



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

Re: Clear Fork Valley High School
Used Oil Generator
Richland County
2nd NOV

January 26, 2010

Mr. Dale Bowman, Maintenance Supervisor
Clear Fork Valley High School—Board of Education
92 Hines Street
Bellville, Ohio 44813

Dear Mr. Bowman:

Thank Jeff Daniels for accompanying me during the Ohio Environmental Protection Agency's (Ohio EPA's) September 22, 2009, compliance evaluation inspection of Clear Fork Valley High School (CFVHS) located at the address stated above. I inspected CFVHS 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). I sent you a Notice of Violation (NOV) letter on September 30, 2009, specifying the violations observed during the inspection. To date, CFVHS has failed to respond to the September 30, 2009, NOV letter and remains in violation of the following:

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

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.

CFVHS has failed to properly evaluate the spent fluorescent bulbs generated at the facility.

During the inspection, you stated that in the past CFVHS has disposed of the spent fluorescent light bulbs in the trash. CFVHS must not dispose of any spent light bulbs as non-hazardous waste in the local landfill until a proper waste evaluation has been completed.

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The waste evaluation must be conducted through one of **three options: 1)** CFVHS may apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation [manufacturer analytical information – Toxicity Characteristic Leaching Procedure (TCLP) test results], or

2) CFVHS may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. CFVHS must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs.

CFVHS must sample the fluorescent bulbs to determine the concentration of mercury (D009), cadmium (D006) and lead (D008) as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846. CFVHS may run a total concentration for these constituents as a screening tool.

If the concentration is detected for mercury, lead or cadmium at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level; or **3)** a combination of options 1 and 2.

If the bulbs are determined to be hazardous through a proper waste evaluation, CFVHS will have to manage their bulbs either as 1) a universal waste (OAC Chapter 3745-273) or 2) as a hazardous waste under Ohio's generator standards (OAC Chapter 3745-52). ***Instead of taking samples for analysis as described above, CFVHS may recycle their bulbs if they are hazardous or non-hazardous by managing them as universal waste. Ohio EPA would encourage this option as a pollution prevention alternative. Please refer to the information I gave you on how to manage light bulbs as universal waste.***

Ohio EPA will use the analytical data you provide, in addition to other documentation, to make regulatory and compliance decisions concerning the wastes tested. This review by Ohio EPA does not alleviate CFVHS's responsibility to independently determine whether the wastes tested are hazardous wastes pursuant to OAC Rule 3745-52-11. The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data.

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To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form which can be obtained from Ohio EPA's web page: http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html.

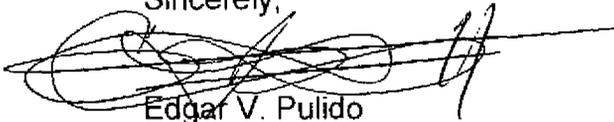
Ohio EPA may request the documentation needed to confirm the validity of the data submitted. Please submit a brief narrative of each sampling event which includes: sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

Please note, if the waste is hazardous, you must evaluate it to determine if it is restricted from land disposal in accordance with OAC Chapter 3745-270. In addition, you must properly dispose of or recycle the waste. A copy of the waste disposal documentation and EPA waste codes applicable to the waste must be submitted to me at the Ohio EPA, Northwest District Office (NWDO) prior to disposal.

To abate this violation, CFVHS must, within **7 days** of receipt of this letter, inform me in writing as to how the facility plans to manage the spent fluorescent light bulbs and other spent light bulbs.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/lir

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM, NWDO File: Clear Fork Valley High School (new)

ec: Ed Pulido, DHWM, NWDO

<p>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.</p>
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