



**Environmental
Protection Agency**

Richard Cordusio, Governor
Lee Fisher, Lt. Governor
Chris M. Costello, Director

July 28, 2010

Chuck Camera
Street Commissioner
City of Lorain
114 E 35TH St.
Lorain, OH 44052

**RE: CITY OF LORAIN STREET DEPARTMENT, OHD987045507
COMPLAINT 7351, LORAIN COUNTY, SQG>CESQG, NOV-RTC**

Dear Mr. Camera:

On July 20, 2010, this writer, representing Ohio EPA's Division of Hazardous Waste Management (DHWM), visited the City of Lorain Street Department facility located at 114 East 35TH Street in Lorain, Ohio to conduct a hazardous waste compliance evaluation inspection (CEI). Don Clark, Ben Giardini and you represented the facility. On July 23, 2010, I conducted a re-inspection of your facility.

The purpose of the inspection was to determine your facility's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). Your facility was inspected for the requirements of a used oil generator and conditionally exempt small quantity generator (CESQG) of hazardous waste.

Based on the inspection, DHWM identified the following violation:

- OAC rule 3745-279-22(C)(1), Used Oil Storage Requirements for Generators:** Used oil generators must store used oil in containers and tanks which must be in good condition and not leaking. The containers and tanks must be labeled with the words "Used Oil." If used oil is released to the environment, the generator must stop the release, contain the used oil, and clean-up and properly manage the released oil and other materials.

Your facility failed to label 12, 55-gallon containers and three tanks with the words "Used Oil." During the July 23, 2010 re-inspection, the containers and tanks were labeled with the words "Used Oil." **This violation has been adequately abated. No further response is requested.**

Ohio EPA offers the following comments:

- As discussed during the July 20, 2010 inspection, your facility will discontinue doing clean up and discharge of waterborne paint related waste to the ground near the exterior of the Paint and Sign Department. Your facility is evaluating the ability to discharge these non-hazardous wastes to a sanitary sewer.

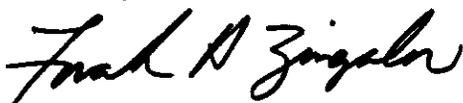
3. The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. For more information, please refer to: <http://development.ohio.gov/Energy>
4. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.ohio.gov/dhwm/>
5. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpageohio
6. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://epa.ohio.gov/ocapp/assistance.aspx>
7. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land, and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://www.epa.ohio.gov/ocapp>

Information obtained pertaining to waste generation is included on the Process Description-Waste Activities Summary Sheet within the enclosed inspection checklist.

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve the City of Lorain from having to comply with all applicable regulations.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FAZ:ddw

Enclosure

ec: Harry Sarvis, DHWM, CO
Nyall McKenna, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHD987045507 Name: City of Lorain Street Department Website: (Optional) Street Address: 114 E. 35TH St. City, Town, or Village: Lorain State: OH County Name: Lorain Zip Code: 44052 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private <input type="checkbox"/></td> <td style="border: none;">County <input type="checkbox"/></td> <td style="border: none;">District <input type="checkbox"/></td> <td style="border: none;">Federal <input type="checkbox"/></td> <td style="border: none;">Indian <input type="checkbox"/></td> <td style="border: none;">Municipal <input type="checkbox"/></td> <td style="border: none;">State <input type="checkbox"/></td> <td style="border: none;">Other <input type="checkbox"/></td> </tr> </table>	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
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Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Chuck MI: Last Name: Camera Title: Street Commissioner Phone Number: 440-244-4294 Phone Number Extension: E-Mail Address: Fax Number: 440-244-4297 Fax Number Extension: Street or P.O. Box: City, Town or Village: State: Zip Code:
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Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.	Name of Site's Legal Owner: Date Became Owner (mm/dd/yyyy): <table style="width:100%; border: none;"> <tr> <td style="border: none;">Owner Type:</td> <td style="border: none;">Private <input type="checkbox"/></td> <td style="border: none;">County <input type="checkbox"/></td> <td style="border: none;">District <input type="checkbox"/></td> <td style="border: none;">Federal <input type="checkbox"/></td> <td style="border: none;">Indian <input type="checkbox"/></td> <td style="border: none;">Municipal <input type="checkbox"/></td> <td style="border: none;">State <input type="checkbox"/></td> <td style="border: none;">Other <input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: Owner Phone #: State: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): <table style="width:100%; border: none;"> <tr> <td style="border: none;">Operator Type:</td> <td style="border: none;">Private <input type="checkbox"/></td> <td style="border: none;">County <input type="checkbox"/></td> <td style="border: none;">District <input type="checkbox"/></td> <td style="border: none;">Federal <input type="checkbox"/></td> <td style="border: none;">Indian <input type="checkbox"/></td> <td style="border: none;">Municipal <input type="checkbox"/></td> <td style="border: none;">State <input type="checkbox"/></td> <td style="border: none;">Other <input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: Operator Phone #: State: Country: Zip Code:	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	Operator Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
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VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE		
<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input checked="" type="checkbox"/> Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

PROCESS DESCRIPTION / WASTE ACTIVITIES SUMMARY

Facility Name: City of Lorain Street Department

Facility Type: CESQG

EPA ID#: OHD987045507

Process Information: Facility complex includes a garage area for vehicle repair and the City's Paint and Sign Department.

Regulatory / Enforcement History: None

<i>Description of Waste</i>				<i>On-Site Management</i>	<i>Off-Site Management</i>
Process/Activity Generating Waste	Waste Generated	EPA Waste Code	Quantity Generated	Type of Accumulation / Storage	Name, state, and type of activity occurring at the facility.
Parts washer	Spent solvent				Kwik Kleen Parts Washer Service Cleveland, OH
Automotive maintenance	Used oil Oil filters	Used Oil		Containers and tanks	On-site used oil burner – Reznor Venturion 325 Oil filters are crushed and recycled as scrap metal.
Painting	Waterborne clean up waste.				Evaluating discharge to sanitary sewer.
Building maintenance	Spent fluorescent lamps	Universal Waste			Lorain SWMD

Would this facility be interested in a pollution prevention (P2) assessment? Made facility aware of opportunity.

Office of Compliance Assistance and Pollution Prevention: 1-800-329-7518 or p2mail@epa.state.oh.us or <http://epa.ohio.gov/ocapp/contact.aspx>

**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:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	No treatment of hazardous waste.
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).