



State of Ohio Environmental Protection Agency

Eval 002  
Enf 002

**Southwest District Office**

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Dayton, Ohio 45402

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

October 8, 2009

Mr. Joe Kinsey, Owner  
West Side Cleaners  
1053 Eaton Avenue  
Hamilton, Ohio 45013

**Re: Complaint Investigation  
Notice of Violation and Return to Compliance  
Small Quantity Generator - EPA ID # OHD063990873**

Dear Mr. Kinsey:

On September 23 and October 7, 2009 Larry Dickerson and I investigated a complaint alleging mismanagement of hazardous wastes at West Side Cleaners located at 1053 Eaton Avenue in Hamilton, Ohio. The purpose of our investigation was to assess the validity of the complaint and determine whether hazardous waste rules or regulations were violated accordingly and to determine the facility's compliance with Ohio's hazardous waste laws found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

**Violations**

**Response to Spills – OAC 3745-52-34(D)(5)(d)(ii)**

In the event of a spill of hazardous waste, a generator must contain the spill and as soon as possible, clean up the hazardous waste, and any contaminated materials. We observed a small spill in your storage area leaking from a container. Since the time of our initial investigation this spill has been cleaned up and properly managed. As a result, West Side Cleaners is **Returned to Compliance** at this time.

**Dating of Accumulated Waste – OAC 3745-34-(D)(4)**

The date that accumulation begins must be clearly marked and visible for inspection on each container. During the investigation, one of the hazardous waste containers was observed that did not contain the accumulation start date. Since the time of our initial investigation, the container was dated as required, and subsequently disposed. As a result, West Side Cleaners is **Returned to Compliance** at this time. **Note:** A generator may accumulate up to 55 gallons of hazardous waste under certain conditions in a "satellite accumulation" container. See the enclosed satellite accumulation guidance.

## **Additional Information**

During our investigation, West Side Cleaners provided hazardous waste manifests for the previous shipment on July 6, 2009 and for the shipment that occurred on October 1, 2009. The following is provided for your information.

### **Small Quantity Generator Requirements OAC 3745-52**

The level of regulatory requirements you will need to comply with depends on the amount of hazardous waste generated in a calendar month. If you generate between 100 Kg and 1000 Kg in a calendar month, you are considered a Small Quantity Generator. This letter will not list all hazardous waste generator requirements. Further rules can be found on our website at: <http://www.epa.state.oh.us/dhwm>. Some requirements include; ensuring that the containers of hazardous waste remain closed except when adding waste; labeling all containers that contain hazardous waste with the words "hazardous waste", conducting weekly inspections of hazardous waste areas which are recorded in a log, and you must ensure that the containers are stored safely to protect persons and the environment.

Enclosed is a blank Small Quantity Generator Checklist for your use. This checklist does not list all requirements. See also [osha.gov](http://www.osha.gov) for other requirements and information regarding chemical management and employee safety.

### **Hazardous Waste Generator Handbook, June 2005**

This handbook is a good source of information that will help you understand basic Hazardous Waste Management. This handbook can be found on our website at: [www.epa.state.oh.us/dhwm/pdf/gen\\_handbook.pdf](http://www.epa.state.oh.us/dhwm/pdf/gen_handbook.pdf).

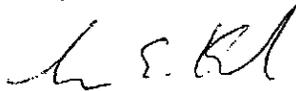
### **Housekeeping and Aisle Space**

All spills of hazardous wastes, non-hazardous wastes, and used oil must be cleaned up immediately. You must ensure that you keep your employees safe and minimize exposure to the environment. The area where the materials and wastes are stored must be provided good housekeeping standards. Work areas in general must be kept neat and orderly and all spills and releases to the environment must be mitigated and cleaned up immediately. Adequate aisle space must be maintained when storing hazardous waste so that inspections may be conducted and spills cleaned up.

Mr. Joe Kinsey  
October 8, 2009  
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We appreciate you working with us on this investigation. If you have any questions, please call me at (937) 285-6594.

Sincerely,



Thomas E. Koch  
Division of Hazardous Waste Management

cc: DHWM Data Entry/Facility File  
Kerri Castlen, Hamilton County DES, AQD

Enclosure: Blank SQG Checklist  
Satellite Accumulation Guidance, July 2004

TEK/rlf

