



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

August 22, 2008

**RE: CLEVELAND DIVISION OF
MOTOR VEHICLES
5601 CARNEGIE AVE.
PRTC**

Richard Cihlar
Department of Public Service
Division of Motor Vehicle Maintenance
5601 Carnegie Ave.
Cleveland, Ohio 44103

Dear Mr. Cihlar:

This letter will update the status of the violation and concerns found during my February 25, 2008 inspection of the Cleveland Division of Motor Vehicles facility located at 5601 Carnegie Ave., Cleveland, Ohio. These violations and concerns were outlined in a February 26, 2008 letter, a copy of which is enclosed.

1. OAC rule 3745-52-11 – Hazardous waste determination.
I observed the sampling of the drums that were the subject of this violation. I have also received this sample analysis data. These drums were shipped to Chemical Solvents, Inc. on May 28, 2008. Three drums were shipped as hazardous waste. This documents the correction of this violation.

The three drums of hazardous waste shipped probably weighed around 1400 pounds total. This is below the 2200 pound accumulation limit that would have changed this facility from a Conditionally Exempt Small Quantity Generator to a Small Quantity Generator. This would have made this facility subject to more hazardous waste regulations.

I suggest that you not accumulate drums of waste outside. I also suggest that you not bring drums of waste here from other locations as it was believed that some of these drums were.

The following other issues were also part of the February 26, 2008 letter:

On February 25, 2008 I saw that the drum used to collect hazardous waste clean-up solvent at the paint booth was open. Again on March 7, 2008, I saw that this drum was open. Because this waste evaporates it could be considered as illegal disposal by keeping the drum open. An open drum also has the potential for more worker exposure to these chemicals and may be more of a spill and/or fire hazard. This drum must be kept closed. You can accomplish this by using a funnel that has a closable lid or by

Richard Cihlar
Department of Public Service
August 22, 2008
Page 2

removing the funnel and replacing the bung cap after the waste has been added to the drum. **Please respond in writing with how you have addressed this issue.**

In the February 26, 2008 letter I had asked for the records of past disposal of hazardous waste from this facility. I have received manifests showing the June 21, 2005 shipment of 3 drums of paint related hazardous waste (D001) and the May 22, 2006 shipment of 3 drums of paint related hazardous waste (D001).

In the February 26, 2008 letter I had stated that it is likely that this facility will be required to obtain a hazardous waste ID number. As a Conditionally Exempt Small Quantity Generator, this facility is not required to obtain such an ID number.

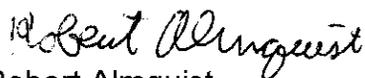
A written response to this letter is required within 30 days.

Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues related to air, land, and water. They can be contacted at (800) 329-7518, or <http://www.epa.state.oh.us/ocapp/ocapp.html>.

You can find copies of the regulations and other information on the Division of Hazardous Waste Management web page at: <http://www.epa.state.oh.us/dhwm/>.

If you have any questions, please contact me at (330) 963-1217, or robert.almquist@epa.state.oh.us.

Sincerely,



Robert Almquist
Division of Hazardous Waste Management

RA:cl
Enclosure

ec: Frank Popotnik, DHWM, NEDO cc: Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO
Tom Kushner, Superintendent of Motorized Equipment

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.