



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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: Owens Painting & Sand Blasting
Complaint #2741
Lucas County
Hazardous Waste
Return to Compliance

September 24, 2008

Mr. Curtis Owens
7450 Starcrest
Perrysburg, Ohio 43551

Dear Mr. Owens:

On February 6, 2008, I discovered abandoned containers of waste from your business, Owens Painting & Sand Blasting, formerly located at 205 West Alexis Road in Toledo, on property owned by American Sign. Specifically, in the back of the property at 205 W. Alexis Road, I found fifteen (15) 5-gallon containers and seventeen (17) 1-gallon cans of paint related waste, stored outside, on the ground. At least one of the containers had the name Tom Owens on it. Most of the containers were open. None of these containers were secured from contact by persons on the property. I obtained several photographs of this waste.

As a result of my investigation, I found the following violation of Ohio's hazardous waste laws. I first notified Tom Owens of this violation in a Notice of Violation letter, dated March 11, 2008. The only violation has been abated. A summary of the violation can be found below:

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

A generator must determine whether its waste is hazardous by first determining if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35; by testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 or by applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

You failed to evaluate the waste generated by Owens Painting & Sand Blasting. Therefore, you were required to evaluate the waste in the containers, according to this rule. You were required to immediately arrange to have the hazardous waste shipped to a permitted hazardous waste treatment, storage or disposal facility and submit a copy of the hazardous waste manifest used.

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On September 17, 2008, I returned to 205 W. Alexis Road and met with Mr. Kory Sherer and Ms. Randi McClintock of American Sign. They provided a copy of the hazardous waste manifest demonstrating that this hazardous waste was shipped off-site by American Sign to a permitted hazardous waste treatment, storage or disposal facility on June 13, 2008. Since it appeared that your business was operating as a hazardous waste conditionally exempt small quantity generator at this location, this violation has been corrected.

If you have any questions, please feel free to contact me at (419) 373-3074.

Sincerely,



Don North
District Representative
Division of Hazardous Waste Management

/lr

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
(DHWM, NWDO, Lucas County, Tom Owens Sand Blasting File .
Mr. Kory Sherer, American Sign
ec: Don North, 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.