



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.state.oh.us

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

**RE: Ohio Pickling & Processing
OHD 005 038 328
Lucas County
DHWM, NWDO
Return to Compliance**

April 30, 2009

Mr. Joshua Vella
Ohio Pickling & Processing
1149 Campbell Street
Toledo, Ohio 43607

Dear Mr. Vella:

Thank you for sending the letter in response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated March 24, 2009. The letter was received by Ohio EPA on April 23, 2009, and was dated April 21, 2009, by Ohio Pickling & Processing (OPP). The documentation submitted includes written procedures and photographs concerning universal waste lamp management at the facility.

After reviewing the submitted documentation, OPP will remain a non-generator of hazardous waste and a generator of used oil and universal waste lamps.

My review of the documentation reveals that OPP has abated all violations discovered during the March 4, 2009, compliance evaluation inspection as listed below.

Violation:

1. **Ohio Administrative Code (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..."

OPP failed to have waste evaluation documentation or an established recycling plan in place for spent lamps generated at the facility.

Mr. Joshua Vella
April 30, 2009
Page 2

On April 23, 2009, Ohio EPA received documentation that included a written description of how the universal waste lamps will be managed. These lamps will be sent to Environmental Recycling in Bowling Green, Ohio. Ohio EPA also received photographic documentation that the lamps are stored in closed containers with the proper label and accumulation start date.

Therefore, this violation is considered abated on April 23, 2009.

General Concerns:

- A. **Sludge:** During the inspection, OPP told Ohio EPA that no sludge was generated from the oil pit, coil troughs, or the pickling process tanks. Ohio EPA would like to remind OPP that any sludge from these areas that may be generated in the future should be properly evaluated prior to disposal. Likewise, any material used for cleanup of any spills of used oil or processing waste should also have a proper waste evaluation completed prior to disposal.

This general concern serves as a reminder to OPP and is considered addressed.

- B. **Parts Washer Fluid:** OAC rule 3745-51-01(C)(1) states "A "spent material" is any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing..." A secondary material that is further used, for its intended purpose as a product, is not spent or a waste. It does not necessarily need to serve its original use. Solvents that are still fit for use are not spent materials (and hence not hazardous wastes) when used for their intended purposes. This practice is considered continued use of a product.

During the inspection, OPP told Ohio EPA that the parts washer is not used very often and no waste has been generated from the parts washer. If OPP generates spent parts washer fluid (or other waste from the parts washer) in the future, this fluid (or other waste) should be evaluated prior to disposal for flashpoint and RCRA metals. OPP may want to find a facility that can use the parts washer fluid for continued use once it leaves OPP. If OPP can find a facility that will place the parts washer fluid in a continued use program, then this waste will not be counted toward OPP's hazardous waste generator status.

Mr. Joshua Vella
April 30, 2009
Page 3

This general concern serves as a reminder to OPP and is considered addressed.

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

/csi

cc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO Lucas County File: Ohio Pickling & Processing 1987-

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.