



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

March 10, 2010

Chuck Kover
Marko Body Shop
1490 E. Archwood Ave.
Akron, OH 44306

**RE: MARKO BODY SHOP OHD 017 484 536, SUMMIT COUNTY, CESQG-CEI,
NOTICE OF VIOLATION**

Dear Mr. Young:

On March 4, 2010, Ohio EPA's Division of Hazardous Waste Management, represented by Edward D'Amato inspected Marko Body Shop for compliance with Ohio hazardous waste laws and regulations found in Chapters 3734 of the Ohio Revised Code (ORC) and 3745 of the Ohio Administrative Code (OAC). Marko Body Shop was represented by you during the inspection.

Marko Body Shop is an auto body repair shop. The following waste streams were identified:

1. Spent cleaning solvent (Between 4.5 and 9 gallons per month, D001, F003, F005 hazardous waste) managed through Chemtron Corporation.
2. Universal waste lamps.
3. Empty aerosol cans which are disposed as solid waste.

The following violation was found. In order to correct it you must do the following and send me all requested information **within 30 days** of the date of this letter:

**1. Hazardous Waste Determination
OAC 3745-52-11**

Any person who generates a waste in the state of Ohio...shall determine if the waste is a listed hazardous waste...

You explained that you dispose of spent fluorescent lamps in your trash dumpster. Often these lamps contain mercury at a level that make them a hazardous waste if disposed.

If the spent lamps are sent for recycling instead of disposal, they would be exempt from the hazardous waste management requirements.

MARKO BODY SHOP
MARCH 10, 2010
PAGE – 2 –

To address this concern, you must notify this office, in writing, of how you will manage spent fluorescent lamps from now on. During the inspection, you were given copies of Ohio EPA's Fluorescent Lamp Fact Sheet.

Enclosed is a copy of the checklist used for the inspection.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Failure to list specific deficiencies or violations in this communication does not relieve Marko Body Shop from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Sincerely,



Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

Enclosure

ec: Natalie Oryshkewych, DHWM, NEDO
Frank Popotnik, DHWM, NEDO

**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: safety shoes

WASTE EVALUATION Marco Body Shop

1. Have all wastes generated at the facility been adequately evaluated?
 [3745-52-11] Lump's to trash Yes No N/A

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month?
 [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

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 No N/A

TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a:

| | | |
|----|---|--|
| a. | Container that meets 3745-66-70 to 3745-66-77? | Yes <input checked="" 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 checked="" 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 checked="" 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 checked="" 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:

| | | |
|----|---|--|
| | Does the CESQG manage the mixture in accordance with 3745-279-21? | 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"/> |

**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.
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 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] <i>Fluorescent lamps not evaluated</i> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|----|---|--|

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"/> |
|----|--|--|

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"/> |
|----|---|--|

TREATMENT OF HAZARDOUS WASTE

| | | |
|----|--|--|
| 4. | Does the generator treat hazardous waste in a: | |
| | a. Container that meets 3745-66-70 to 3745-66-77? | Yes <input checked="" 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 checked="" 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 checked="" 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 checked="" 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"/> |

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: *Marker Paint Shop*

Facility Type: LQG/SQG/CESQG/TSD

EPA ID#: *CHD C17484536*

Description of Waste

On-Site Management

Off-Site Management

| Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small> | Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small> | EPA Waste Code | QTY Generated per Month | Type of Accumulation/Storage <small>(e.g. container, tank, etc)</small> | Type of On-Site Treatment <small>(recycle, wwt, etc)</small> | Name of TSD. |
|---|--|----------------------|--|--|---|------------------|
| 1 <i>Painting</i> | <i>spent cleaning solvent</i> | <i>Rec/Fab, F005</i> | 5100 <i>4.5-4.9 gal/mo</i> | <i>Drum</i> | <i>none</i> | <i>Chemtreat</i> |
| 2 <i>Lighting</i> | <i>LW Lamps</i> | <i>—</i> | <i>—</i> | <i>None on site at time of insp</i> | | <i>Trash</i> |
| 3 | <i>Aerosol (nails)</i> | | | | | <i>Trash</i> |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |