



State of Ohio Environmental Protection Agency

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May 24, 2007

Mr. Danny Eakins
Office of Employee and Business Services
Ohio Department of Job and Family Services
30 E. Broad St., 32nd Floor
Columbus, OH 43215-3414

**Re: Ohio Department of Job and Family Services
Non-Notifier (SQUWH)
Franklin County**

Dear Mr. Eakins:

Thank you for your response to my January 29, 2007 letter, which our office received on March 9, 2007, about the Job and Family Services (JFS) facility at 145 S. Front St. in Columbus. Since then we have communicated one or more times by phone about this matter. I have been waiting for more follow-up information from you in order to fully resolve the issues related to CDO complaint #3087.

You indicated that 200 containers suitable for holding and shipping universal waste lamps were obtained from USA Lamp and Ballast on January 29, 2007 and that workers began transferring some of the accumulated waste lamp tubes into these containers on February 28, 2007. As of our most recent communication, about 1600 of the tubes had been placed into the boxes, but many (probably thousands) more remain in the large roll-off box, broken tubes remained in the large container needing to be properly transferred into a more suitable sealed container.

Each of the five violations noted in my initial letter dated January 29, 2007, remain unresolved at this time. Ohio EPA believes that prompt action by properly trained personnel is needed in order to address the problems, especially with regard to the broken lamps which remain uncontained. These lamps are of concern because they contain mercury, a regulated and persistent hazardous waste substance.

I revisited the outside loading dock area at the facility (where the violations had been noted previously) while finalizing this letter. Broken lamp glass tube fragments and end caps remain on the concrete pavement near the roll-off box, guard shack, retaining wall edge, and loading dock entrance as well as the storm drain grate there. The green metal solid waste roll-off box was not marked as to its waste contents or accumulation date, and tarps installed on top of the box were blowing loose, with several broken rubber straps laying on the ground nearby. A clear liquid was slowly dripping out the low end of the box door (there had been over half an inch of rainfall during the previous 24 hours).

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

The lamp tubes being accumulated at the facility have not yet been transferred into suitable containers. Broken lamps have not yet been transferred to compatible containers with sealed lids. Marking of the containers as "Universal Waste" has not been consistently provided. We have not yet received evidence of proper tracking of the accumulation dates, nor for any specific employee training for managing this waste stream. The following violations, therefore, still remain unresolved:

1. **Containers or Packages, OAC rule 3745-273-13(D)(1):** Waste lamps must be contained in closed packages or containers which are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps.

The roll-off box was not suitable for this purpose. Its top was open and its lower edge door seam lacked an adequate seal. The container was not adequate to prevent possible breakage of the contents nor to contain broken lamps that you indicated were found inside it.

The remaining waste lamps in the roll-off box need to be transferred into suitable containers as soon as possible.

2. **Clean-up of breakage, OAC rule 3745-273-13(D)(2), and Response to Releases, OAC rule 3745-273-17(A & B):** Lamps that are broken or show evidence of damage that could cause the release of mercury or hazardous constituents into the environment must be immediately cleaned up and placed into closed, compatible, structurally sound containers. Releases of universal waste and other residues must be immediately contained, and then characterized for proper disposal.

Fragments of broken lamps (end caps, and glass tube fragments) on the pavement in the vicinity of the roll-off box had not been cleaned up and placed into a suitable container. In addition, you indicated that many broken lamp tubes had been found inside the metal roll-off box.

Numerous glass tube fragments and piles, including end caps were remaining on the pavement as of the date of this letter writing. As soon as possible, please carefully clean up all remaining broken lamp materials and place them into a sealed container such as a 5-gallon bucket with a gasketed lid. A 55-gallon drum with gasketed lid may be used to properly contain broken lamps from within the roll-off box. Personnel with appropriate special training and personal protective equipment should be used to accomplish the cleanup of the broken lamps. The drain sump near the dock entrance bay door should also be assessed for possible mercury contamination and properly cleaned up.

3. **Labeling/Marking standards, OAC rule 3745-273-14(E):** Each lamp or container or package in which such lamps are contained must be labeled or marked clearly as "Universal Waste - Lamps", "Waste Lamps", or "Used Lamps".

The roll-off box lacked the required marking.

Please provide the proper labeling/markings for all container(s) of waste lamps which JFS is handling (generating).

4. **Documentation of Accumulation Time, OAC rule 3745-273-14(E):** The accumulation time for universal waste must be tracked specifically by a marking or inventory system, or other clear method.

The waste generation accumulation start date of the lamps on site was not known at the time of the inspection, although it would have been after June of 2006.

Please determine/establish and clearly track (preferably by marking containers with this information) a specific start date for the waste lamps at this site. Under these circumstances, it is appropriate to use the earliest date any of the lamps were generated.

5. **Employee Training, OAC rule 3745-273-16:** Employees who handle or have responsibility for managing universal waste must be informed of waste handling/emergency procedures, relative to their responsibilities.

At the time of waste generation, JFS employees and/or contractors evidently had not been adequately informed regarding proper waste packaging, marking and cleanup procedures, and the specific risks (including mercury) for waste lamps.

Guidance information provided to JFS in January 2007 should be sufficient to be applied to meet the training requirements. Please ensure that workers managing or handling the materials have the necessary information for this purpose.

Ohio EPA appreciates the value of having good communication and cooperative attitudes with the involved JFS staff to address and resolve the compliance problems noted above, but **much more action is needed** to complete this task. **Time is of the essence, since warmer seasonal temperatures and passage of time as well as exposure to the other elements may lead to further spread of pollution from this area.**

A follow-up response is needed within 15 days with specific and complete information detailing how and when the above noted violations are or will be resolved. Continued delays may cause Ohio EPA to consider taking other actions if necessary to elevate and resolve this matter. Broken bulbs must be transferred into suitable containers as soon as possible. Shipment of your waste lamps to a regulated universal waste handler for recycling, is required within a year of the accumulation start date, which is probably approaching soon. Ohio EPA requests a copy of receipt showing shipment of the waste lamps to an appropriate universal waste handler or recycler, once that has occurred.

If you have any questions, do not hesitate to call me at (614) 728-3885.

Sincerely,



J. David Hohmann
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

c: Ronn M. Kolbash - Ohio JFS
Tammy McConnell--DHWM/CO
CDO File

