



State of Ohio Environmental Protection Agency

Northeast District Office

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

October 31, 2007

RE: COMP-CORP INDUSTRIES
SMALL QUANTITY GENERATOR
OHR 000 019 232
CUYAHOGA COUNTY
NOV2

Mr. Mike Austin
Comp-Corp Industries
7601 Bittern Avenue
Cleveland, OH 44103

Dear Mr. Austin:

On October 19, 2007, the Ohio Environmental Protection Agency (Ohio EPA) received Comp-Corp Industries' (CCI) response to the Agency's September 19, 2007 Notice of Violation (NOV) letter. CCI submitted waste evaluation information, personnel training documentation, completed inspection forms, photographs, universal waste documentation, and addressed Ohio EPA's concerns. On October 26, 2007, CCI submitted further documentation in response to the NOV letter.

Ohio EPA's review of this documentation reveals that CCI has adequately demonstrated abatement of the following violations and concerns addressed in the September 19, 2007 NOV letter:

1. Waste Evaluation, OAC rule 3745-52-11;
2. Waste Evaluation, OAC rule 3745-52-11;
3. Employee Training, OAC rule 3745-52-34(D)(5)(c);
4. Emergency Equipment Inspections, OAC rule 3745-65-33;
5. Required Aisle Space, OAC rule 3745-65-35;
6. Dating, OAC rule 3745-52-34(D)(4);
7. Inspections, OAC rule 3745-66-74;
8. Universal Waste Labeling, OAC rule 3745-273-14(E);
9. Universal Waste Dating, OAC rule 3745-273-15(C);
10. Universal Waste Accumulation, OAC rule 3725-237-15(A); and
Concerns: 11 through 14.

Based upon review of the submitted documentation, Ohio EPA identified the following violations:

15. Unpermitted Storage, ORC §3734.02 (E) and (F):
No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to a hazardous waste facility operating under a permit issued in accordance with this chapter or those listed in ORC §3734.02(F)(2) through (5).

CCI conducted unpermitted storage of hazardous waste since three containers of hazardous waste (Ohio EPA drum identification numbers CC01, CC02, and CC06) were stored on-site in excess of 180 days without a permit. CCI stated drums CC01 and CC02 were placed in the 180-day storage area on March 14, 2007. Drum CC06 was observed with an accumulation date of 3-06 (March 2006) during the inspection. The drums contained paint waste (D001, D035, F003, and F005) and were sent for off-site disposal on September 18, 2007.

In addition, CCI was unable to determine when two 55-gallon drums of hazardous waste (Ohio EPA drum identification numbers CC03 and CC20) began accumulating on-site. The drums contained paint waste (D001, D035, F003, and F005) and were sent for off-site disposal on September 18, 2007.

No formal response to this violation is required at this time. The five drums (CC01, CC02, CC03, CC06, and CC20) were sent off-site for disposal on September 18, 2007. At a minimum, CCI will be required to complete generator closure of the hazardous waste storage area once it is no longer used for the storage of hazardous waste.

Since CCI violated ORC §3734.02(E) and (F), the facility is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have CCI begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

16. Labeling, OAC rule 3745-52-34(A)(3):

While being accumulated and/or treated on-site, each container must be labeled or marked clearly with the words "Hazardous Waste."

The facility failed to label a 55-gallon drum with the words "Hazardous Waste." The drum was identified by Ohio EPA as CC20 during the inspection.

This violation has been abated since the drum was sent off-site for disposal on September 18, 2007, and the facility completed personnel training.

17. Used Oil Labeling, OAC rule 3745-279-22(C):

Containers used to store used oil at generator facilities must be labeled or marked clearly with the words "used oil."

The facility failed to label five, 55-gallon drums located at the 180-day storage area with the words "used oil." The drums were identified by Ohio EPA as CC07, CC10, CC11, CC15, and CC18 during the inspection.

This violation has been abated since the facility completed personnel training on used oil.

18. Used Oil Transportation, OAC rule 3745-279-24:

Except as provided in paragraphs (A) and (C) of this rule, generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

The facility transported 5, 55-gallon drums of used oil to ACME Refining, Inc. in a CCI box truck. CCI has not obtained a U.S. EPA identification number for transporting used oil and thus failed to comply with the requirements of this rule.

In order to abate this violation, the facility must indicate how all used oil generated at the facility will be transported off-site, and how it will prevent a reoccurrence of this event. In addition, CCI should confirm that ACME Refining, Inc., has notified Ohio EPA of its used oil activity.

Please submit the requested information **within 15 days** of the date of this letter.

Should you have any question, please feel free to call me at (330) 963-1278. You can find copies of the rules and other information on the DHWM's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Wade Balsler
District Representative
Division of Hazardous Waste Management

WB:ddw

cc: Natalie Oryshkewych, DHWM, NEDO
ec: Harry Sarvis, DHWM, CO

NOTICE:

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