



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

Re: Joe Pastorek's Body Shop  
Lucas County  
OHR000128280  
Hazardous Waste  
**Return to Compliance**

January 7, 2011

Mr. Joe Pastorek  
Joe Pastorek's Body Shop  
3754 Centennial Road  
Sylvania, Ohio 43560

Dear Mr. Pastorek:

Thank you for your January 4, 2011, response to Ohio EPA's August 13, 2010, Notice of Violation (NOV) letter. In addition, I spoke with you on November 5, 2010, to check on the status of the waste evaluation analysis for the spent paint booth filters and again on January 4, 2011. My review of the documentation submitted reveals that Joe Pastorek's Body Shop (JPBS) has adequately demonstrated abatement of the violation cited in the August 13, 2010; NOV letter.

The following is a summary of the violation cited in the August 13, 2010, NOV as a result of Ohio EPA's August 3, 2010, inspection and your compliance with respect to it:

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

- a) Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

At the time of the inspection, JPBS did not have waste evaluation documentation for the spent paint filters from the on-site paint booth. JPBS changes the paint booth filters once every three to six months. You stated that Safety Kleen has been picking up your spent filters once every three to four months. Ohio EPA contacted Safety Kleen and no waste has been picked up from your facility since September 2008.

Mr. Donte Stoner at Safety Kleen stated that in the past they only serviced the on-site solvent recycling still and took the sludge/pucks which were fuel blended. JPBS must immediately cease disposing of the waste paint filters until a proper waste evaluation has been completed.

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JPBS must obtain a representative sample of the spent paint booth filter waste stream and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). To abate this violation, JPBS must submit a copy of the analytical results to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise you on proper disposal options as well as plans for the future management of this waste stream.

**On January 4, 2011, JPBS submitted, via electronic mail, a copy of the analytical results for the spent paint booth filters. The submitted analytical results for TCLP metals and volatile organics indicate that the spent paint booth filters are non-hazardous. JPBS can manage this waste stream as a solid waste. This portion of the violation has been abated.**

**If JPBS has any changes made to their painting process, Ohio EPA recommends an updated waste evaluation be conducted on the spent paint booth filters.**

- b) In addition, JPBS failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous 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.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed.

JPBS must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If JPBS plans to manage the spent fluorescent bulbs when generated as universal waste, please submit the name of the facility where you plan to recycle the bulbs.

JPBS must also properly train employees, who handle or have responsibility for managing universal waste, on waste handling and emergency procedures relative to their responsibilities and send me documentation (memo or sign-in sheets) that this has been completed.

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On January 4, 2011, I spoke with you regarding your plans to manage the spent fluorescent bulbs as universal waste. You stated that JPBS plans to have Gross Electric transport your spent fluorescent bulbs to Environmental Recycling in Bowling Green, Ohio where they will be recycled. You will be responsible for the universal waste and have reviewed the fact sheets that were given to you at the time of our inspection. This portion of the violation has been abated.

*This violation has been completely abated.*

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers  
Division of Hazardous Waste Management

/cs

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
~~DHWM, NWDO 2011 Lucas County General File~~

ec: Melissa Boyers, 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.**