



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Tam-O-Shanter Facility
Lucas County
Hazardous Waste
3rd Notice of Violation

April 10, 2008

Mr. Todd Butler, Maintenance Manager
Sylvania Sports and Exhibition Center
Tam-O-Shanter Facility
7060 Sylvania Avenue
Sylvania, Ohio 43560

Dear Mr. Butler:

On March 6, 2007, the Ohio Environmental Protection Agency (Ohio EPA) conducted a compliance evaluation inspection of the Sylvania Sports and Exhibition Center (SSEC), Tam-O-Shanter Facility located in Sylvania, Ohio. On March 9, 2007, you were sent a Notice of Violation (NOV) letter which outlined the violations we found and what you needed to do to correct these violations. On May 16, 2007, you were sent a second NOV. On November 26, 2007, I made a site visit to check the compliance status of the violations that were cited in the original NOV dated March 9, 2007. Larry Duvall escorted me to the used oil and bulb storage areas. The used oil and fluorescent bulb storage areas were not in compliance. Specifically, there was a second drum of used oil that was not properly labeled, and the boxes of spent fluorescent bulbs were open and not properly labeled. To date, SSEC has failed to properly return to compliance, therefore, the violations cited remain outstanding.

The following is a summary of the violations cited in the NOV which was sent to you on March 9, 2007. These violations remain outstanding:

1. OAC Rule 3745-279-22(C)(1): Labeling:

Containers, aboveground tanks and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "Used Oil."

SSEC had one blue poly drum of used oil located in the compressor room that was not properly labeled.

SSEC must properly label the blue poly drum with the words "Used Oil" and submit photographic documentation to demonstrate compliance. A copy of the Regulation of Used Oil Fact Sheet was given to you at the time of our inspection. Please review this information and contact me if you have any questions.

On November 26, 2007, the Ohio EPA made a site visit to check on the compliance status of the facility. One blue poly drum was labeled "used waste oil" and a second blue poly drum of used oil was not labeled. SSEC must immediately label these drums with the words "Used Oil" and submit photographic documentation to demonstrate compliance.

This violation remains outstanding.

2. OAC Rule 3745-273-13(D)(1): Universal Waste Packaging:

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.

SSEC did not place at least one dozen spent lamps into containers. In order to correct this violation, SSEC must place all spent lamps into containers or packages that are structurally sound and adequate to prevent breakage of the spent lamps; close each container of Universal Waste Lamps; and submit photographic documentation that this has been done.

On November 26, 2007, the Ohio EPA made a site visit to check on the compliance status of the facility. Approximately two boxes of spent fluorescent bulbs located in the storage room were open. SSEC must immediately place all spent lamps into containers or packages that are structurally sound and adequate to prevent breakage of the spent lamps; close each container of Universal Waste Lamps; and submit photographic documentation that this has been done.

This violation remains outstanding.

3. OAC Rule 3745-273-14(E): Universal Waste Labeling:

Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste Lamps", or "Waste Lamps" or "Used Lamps".

SSEC did not properly label at least one dozen loose spent lamps and two boxes of spent lamps with one of the required phrases. In order to correct this violation, SSEC must properly label each spent lamp and container and submit photographic documentation that this has been done. If spent lamps are placed into containers, only the container must be labeled.

On November 26, 2007, the Ohio EPA made a site visit to check on the compliance status of the facility. Approximately two boxes of spent fluorescent bulbs located in the storage room were not properly labeled. On December 4, 2007, I spoke with Mr. Todd Lange who stated that the lamps that were currently on-site were going to be picked up by Gross Electric. In addition, a copy of the 2nd NOV was faxed to him for his review. SSEC must immediately label each spent lamp and container and submit photographic documentation that this has been done.

This violation remains outstanding.

4. OAC Rule 3745-273-15(C): Accumulation Time for Universal Waste Lamps:

A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

SSEC was not able to demonstrate the length of time the universal waste lamps were accumulated. The two boxes were properly dated, however the one dozen loose spent lamps were not dated. SSEC must containerize the loose spent lamps and properly date the container. In order to correct this violation, SSEC must submit photographic documentation showing the containers, located in the universal waste storage area, are properly dated to track accumulation time.

On November 26, 2007, the Ohio EPA made a site visit to check on the compliance status of the facility. Approximately two boxes of spent fluorescent bulbs located in the storage area were not properly labeled with the date when accumulation began. SSEC must submit photographic documentation showing the containers, located in the universal waste storage area, are properly dated to track accumulation time.

This violation remains outstanding.

5. OAC Rule 3745-273-16: Universal Waste Employee Training:

A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type of universal waste handled at the facility.

SSEC has not adequately informed its employees, handling universal waste lamps, of the proper handling procedures. In order to correct this violation, SSEC must describe how it will inform (train) its universal waste lamp handlers in proper handling procedures and state when this is accomplished. The training must include compliance with all rules for the handling of universal waste lamps and the corrective actions for all violations of universal waste rules, cited above.

To date, SSEC has not submitted information regarding the training associated with the management of universal waste. Based upon the site visit made by the Ohio EPA on November 26, 2007, where universal waste violations remain outstanding, it appears that no training has been conducted. SSEC must immediately describe how it will inform (train) its universal waste lamp handlers in proper handling procedures and state when this is accomplished. The training must include compliance with all rules for the handling of universal waste lamps and the corrective actions for all violations of universal waste rules, cited above.

This violation remains outstanding.

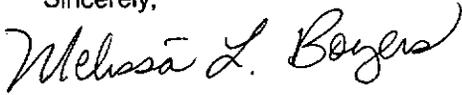
Please submit documentation demonstrating abatement of the above outstanding violations to this office within **7 days** of receipt of this letter.

Please note that Ohio EPA considers the above outstanding violations to be serious in nature. The company's continued failure to comply with Ohio law and submit the required documentation may result in referral of the Sylvania Sports and Exhibition Center to our Central Office Enforcement Section for consideration of escalated enforcement.

Mr. Todd Butler
April 10, 2008
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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

/csl

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
• DHWM, NWDO Lucas County General File:
Mr. Todd Lange, SSEC, Maintenance Supervisor

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.