



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Newman's Marathon
Wood County
OHR000112458
Hazardous Waste
Return to Compliance

June 27, 2013

Mr. Scott Newman, Owner
Newman's Marathon
525 North Main Street
Bowling Green, Ohio 43402

Dear Mr. Newman:

Thank you for your June 24, 2013, response to Ohio EPA's May 29, 2013, Notice of Violation-Partial Return to Compliance (NOV-PRTC) letter. Newman's Marathon located at, 525 North Main Street, Bowling Green, Ohio, submitted universal waste documentation. My review of the documentation submitted reveals that Newman's Marathon has adequately demonstrated abatement of the violations cited in the May 29, 2013, NOV-PRTC.

The following is a summary of the violations cited in the May 29, 2013, NOV-PRTC as a result of Ohio EPA's May 9, 2013, inspection and your compliance with respect to each:

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

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

Newman's Marathon 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.

On June 24, 2013, Newman's Marathon submitted information regarding the management of spent fluorescent lamps. Newman's Marathon plans to manage spent lamps, when generated, as universal waste. Newman's Marathon will ship the spent lamps to Environmental Recycling (ER) in Bowling Green, Ohio where they will be recycled. Newman's Marathon has set aside a box to store the spent lamps and will ensure their delivery to ER at least once a year. Please note that 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", "Waste Lamps" or "Used Lamps".

With this information, this violation has been abated.

Mr. Scott Newman
June 27, 2013
Page 2

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

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

Newman's Marathon had one storage tank and two portable containers of used oil that were not properly labeled.

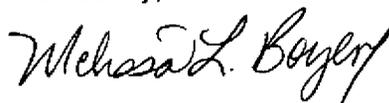
At the time of my inspection, Newman's Marathon properly labeled the tank and portable containers with the words "used oil".

This violation was previously abated on May 9, 2013.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

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 Materials and Waste Management

/cg

pc: Lisa Gifford, DMWM, NWDO
Colleen Weaver, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)
Melissa Boyers, DMWM, NWDO

Notice:

Ohio's 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.