



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

Re: Soft Touch Car Wash
Lucas County
Hazardous Waste
Complaint #3188
2nd Notice of Violation

December 7, 2012

Mr. Chad Bryant
Soft Touch Car Wash
6307 Monroe Street, A
Sylvania, Ohio 43560

Dear Mr. Bryant:

On August 29, 2012, I conducted a complaint investigation and hazardous waste compliance evaluation inspection of Soft Touch Car Wash (hereafter referenced as STCW) located in Sylvania, Ohio. I inspected STCW to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and Chapter 3745 of the Ohio Administrative Code. On September 7, 2012, I sent you a Notice of Violation (NOV) letter outlining the violation. To date, I have not received any response information from you. At this time, I must have a response as to when you will have the pit/trench sludge from the car wash analyzed.

The following is the current status of the violation cited during my inspection:

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.

At the time of the inspection, STCW did not have waste evaluation documentation for the pit/trench material which we observed outside on the east side of the building (as described in the complaint). This is the grime and sand that washes off from the vehicles that go through the car wash. You stated that the pit is cleaned out approximately two times per year when the sludge level is at about four inches. You also stated that this is the way that the sludge has been disposed of for as long as you have been employed at STCW.

STCW must immediately cease disposing of the pit/trench sludge outside on the ground. All sludge that was dumped onto the ground must be removed and put into closed containers (drums, etc). You must not dispose of this material until it is determined whether it is hazardous or not.

Mr. Chad Bryant
December 7, 2012
Page 2

At the time of her visit on September 6, 2012, Jodi Vaughan, Toledo-Lucas County Health Department, was told by you that the sludge material on the ground had been disposed of in the dumpster. She did not see any sludge on the ground. She closed her complaint. The Ohio EPA still considers this complaint to be open until the violation is addressed.

STCW must conduct a proper waste evaluation. This will determine how the sludge will have to be disposed of in the future. Since you stated this clean out happens at least two times per year, STCW should be able to obtain a sample in the near future.

To do a proper waste evaluation, STCW must obtain a representative sample of the pit/trench sludge and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). Most environmental laboratories can help you with this.

Ohio EPA requires one sample be taken and analyzed for the TCLP metals and TCLP volatile organics as referenced in the paragraph above. I previously sent you a list of laboratories that could do this for you or help you collect and analyze a sample.

To abate this violation, STCW must submit a copy of the analytical results to me. Once analytical results have been reviewed, I will advise you on proper disposal options as well as plans for the future management of this waste stream. STCW should be able to determine from the lab results if the waste is hazardous or non-hazardous.

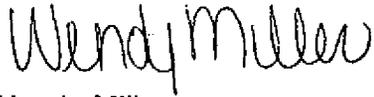
Please be advised that violation cited above will continue until the violation has been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of the violation, STCW is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

You must respond to this letter within the next **seven (7) days** to let me know the schedule for sampling.

Mr. Chad Bryant
December 7, 2012
Page 3

If you have any questions, please contact me by telephone at (419) 373-3114 or by e-mail at wendy.miller@epa.state.oh.us

Sincerely,



Wendy Miller
Division of Materials and Waste Management

/llr

pc: Lisa Gifford, DMWM, NWDO
Colleen Weaver, DMWM, NWDO (w/original checklist)

ec: Colleen Weaver, DMWM, NWDO
Wendy Miller, DMWM, NWDO



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

Re: Soft Touch Car Wash
Lucas County
Hazardous Waste
Complaint #3188
3rd Notice of Violation

April 25, 2013

Certified Mail

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

Dear Mr. Pencheff:

On August 29, 2012, I conducted a complaint investigation and hazardous waste compliance evaluation inspection of Soft Touch Car Wash (hereafter referenced as STCW) located in Sylvania, Ohio. I inspected STCW to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and Chapter 3745 of the Ohio Administrative Code. On September 7, 2012, I sent you a Notice of Violation (NOV) letter outlining the violation. I sent a second NOV on December 6, 2013. I also spoke with an employee on the phone on April 2, 2013 and discussed matters and asked them to have you contact me. To date, I have not received any response information from you. At this time, I **must** have a response as to when you will have the pit/trench sludge from the car wash analyzed. Based on timing, you should be ready to dispose of this material soon and this would be the ideal time to sample and analyze the sludge.

The following is the current status of the violation cited during my inspection:

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.

Mr. Craig Pencheff
April 25, 2013
Page 2

At the time of the inspection, STCW did not have waste evaluation documentation for the pit/trench material which we observed outside on the east side of the building(as described in the complaint). This is the grime and sand that washes off from the vehicles that go through the car wash. You stated that the pit is cleaned out approximately two times per year when the sludge level is at about four inches. You also stated that this is the way that the sludge has been disposed of for as long as you have been employed at STCW.

STCW must immediately cease disposing of the pit/trench sludge outside on the ground. All sludge that was dumped onto the ground must be removed and put into closed containers (drums, etc). You must not dispose of this material until it is determined whether it is hazardous or not.

At the time of her visit on September 6, 2012, Jodi Vaughan, Toledo-Lucas County Health Department, was told by you that the sludge material on the ground had been disposed of in the dumpster. She did not see any sludge on the ground. She closed her complaint.

The Ohio EPA still considers this complaint to be open until the violation is addressed.

STCW must conduct a proper waste evaluation. This will determine how the sludge will have to be disposed of in the future. Since you stated this clean out happens at least two times per year, STCW should be able to obtain a sample in the near future.

To do a proper waste evaluation, STCW must obtain a representative sample of the pit/trench sludge and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). Most environmental laboratories can help you with this.

Ohio EPA requires one sample be taken and analyzed for the TCLP metals and TCLP volatile organics as referenced in the paragraph above. I previously sent you a list of laboratories that could do this for you or help you collect and analyze a sample.

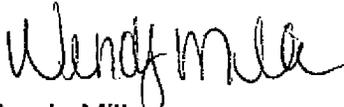
Mr. Craig Pencheff
April 25, 2013
Page 3

To abate this violation, STCW must submit a copy of the analytical results to me. Once analytical results have been reviewed, I will advise you on proper disposal options as well as plans for the future management of this waste stream. STCW should be able to determine from the lab results if the waste is hazardous or non-hazardous.

Please be advised that violation cited above will continue until the violation has been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of the violation, STCW is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

You must respond to this letter within the next **fourteen (14) days** to let me know the schedule for sampling. If you have any questions, please contact me by telephone at (419)373-3114 or by e-mail at wendy.miller@epa.state.oh.us

Sincerely,



Wendy Miller
Division of Materials and Waste Management

/cg

pc: Lisa Gifford, DMWM, NWDO
Colleen Weaver, DMWM, NWDO (w/original checklist)
Certified Mail Receipt Number 70091410000118347233

ec: Colleen Weaver, DMWM, NWDO
Wendy Miller, DMWM, NWDO