



State of Ohio Environmental Protection Agency

Northeast District Office

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

August 13, 2009

**RE: AKRON PAINT AND VARNISH INC
OHD 004 163 374
SUMMIT COUNTY
RTC**

Mr. Michael Summers
Akron Paint and Varnish
1390 Firestone Parkway
Akron, Ohio 44301

Dear Mr. Summers:

On August 4, 2009, the Ohio EPA received Akron Paint and Varnish, Inc.'s (APV) response to the July 2, 2009 Notice of Violation letter (NOV). Edward Trenn of HzW Environmental prepared the response which was dated August 3, 2009. The APV response included the following attachment:

A. Attachment A – Training Form for daily tank inspections and completed logs

The following violation was abated at the time of the NOV and required no further action:

2. ***Packaging of Universal Waste Lamps, OAC rule 3745-273-13(D)(1)***

Based on the information submitted, it appears that APV has adequately addressed the following violation:

1. ***Daily Tank Inspections, OAC rule 3745-66-95(C)***

In addition, Ohio EPA had four concerns. The first concern was in regards to the management of methylene chloride. This had been addressed at the time of the NOV and no further action was required.

The second concern was in regards to the management of used oil. Ohio EPA inquired as to the disposition of the used oil upon receipt at Rice Oil. The response indicated that used oil had not been shipped to Rice Oil "for quite a long time." I contacted Ed Trenn on August 10, 2009 for clarification on the disposition of the used oil. On August 13, 2009, I received an e-mail from Mr. Trenn stating that the used oil is added to waste paint sludge waste stream and is managed off site as a hazardous waste. APV only generates about 10 gallons of used oil per month.

The third concern was in regards to the aisle space in the accumulation area. The response indicates that the excess spill control equipment has been moved freeing up the aisle space addressing this concern.

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Finally, Ohio EPA indicated that it appeared that the hazardous waste F-codes used on some of the waste streams are not applicable. The response indicates that APV is working with Hukill to have these waste streams re-profiled. Please ensure that new land disposal restriction forms are completed for the re-profiled waste and are retained on site.

Failure to list specific deficiencies and/or violations in this communication does not relieve Republic Storage Systems from the responsibility of complying with all applicable laws, rules and regulations.

Should you have any questions or require additional information, please contact Frank Popotnik, my supervisor, or me at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Hazardous Waste Management

KLN:cl

ec: Harry Sarvis, DHWM, CO
Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO

cc: Marlene Kinney, DHWM, NEDO