

Environmental  
Protection Agency

Rep. Distribution, Governor  
Dist. #101, Lt. Governor  
State #000000, Director

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

June 29, 2010

Gary R. Warner  
General Manager  
Apex Bulk Handlers  
1 Industry Drive  
Bedford, OH 44146

OH R000159897 S.P. - old number  
deactivated  
(moved)

**RE: APEX BULK HANDLERS, ~~OH0004154597~~ CUYAHOGA COUNTY, RCRA/CESQG,  
COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION/RETURN TO  
COMPLIANCE**

Dear Mr. Warner:

On June 3, 2010, Ohio EPA's Division of Hazardous Waste Management (DHWM) conducted a compliance evaluation inspection at Apex Bulk Handlers. (Apex) located at 1 Industry Drive in Bedford, Ohio. Apex is a producer of bulk handling equipment and at the time of this inspection qualified as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. Waste streams generated by Apex include used oil and spent fluorescent lamps that are managed as universal waste and shipped off site for recycling.

The purpose of this inspection was to determine Apex's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). Apex was represented by you, while Ohio EPA was represented by me. Ohio EPA's inspections included an inspection of the Apex facility and a review of written documentation.

Based upon this inspection Ohio EPA has determined that Apex violated the following state hazardous waste regulation:

1. **OAC Rule 279-22C(1) Used oil requirements for generators:** Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

At the time of this inspection, Ohio EPA observed six (6) five gallon containers of used oil which were not labeled with the words "Used Oil".

Upon observation of this violation, Ohio EPA provided you with used oil labels and instructed you to label the containers and submit photographs of the appropriately labeled container to this office.

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By e-mail dated June 3, 2010 Ohio EPA received photographic documentation demonstrating the containers of used oil had been appropriately labeled with the words "used oil". Ohio EPA therefore considers this violation abated and no further action is required.

Enclosed you will find copies of the checklists completed at the time of the inspection.

The Division of Hazardous Waste Management has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link [http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfa/php/enduser/doc\\_serve.php?2=subscriptionpage](http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfa/php/enduser/doc_serve.php?2=subscriptionpage).

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek  
Environmental Specialist  
Division of Hazardous Waste Management

SP:ddw

Enclosure

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

***Failure to list specific deficiencies in this communication does not relieve Apex from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Apex from liability for any past or present violations of the state's hazardous waste laws.***

Send to Central Office



Ohio Environmental Protection Agency

For Ohio EPA use only

RCRA SUBTITLE C SITE

IDENTIFICATION/VERIFICATION FORM

Completed verification forms required to be submitted to CO should be e-mailed to [redacted]

**Site EPA ID No.** EPA ID Number: \_\_\_\_\_

**Site Name** Name: **Apex Bulk Handlers** Website: **www.apex-bulkhandlers.com**  
(Optional)

**Site Location Information** Street Address: **1 Industry Drive**  
City, Town or Village: **Bedford** State: **OH**  
County Name: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Site Land Type** (check only one)  
 Private     County     District     Federal     Indian     Municipal     State     Other

**NAICS code(s)**  
[www.census.gov/naics/](http://www.census.gov/naics/)

**Facility Representative** First Name: **Gary** MI: **R** Last Name: **Warner**  
 Title: **General Manager**

Additional names can be recorded in number 12  
 Phone Number: **440.232.6770** Phone Number Extension: \_\_\_\_\_  
 E-Mail Address: **info@apex-bulkhandlers**

Only provide address information if it is different than the site address  
 Fax Number: **440.232.6747** Fax Number Extension: \_\_\_\_\_  
 Street or P.O. Box: \_\_\_\_\_  
 City, Town or Village: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Legal Owner And Operator of the Site.** Name of Site's Legal Owner: **Apex Welding** Date Became Owner (mm/dd/yyyy): \_\_\_\_\_  
 List Additional Owners and/or Operators in the Comment Section or on another copy of this form page  
 Owner Type:  Private     County     District     Federal     Indian     Municipal     State     Other  
 Street or P.O. Box: **Same** Owner Phone #: \_\_\_\_\_  
 City, Town or Village: \_\_\_\_\_ Country: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 State: \_\_\_\_\_

Name of Site's Operator: **Apex Bulk Handlers** Date Became Operator (mm/dd/yyyy): \_\_\_\_\_  
 Operator Type:  Private     County     District     Federal     Indian     Municipal     State     Other  
 Street or P.O. Box: **Same** Operator Phone #: \_\_\_\_\_  
 City, Town or Village: \_\_\_\_\_ Country: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 State: \_\_\_\_\_

**VIOLATIONS CITED?**  Yes  No

**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

Not a HW Generator     UNKNOWN: Cited for violation of 3745-52-11     Large Quantity Generator (LQG)

Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.     Small Quantity Generator (SQG)

U.S. Importer of Hazardous Waste     Conditionally Exempt Small Quantity Generator

Mixed Waste (Hazardous and Radioactive) Generator

**TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)**

<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
	<input type="checkbox"/> Receives Hazardous Waste from Off-site

**UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)**  
**(CHECK ALL BOXES THAT APPLY)**

<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

**CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES**

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input checked="" type="checkbox"/> Lamps

**USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))**

<input checked="" type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

**Waste Codes for Federally Regulated Hazardous Waste:** Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulation (e.g., D001, D005, F007, U100). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRA info source record, you do not need to list them. Instead just indicate the date of the most recent source record.

**COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC**

Announced	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Containers	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s):	Name of Inspector(s):	Date of inspection/Time (mm/dd/yy) (hh:mm)
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**Comments:**  
 Facility moved to present location from 30 W Interstate Drive and sold property to Ben Venue Laboratories.  
 Please deactivate ID # OHD004154597.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.  
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.  
*NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.*

Safety Equipment Used: Safety Shoes + Safety Glasses

**WASTE EVALUATION**

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes  No  N/A

**GENERATOR CLASSIFICATION**

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes  No  N/A

*NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.*

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] Yes  No  N/A

**TREATMENT OF HAZARDOUS WASTE**

4. Does the generator treat hazardous waste in a:

a. Container that meets 3745-66-70 to 3745-66-77? Yes  No  N/A

b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes  No  N/A

c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes  No  N/A

d. Containment building that meets 3745-256-100 to 3745-256-102? Yes  No  N/A

*NOTE: Complete appropriate checklist for each unit.*

*NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.*

*NOTE: If waste is treated to meet LDRs, use LDR checklist.*

**MIX HAZARDOUS WASTE WITH USED OIL**

5. Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:

a. Does the CESQG manage the mixture in accordance with 3745-279-21? Yes  No  N/A