OhioEPA

State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, Ohio 43402

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

Re: Biltrite Industries
(fka Hercules Tire & Rubber Co.)
OHD 987 000 718
Hancock County
Hazardous Waste Inspection
Return to Compliance

January 25, 2007

Mr. Dallas E. Vaughn, Compliance Officer
Biltrite Industries
1300 Morrical Boulevard
Findlay, Ohio 45840

Dear Mr. Vaughn:

Thank you for your December 22, 2006, response to Ohio EPA's November 27, 2006, Notice of Violation/Partial Return to Compliance letter. You submitted the following documentation: Photographic documentation of properly labeled and dated universal waste lamps containers. In addition, you have stated that you have contracted with Vexor to provide you with universal waste removal service. For further information regarding the management of universal waste, refer to the document I provided you during the compliance inspection titled, Universal Waste Rules for Handlers of Lamps, December 2004.

The status of the violations previously cited follows:

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.

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

   On December 22, 2006, Biltrite faxed me a letter indicating that Vexor, Inc. was going to handle their fluorescent light bulbs as universal waste from now on. In addition, Biltrite submitted photographic documentation of the properly labeled universal waste storage containers. Therefore, this violation has been abated.

2. **OAC 3745-279-22(A): Used Oil Storage Requirements for Generators - Labeling**

Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil."

Biltrite did not properly label one of the 55-gallon drums that stored used oil. Biltrite labeled the 55-gallon drum with the words "Used Oil" at the time of the inspection.

This violation was abated during the compliance evaluation inspection conducted on October 16, 2006.

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, DHWM, NWDO
DHWM, NWDO File: Hancock County - Biltrite Industries File

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.