



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

Re: **Complaint #2823**  
Willcrest Concrete Contractors Inc.  
Lucas County  
**OHR000151555**  
Hazardous Waste  
**Return to Compliance**

January 6, 2009

Mr. Michael Fitch, President  
Willcrest Concrete Contractors Inc.  
308 Wamba  
Toledo, Ohio 43607

Dear Mr. Fitch:

Thank you for your December 15, 2008, response to Ohio EPA's November 13, 2008, Notice of Violation letter. Willcrest Concrete Contractors Inc. (Willcrest) submitted information regarding the management of universal waste and used oil generated at the facility. My review of this documentation reveals that Willcrest has adequately demonstrated abatement of all of the violations discovered during the October 28, 2008, compliance evaluation inspection.

The following is a summary of the violations cited and your compliance with respect to each:

1. **OAC Rule 3745-52-11: Waste Evaluation:** Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

Willcrest 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.

Willcrest must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If Willcrest decides to conduct waste sampling, please notify me at least seven days prior to the sampling event date, so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. If Willcrest plans to manage the spent fluorescent bulbs as universal waste, please submit photographic documentation showing the storage containers properly closed, labeled, and dated. Willcrest 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 that this has been completed. In addition, Willcrest must submit the name of the facility where you plan to recycle the bulbs.

**On December 15, 2008, Willcrest submitted information regarding how they plan to manage the fluorescent bulbs generated at the facility. Willcrest plans to manage the spent fluorescent bulbs as universal waste and properly store, label and date the containers once the first bulb is generated. Willcrest plans to recycle the bulbs at Environmental Recycling in Bowling Green, Ohio. I spoke with you on November 14, 2008, and you indicated that you reviewed the universal waste fact sheet and would be the one responsible for the management of universal waste at your facility.**

***With this information, this violation is considered abated.***

**2. OAC Rule 3745-279-24: Off-Site Shipment:**

Generators shall ensure that their used oil is transported only by transporters who have obtained an EPA identification number.

Willcrest has been taking the used oil they generated to either Auto Zone or Valvoline.

Willcrest must immediately cease giving used oil to any person or transporter who does not have an EPA identification number. Willcrest must notify Ohio EPA with how you plan to manage you used oil in the future and provide the applicable documentation for review. Enclosed is a fact sheet outlining the used oil regulations for generators, a list of used oil recyclers, and a fact sheet on how to properly manage used oil filters. Please review this information and contact me if you have any questions.

**On December 15, 2008, Willcrest submitted information regarding how they plan to manage the used oil generated at the facility. Willcrest will no longer take the used oil to Auto Zone or Valvoline. Willcrest will have Cousins Waste Control Corp. pick up the used oil as needed. Willcrest will store the used oil generated at the facility in a 55-gallon container properly labeled "used oil" as it is generated.**

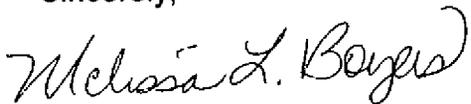
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**Willcrest stated that the used oil filters will be hot-drained and then disposed of as a solid waste. Willcrest must evaluate the used oil filters prior to disposing of them as a solid waste. The hot-drained used oil filters would be exempt if they were managed as scrap metal. Willcrest must ensure that once generated, the used oil filters are properly managed. Your compliance with the used oil regulations may be assessed at a future unannounced inspection.**

***With this information, this violation is considered abated.***

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

Sincerely,



Melissa L. Boyers  
Division of Hazardous Waste Management

//lr

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
City of Toledo - Div. of Environmental Services  
~~CDHWM; NWDO Lucas County General File~~  
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