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OhioEPA

State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

October 11, 2007

Commissioner Fred Szabo
CLEVELAND HOPKINS INTERNATIONAL AIRPORT
PO Box 81009
Cleveland, OH 44181-0009

Re: Second Notice of Violation of the 2006 Hazardous Waste Annual Report Requirement CLEVELAND HOPKINS INTERNATIONAL AIRPORT - OHD076755081

Dear Mr. Szabo:

On August 31, 2007, I sent a letter to you stating that my review of customer data from Ohio Treatment, Storage and Disposal Facilities (TSDFs) had revealed that hazardous waste was shipped off-site by CLEVELAND HOPKINS INTERNATIONAL AIRPORT during the 2006 calendar year. The total amount reported indicates that CLEVELAND HOPKINS INTERNATIONAL AIRPORT may have been a large quantity generator in 2006. A printout of the shipment information was attached to the August 31 letter. As of today, I still have not received a response to my letter, and CLEVELAND HOPKINS INTERNATIONAL AIRPORT may still be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC).

OAC Rule 3745-52-41 requires a generator who ships any hazardous waste off-site to prepare and submit to the Ohio EPA a **Hazardous Waste Annual Report** and to describe and certify efforts that were made to minimize hazardous wastes. These reports are due March 1 of each year and contain information about the activities of the previous calendar year. Only small quantity generators (between 220 and 2200 lb/mo of non-acutely hazardous wastes) and conditionally exempt small quantity generators (less than 220 lb/mo of non-acutely hazardous wastes) are exempt from the Annual Report requirement as described in OAC Rule 3745-52-44.

A large quantity generator is defined as a site which generates in any single month more than 1000 kg (2200 lbs) of non-acute hazardous waste or more than 1 kg (2.2 lb) of acutely hazardous waste. This includes wastes from one-time generation as well as wastes from ongoing production processes. It may take only one month of generating above the threshold quantity to subject a site to the Annual Report requirement. The generator is responsible for contacting Ohio EPA in order to obtain the reporting forms.

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

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If CLEVELAND HOPKINS INTERNATIONAL AIRPORT was in fact a large quantity generator during 2006, in order to abate the violation of OAC Rule 3745-52-41, CLEVELAND HOPKINS INTERNATIONAL AIRPORT must complete and submit to Ohio EPA a 2005 Hazardous Waste Annual Report within 15 days of receipt of this letter. The reporting forms and instructions can be found on our Web site at http://www.epa.state.oh.us/dhwm/ann_report.html.

If CLEVELAND HOPKINS INTERNATIONAL AIRPORT was not a large quantity generator in 2006, documentation must be submitted to this office within 15 days of receipt of this letter. This documentation must show that CLEVELAND HOPKINS INTERNATIONAL AIRPORT did not generate more than the threshold quantity of hazardous waste in any month during 2006. If you believe that the information supplied by the Ohio TSDF is in error, please call me to discuss the discrepancy.

A lack of response on your part may initiate a referral to the Compliance Assurance Section for consideration of enforcement action against CLEVELAND HOPKINS INTERNATIONAL AIRPORT. Ohio EPA is entitled by law to seek a civil penalty of up to ten thousand dollars ($10,000) per day for each violation of the state's hazardous waste laws.

Please return the completed forms or other documentation to my attention. A letter that acknowledges receipt of the report will be sent to you after it is processed. I can answer questions concerning the Annual Report at (614) 644-2923. Your prompt attention to this matter is appreciated.

Sincerely,

Paula Canter

Paula Canter
Environmental Specialist 3
Regulatory and Information Services
Division of Hazardous Waste Management
paula.canter@epa.state.oh.us

cc: Central File
DHWM, NEDO

NOTICE:
Ohio 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.