



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: Life Star Rescue, Inc.
Van Wert County
Hazardous Waste Inspection
Complaint Investigation # 2943
2nd NOV

March 18, 2010

Certified Mail 7007 2560 0000 4485 8097

Mr. Lyle Halstead, Controller
Life Star Rescue, Inc.
1171 Production Drive
Van Wert, Ohio 45891

Dear Mr. Halstead:

On December 23, 2009, I, representing the Ohio Environmental Protection Agency (Ohio EPA) conducted a complaint investigation and a compliance evaluation inspection of Life Star Rescue, Inc. (LSRI) located at the address stated above. I inspected LSRI to determine the validity of the complaint and 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/Partial Return to Compliance (NOV/PRTC) letter on January 6, 2010, specifying the violations observed during the inspection. To date, LSRI has failed to respond to the January 6, 2010, NOV/PRTC 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. LSRI has failed to properly evaluate two waste streams as noted below:

- a) During the inspection, you stated that in the past the dust generated from preparing the vehicles prior to painting has been disposed of in the trash. LSRI must not dispose of any dust in the local landfill until a proper waste evaluation has been completed.

During the inspection you stated that from now on this waste will be combined with spent booth filters and disposed of as hazardous waste. You determined that the materials used during this process (bondo, paint, solvents) are similar to the residual materials contained in the spent paint booth filters and thus more than likely the wastes are similar. Unfortunately, these waste streams are not similar enough and should not be comingled. Waste codes that apply to the spent paint booth filter may not apply to the bondo dust waste such as the spent solvent. Furthermore, heavy metal may be present in the old paint being sanded and may not be present in the paint currently being used in your painting operations.

To abate this violation, LSRI must conduct a proper waste evaluation by taking a representative sample of this waste stream through a laboratory analysis which lists constituents present and at what concentration. LSRI must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate this waste.

LSRI may run total concentrations for the RCRA metals as a screening tool. If concentrations are detected for the RCRA metals at or above regulatory limits, a TCLP may be required to ensure these constituents are not present above Ohio EPA regulatory levels. LSRI may also choose to run TCLP test from the start.

If the waste is determined to be hazardous through a proper waste evaluation, LSRI will have to manage this waste from now on as hazardous waste and follow all the requirements for storage, labeling, and proper disposal.

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 it. 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.

- b) During the inspection, you also stated that in the past the waste generated during the cleaning of incidental spills of used oil on the shop floor is being disposed in your regular trash. Similarly, LSRI must not dispose of this waste in the local landfill until a proper waste evaluation has been completed.

During the inspection you stated that from now on you will containerize this waste in a 55-gallon drum and a proper waste evaluation will be conducted prior to its disposal. ***This violation was abated on 12/23/2009.***

2. OAC Rule 3745-273-13(D)(1): Universal waste lamps – Storage requirements.

A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and ***packages must remain closed*** and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

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LSRI failed to maintain the spent lamps storage containers closed.

This violation was abated on 12/23/2009.

To abate the outstanding violation, LSRI must, within ***7 days*** of receipt of this letter, provide to me the requested information regarding the proper evaluation of the waste being generated during the preparation of the vehicles prior to painting.

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

/ cs

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, Supervisor, DHWM, NWDO
~~DHWM, NWDO File: Life Star Rescue, Inc., Van Wert, Van Wert County~~

ec: Ed Pulido, 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.

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 Van Wert Ohio 45891

PS Form 3800, August 2005 See Reverse for Instructions

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1. Article Addressed to:
 Mr. Kyle Halstead
 Life Star Rescue, Inc.
 1171 Production Dr.
 Van Wert, Ohio
 45891

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PS Form 3811, February 2004

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