 19, 2008

Mr. John Smith, Service Manager
Stykemain Chevrolet-Pontiac, Inc.
211 East Perry Street
Paulding, Ohio 45879

Dear Mr. Smith:

Thank you for accompanying Gary Deutschman and me during the Ohio Environmental Protection Agency's (Ohio EPA's) January 16, 2008, site visit of Stykemain Chevrolet-Pontiac, Inc.'s (SCPI's) facility located in Paulding, Ohio. We inspected SCPI 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).

Ohio EPA sent you Notice of Violations (NOVs) on February 6, 2008, and March 14, 2008, specifying the violations observed during the inspection. However, SCPI failed to respond to these NOVs.

On May 14, 2008, I made another site visit to SCPI to discuss the NOVs and outstanding violation at the facility. The following is a summary of the violations cited in the February 6, 2008, and March 14, 2008, NOVs and the facility's compliance with respect to each violation:

Violations:

1. **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..."

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

SCPI must immediately cease disposing of the fluorescent bulbs as non-hazardous waste until a proper waste evaluation has been completed. Fluorescent bulbs typically contain mercury and other heavy metals which could make them a hazardous waste. Hazardous waste 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. Ohio EPA recommends that spent bulbs be managed as a universal waste and recycled.

SCPI must choose one of the following options and submit to Ohio EPA the requested information as documentation to demonstrate how you plan to properly manage your fluorescent bulbs: 1) If SCPI decides to manage the bulbs as a hazardous waste, then SCPI will need to sample each type and brand of bulb at the facility using a toxic characteristic leaching procedure (TCLP) test for Resource Conservation and Recovery Act (RCRA) metals. SCPI must then submit all analytical results to Ohio EPA along with a description of how the spent lamps will be managed. 2) The other alternative is that SCPI can begin to manage spent bulbs as universal waste. If SCPI chooses this option, then SCPI should submit a bulb management plan that outlines how the spent bulbs will be managed as universal waste and where they will be shipped. SCPI must also submit photographic documentation that a closed container will be used and that this container has the proper label and accumulation start date located on it. This information should be submitted to Ohio EPA *within 14 days of receipt of this letter.*

During the May 14, 2008, site visit, you claimed that you did not receive either of the NOVs. You stated that the mailing address utilized for the facility routes mail to the main office across the street.

After discussing your options on how to manage the spent lamps at the facility, you stated that you would like to manage them as universal waste.

While Ohio EPA was on site, SCPI boxed up the spent lamps and properly labeled and dated the box. You stated that you would contact Heritage-Crystal Clean LLC. to dispose of the lamps.

Ohio EPA left you the following fact sheets: Universal Waste Rules for Handlers of Lamps, dated June 2005; Fluorescent Lamps: What You Should Know, dated January 2007; and Computer, Fluorescent Lamp and Ballast Recyclers, dated March 2008.

With this information, this violation is considered abated.

- OAC Rule 3745-279-22 (C)(1), Used Oil Storage Requirements for Generators: "Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words 'Used Oil.'"**

Mr. John Smith, Service Manager

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This violation was abated on January 16, 2008.

General Concern:

- A. **Used Oil Tote Area:** Nothing needs to be submitted to Ohio EPA to address this general concern.

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

/llr

pc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO Paulding County File: Stykemair Chevrolet-Pontiac ,

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.