



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, Ohio 43215

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MAILING ADDRESS:

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

September 24, 2009

MIKE BYINGTON  
MPW CONTAINER MANAGEMENT  
4848 W 130TH ST  
CLEVELAND, OH 44135

**Re: 2008 Hazardous Waste Annual Report Requirement – Notice of Violation  
MPW CONTAINER MANAGEMENT, CLEVELAND - OHR000024901**

Dear MIKE BYINGTON:

My review of customer data from Ohio Treatment, Storage, and Disposal Facilities (TSDFs) and manifest data from Michigan's Department of Environmental Quality has revealed that one or more shipments of hazardous waste were received from MPW CONTAINER MANAGEMENT during the 2008 calendar year. The amounts reported, 136.68 tons and 312.34 tons respectively for a total of 449.02 tons, indicate that this site was a large quantity generator in 2008. Enclosed are printouts of the shipment information. Because I have not received a Hazardous Waste Annual Report for 2008, MPW CONTAINER MANAGEMENT may be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC).

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 or visiting our web site noted below in order to obtain the reporting forms.

OAC Rule 3745-52-41 requires a generator who ships any hazardous waste off-site to prepare and submit to the Ohio EPA an **Annual Hazardous Waste 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.

To abate the violation of OAC Rule 3745-52-41, MPW CONTAINER MANAGEMENT must complete and submit to Ohio EPA a 2008 Annual Hazardous Waste Report within 30 days of receipt of this letter. Failure to respond to this Notice of Violation may result in referral to the Compliance Assurance Section for consideration of escalated enforcement. You may access the reporting forms and instructions on our website at [http://www.epa.ohio.gov/dhwm/ann\\_report.aspx](http://www.epa.ohio.gov/dhwm/ann_report.aspx)

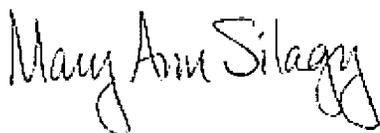
Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

MPW CONTAINER MANAGEMENT should have on file the manifest records necessary for completion of the reports. OAC Rule 3745-52-40 requires generators to keep a signed copy of each manifest for a period of at least three years from the date the waste was accepted by the initial transporter. Receiving facilities and transporters are under a similar requirement. If you need copies of the original manifest(s), contact them for assistance.

If MPW CONTAINER MANAGEMENT was not a large quantity generator in 2008, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that MPW CONTAINER MANAGEMENT did not generate more than the threshold quantity of hazardous waste in any month during 2008. If you believe that the information supplied by Ohio TSDFs is in error, please call me to discuss the discrepancy.

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) 644-2891. Your prompt attention to this matter is appreciated.

Sincerely,



Mary Ann Silagy  
Environmental Specialist 2  
Regulatory and Information Services  
Division of Hazardous Waste Management  
maryann.silagy@epa.state.oh.us

enclosures

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.

**Generator Facility**

Generator US EPA ID: OHR000024901  
 Generator Name: MPW Container Management \*  
 Address: 4848 W 130th St  
 Cleveland, OH 44135-  
 Total Tons Shipped: 136.68

**Receiving Facility**

US EPA ID: OHD066060609  
 Name: CHEMTRON CORPORATION  
 Customer Name: MPW CLEVELAND CONTAINER MGT.  
 Customer Address: 4848 WEST 130TH STREET  
 CLEVELAND, OH 44135-

Waste Description: COLOR TOTE WASH Page: 2901 Subpage: 1  
 System Type: H061 Form: W209 Quantity: 36238.00 P Density:  
 D035 D001 D005 D007 F003

**Receiving Facility**

US EPA ID: OHD005048947  
 Name: Systech Environmental Corporation  
 Customer Name: MPW Cleveland Container Mgmt.  
 Customer Address: 4848 West 130th Street  
 Cleveland, OH 44135-

Waste Description: Organic Solvents, Waste Derived Fuel Marketer, Ignitable Page: 94 Subpage: 94094  
 System Type: H061 Form: W204 Quantity: 45.75 T Density:  
 D035 D001 D005 D007 F003

*GM - 44-55 T dep. on density - OK*

**Receiving Facility**

US EPA ID: OHD980897656  
 Name: Chemical Solvents Inc  
 Customer Name: MPW INDUSTRIAL SERVICES  
 Customer Address: 4848 W 130TH STREET  
 CLEVELAND, OH 44135-

Waste Description: SOLVENT BASED PAINT Page: 470 Subpage: 1  
 System Type: H061 Form: W211 Quantity: 12760.00 G Density: 8.33 Lbs. / Gal.  
 D035 F005 D001 D005 D007 F003

Waste Description: SOLVENT BASED PAINT Page: 470 Subpage: 1  
 System Type: H141 Form: W409 Quantity: 440.00 G Density: 8.33 Lbs. / Gal.  
 D035 F005 D001 D005 D007 F003

Waste Description: SOLVENT BASED PAINT Page: 470 Subpage: 1  
 System Type: H141 Form: W604 Quantity: 440.00 G Density: 8.33 Lbs. / Gal.  
 D035 F005 D001 D005 D007 F003

*13640 G vs. 13,750 - ✓*

**Receiving Facility**

US EPA ID: OHD001926740  
 Name: Hukill Chemical Corporation  
 Customer Name: MPW Industrial Services  
 Customer Address: 4848 West 130th Street  
 Cleveland, OH 44135-

Waste Description: Paint Waste Page: 1272 Subpage: 21032  
 System Type: H061 Form: W209 Quantity: 32000.00 P Density:  
 D018 D035 F005 D001 D007 F003

*GM - 37,000 - 46,000*

2008 Michigan Manifest Data for Ohio Generators

09/10/2009

\*Handler names are from RCRAInfo\*

8.34 lbs/gal density assumed

Quantity and Unit      Tons      Mgmt Method      Waste Code(s)

OHR000024901 MPW CONTAINER MANAGEMENT

01/04/2008

002843987JJK

MID980991566      5288 G      22.05      H077      D007

01/09/2008

002844033JJK

MID980991566      5160 G      21.52      H077      D007

02/21/2008

002874254JJK

MID980991566      5238 G      21.84      H077      D007      D010

04/21/2008

002869437JJK

MID980991566      5160 G      21.52      H077      D007      D010

05/23/2008

002876528JJK

MID980991566      5288 G      22.05      H077      D007

06/04/2008

002876750JJK

MID980991566      5507 G      22.96      H077      D007

07/23/2008

002876356JJK

MID980991566      5580 G      23.27      H077      D007

07/25/2008

002876358JJK

MID980991566      5520 G      23.02           D007      D002

08/05/2008

002864494JJK

MID980991566      5520 G      23.02      H111      D007      D002

09/24/2008

004685664JJK

MID980991566      5650 G      23.56      H111      D007      D002

10/14/2008

004693101JJK

MID980991566      4800 G      20.02      H077      D004

10/28/2008

004693393JJK

MID980991566      5771 G      24.07      H111      D007

11/19/2008

004538590JJK

MID980615298 <sup>Petro-chem</sup>      40800 P      20.40      H141      D001      D005      D007      D035      F003

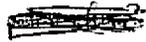
11/25/2008

004693519JJK

MID980991566      5527 G      23.05      H111      D007

Total Tons for Generator      312.34

*Give him benefit of doubt re: H111 vs. H077*



*10009 G  
292 T → EQ  
H111 - 93.70  
H141 - 20.40  
? 23.02  
H077  
175.19  
1 312.34*