



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

**RE: Soft Touch Car Wash  
Lucas County  
DHWM, NWDO  
Complaint 2812  
Return to Compliance**

January 9, 2008<sup>9</sup>

Mr. Craig Pencheff  
Soft Touch Car Wash  
6307 Monroe Street  
Sylvania, OH 43560

Dear Mr. Pencheff:

Thank you for sending the December 8, 2008, and December 30, 2008, faxes in response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated November 19, 2008. The documentation from Soft Touch Car Wash (STCW) included two cover letters, a receipt from Oscar W. Larson Co. for replacing the gas filters, and material safety data sheets (MSDSs) for the gas used at STCW.

My review of this documentation reveals that STCW has now abated all violations discovered during the September 11, 2008, inspection. The following is a summary of the violation cited in the November 19, 2008, NOV and the facility's compliance with respect to the 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..."

STCW changes gas filters from the gas pumps approximately once a year. STCW failed to determine if the gas filters removed from the gas pumps are a hazardous waste in accordance with OAC Rule 3745-52-11.

**On December 8, 2008, Ohio EPA received documentation that included MSDSs for the gas used at STCW. However, this information could not be utilized alone as generator knowledge to determine if the spent gas filters at the site are non-hazardous waste.**

**On December 8, 2008, Ohio EPA discussed the option of recycling the spent gas filters as scrap metal with STCW during a phone conversation. Ohio EPA explained that if the spent gas filters were drained and recycled as scrap metal, then they would no longer be considered hazardous waste and would be excluded from the regulation.**

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During a phone conversation on December 30, 2008, STCW stated that the spent gas filters would be drained and the gas from the filters would be placed back into the gas tank to be sold. The spent filter would then be recycled as scrap metal. On December 30, 2008, Ohio EPA received documentation stating that the gas filters would be recycled at R&M Recycling.

Ohio EPA would like to remind STCW that if the gas filters are ever considered a waste (instead of an item being recycled as scrap metal), then a proper waste evaluation must be made to determine if they are a hazardous waste prior to disposal. This would include contracting the services of an environmental laboratory to analyze this material for toxicity characteristic leaching procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals, TCLP volatile organic compounds (VOCs), and possibly flashpoint and pH of the material.

*With this information, this violation is considered abated on December 30, 2008.*

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,



Kara Reynolds  
Environmental Specialist  
Division of Hazardous Waste Management

/csl

Enclosures

cc: Colleen Weaver, DHWM, NWDO  
Kara Reynolds, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
DHWM, NWDO Lucas County File: Soft Touch Car Wash

**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.