



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 Korieski, Director

March 15, 2007

RE: **EVEREADY PRODUCTS CORP.**
OHD 004 186 987
RTL

Daniel Harrington
Eveready Products Corp.
1101 Belt Line Street
Cleveland, Ohio 44109

Dear Mr. Harrington:

I have received your letter dated February 22, 2007 which responded to the violations and concerns found during my January 12, 2007 inspection of Eveready located at 1101 Belt Line Street in Cleveland, Ohio. As outlined below you have shown a correction of all those issues.

Large Quantity Generator Requirements

1. OAC 3745-52-40(C) – Keep records of test results, waste analyses, etc.
The analysis you submitted shows that both the waste 020848 and 008115 contain perchloroethylene and/or trichloroethylene above the TCLP limit at least at times. Further waste segregation and testing would be needed to eliminate these waste codes from these wastes.

The data submitted does not include data as to whether or not the level of lead exceeds the TCLP limit and, therefore, whether the D008 code is needed. You stated you are reevaluating this waste and determining if the lead was from a product that Eveready no longer produces.

Your letter documents the correction of this violation.

2. OAC 3745-52-42(A)(1) – Return copies of manifests.
You previously corrected this violation and your letter describes a procedure that should prevent this violation in the future.
3. OAC rule 3745-65-16(D)(1) – Job titles and names.
4. OAC rule 3745-65-16(D)(2) – Job descriptions.
5. OAC rule 3745-65-16(D)(3) – Description of training.
6. OAC 3745-65-16(C) – Annual review of initial training.
These violations dealt with hazardous waste personnel training. The documentation submitted shows your correction of these violations.
7. OAC 3745-65-52(D) - Emergency coordinator contact information in the contingency plan.
You have corrected this violation.

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8. OAC 3745-65-52(E) – Contingency plan emergency equipment.
Your letter documents the correction of this violation.
9. OAC rule 3745-65-33 – Testing and maintenance of equipment.
10. OAC rule 3745-65-33 – Testing and maintenance of equipment.
You have shown the correction of these violations by submitting your emergency equipment log.
11. OAC 3745-65-35 – Required aisle space.
Your letter documents the correction of this violation.
12. OAC 3745-52-34(C)(1)(a) – Satellite accumulation area.
You previously corrected this violation and your letter describes equipment that should prevent this violation in the future.
13. OAC 3745-52-34(C)(1)(b) – Satellite accumulation area.
Your letter documents the correction of this violation. Please note that satellite containers are not required to be labeled with the accumulation start date.
14. OAC 3745-52-34(A)(3) – Labeling as hazardous waste.
Your letter documents the correction of this violation.
15. OAC rule 3745-66-73(A) – Keeping containers closed.
Your letter documents the correction of this violation.
16. OAC rule 3745-66-74 – Inspections of container storage areas.
Your letter documents the correction of this violation.

Land Disposal Restriction Requirements

17. OAC rule 3745-270-07(A)(2) - Land disposal restriction notification sent to receiving facility.
Your letter documents the correction of this violation.
18. OAC rule 3745-270-07(A)(2) – Land disposal restriction notice sent to receiving facility.
You stated you are reevaluating this waste and determining if the lead was from a product that Eveready no longer produces.

Daniel Harrington
Eveready Products Corp.
January 26, 2007
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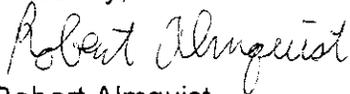
Concerns:

1. I understand you will now use the D001 waste code on your manifests for this waste. I agree that this waste is a listed hazardous waste (listed as F003). The point of the comment in my letter was that the F002 and F005 codes do not appear to apply. In any event, as per OAC 3745-52-11, it is the generator's requirement to determine which waste codes apply.
2. You have determined that the F003 and F005 codes apply to this waste.
3. You added the map to your contingency plan.
4. You stated the parts washer is no longer in use. Anthony Dattilo told me that the parts washer is empty.
5. You shipped your waste fluorescent lamps on February 7, 2007.

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

cc: Natalie Oryshkewych, DHWM, NEDO

ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Steve Howley, Eveready Products Corp.

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.