

**Environmental
Protection Agency**

Eric S. Johnson, Governor
Lee Fisher, Lt. Governor
Dana K. Kostant, Director

CERTIFIED MAIL

December 20, 2010

Jay Amin
Vice President
Cleveland Circuits Corporation dba Instrumatics
15516 Industrial Parkway
Cleveland, OH 44135

**RE: CLEVELAND CIRCUITS CORPORATION, dba INSTRUMATICS, OHD 050 396 126
CUYAHOGA COUNTY, LQG, PARTIAL RETURN TO COMPLIANCE (PRTC)**

Dear Mr. Amin:

On December 15, 2010 I received your response dated December 10, 2010 to my October 28, 2010 Partial Return to Compliance (PRTC) letter.

The documentation you submitted in your response is discussed below. For consistency and ease of reference, this letter retains the violation numbers from my NOV letter of July 22, 2010. Please refer to that letter for additional details of the violations cited.

This letter identifies those violations for which Instrumatics is returned to compliance as the result of documentation submitted with your letter dated December 10, 2010 and those violations for which the response was inadequate and for which additional action is needed and a response to this office is required.

For those violations listed under **VIOLATIONS FOR WHICH INSTRUMATICS IS NOT RETURNED TO COMPLIANCE AND WHICH REQUIRE ADDITIONAL ACTION**, a response must be submitted to this office within 30 days of receipt of this letter.

VIOLATIONS FOR WHICH INSTRUMATICS IS RETURNED TO COMPLIANCE AS THE RESULT OF DOCUMENTATION SUBMITTED WITH LETTER DATED DECEMBER 10, 2010

8. OAC Rule 3745 52 34 (C)(1)(b) Satellite Accumulation of hazardous waste.

Photos were submitted with the December 10, 2010 letter.

9. OAC Rule 3745-52-34(A)(2) & (3) Accumulation time of hazardous waste

Photos were submitted with the December 10, 2010 letter.

10. OAC Rule 3745-65-35 Required aisle space

Photos were submitted with the December 10, 2010 letter.

12. OAC Rule 3745-52-32(B) Marking Hazardous Waste Containers For Transportation Off-Site

Photos were submitted with the December 10, 2010 letter.

**13. OAC Rule 3745-270-07(A)(2) Land Disposal Ban Notice
OAC Rule 3745-270-07(A)(8) Land Disposal Ban Notice Recordkeeping**

Land disposal ban notices were submitted with the December 10, 2010 letter.

**15. OAC Rule 3745-270-09(D)(1)(a) Notification Must Include Name, Address Of Solid Waste Facility
OAC Rule 3745-270-09(D)(1)(b) Notification Must Include Description Of Waste Initially Generated
OAC Rule 3745-270-09(D)(2) Notification Must Be Signed By Authorized Representative**

Land disposal ban notices were submitted with the December 10, 2010 letter.

VIOLATIONS FOR WHICH INSTRUMATICS IS NOT RETURNED TO COMPLIANCE AND WHICH REQUIRE ADDITIONAL ACTION

**2. OAC Rule 3745-52-11 Waste Evaluation
OAC Rule 3745-52-40 (C) Recordkeeping.**

Instrumatics was requested to provide a copy of a current waste profile for each waste stream. No waste profiles were included with the December 10, 2010 letter. The waste management companies utilized by Instrumatics should be able to provide these.

Copies of the actual approved waste profiles for all hazardous wastes must be provided with the response to this letter.

4. OAC Rule 3745-52-40 Recordkeeping

Manifests were provided with the December 10, 2010 letter.

In addition to providing copies of certain manifests, Instrumatics was requested to send a letter to Micronutrients, which was the destination facility, explaining that the wrong generator ID number had been used on the manifests with the following Manifest Tracking Numbers and informing them that the correct generator ID number was OHD050396126:

- Manifest Tracking Number 000006874WAS,
- Manifest Tracking Number 000006757WAS,
- Manifest Tracking Number 000006758WAS,
- Manifest Tracking Number 000006756WAS, and
- Manifest Tracking Number 000006755WAS.

The December 10, 2010 letter included an item entitled "idcorrection letter" addressed to "To Whom It may concern" that appeared to be intended to address this violation. That letter is insufficient.

Instrumatics must send a letter or email to Micronutrients, which was the destination facility, addressed to a specific person at Micronutrients explaining the error to him or her and informing him or her that the correct generator ID number was OHD050396126 for these manifests.

Instrumatics must send a copy of that letter or printed copy of the email that clearly identifies Micronutrients as the recipient with the response to this letter.

5. OAC Rule 3745-65-16 (A) through (D) Personnel training.

The December 10, 2010 letter included an item entitled "Instrumatics Hazardous training manual" which consists of an outline of the topics to be included in a training program.

An outline of the topics to be included in a training program is only one part of a training program. Therefore the response is incomplete and inadequate.

Requirements of a hazardous waste training program were discussed in my prior letters. If Instruments wishes to discuss hazardous waste training program requirements, please contact me.

Instrumatics must develop and implement a hazardous waste training program including completion of training of persons identified in the training program prior to responding to this letter. Additional delays are not acceptable.

All outstanding training program violations must be addressed in the response to this letter.

**6. OAC Rule 3745-65-51 (A) Purpose And Implementation Of Contingency Plan
OAC Rule 3745-65-52 (A) through (E) Content of contingency plan.**

The revised contingency plan submitted with the December 10, 2010 response letter addressed all deficiencies with the proposed contingency plan that were identified in my letter of October 28, 2010 except that in Section 8b of the Control Procedures: Fire/Explosion on page 10 of the plan still has a reference to "page x". Please correct this typo by identifying the correct page number, appears to be page 12.

After making the above correction, Instrumatics should distribute copies of the Contingency Plan to following entities named in the plan:

- Cleveland Fire Department
- Cleveland Police Department, and
- Fairview Hospital.

It is suggested that copies be transmitted by Certified Mail so that receipt can be documented.

Copies of the cover letters sending the plan to these entities are to be submitted with your response to this letter.

For those violations listed under **VIOLATIONS FOR WHICH INSTRUMATICS IS NOT RETURNED TO COMPLIANCE AND WHICH REQUIRE ADDITIONAL ACTION**, a response must be submitted to this office **within 30 days of receipt** of this letter.

Present or past instances of non-compliance may be subjects of pending or future enforcement actions.

Should you have any questions regarding this letter, please contact me at (330) 963-1165.

Sincerely,



Neil J. Wasilk
Environmental Specialist
Division of Hazardous Waste Management

NJW:ddw

ec: Nyall McKenna, Ohio EPA, DHWM, NEDO
Natalie Oryshkewych, Ohio EPA, DHWM, NEDO
cc: Marlene Kinney, Ohio EPA, DHWM, NEDO

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from its obligation to comply with all applicable regulations.