



State of Ohio Environmental Protection Agency

Northeast District Office

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Chris Korleski, Director

April 30, 2007

Una A. Alexandrovic
Orbit Industries, Inc.
6840 Lake Abram Dr.
Middleburg Hts., OH 44130

**RE: ORBIT INDUSTRIES, OHR000102475, CUYAHOGA COUNTY
COMPLAINT 6930, SQG RTC**

Dear Ms. Alexandrovic:

On April 11 and 13, 2007, I received Orbit Industries, Inc. (Orbit's) response to Ohio EPA's March 8, 2007 Notice of Violation (NOV) letter.

My review of the submitted documentation reveals that Orbit has adequately abated all violations discovered during Ohio EPA's February 26, 2007 inspection as listed below.

1. OAC rule 3745-52-34 (D)(5)(c), Employees Must be Appropriately Trained.
7. OAC rule 3745-52-11, Waste Evaluation.
8. OAC rule 3745-52-20, Manifest Requirements.
9. OAC rule 3745-52-31 & OAC rule 3745-52-32, Labeling and Marking.

Concerning item six in the NOV letter, Ohio EPA acknowledges Orbit's position concerning the adequate characterization of the alkaline cleaner contaminated with trichloroethylene (TCE) as a D002/D040 hazardous waste. Orbit references US EPA's August 7, 1987 letter concerning rinse water containing TCE solvent. As such, Ohio EPA retracts the violation associated with item six-OAC rule 3745-270-07(A)(2), LDR Requirements.

Orbit requested clarification concerning the characterization of solvent contaminated rags and wipers. The following excerpt was taken from Ohio EPA's Hazardous Waste Notifier, Spring 2006, "Solvent-contaminated rags and wipers which are contaminated with listed solvent constituents are not considered listed hazardous waste except in situations where the rag or wiper is used to clean up a spill of a used solvent that is a listed hazardous waste; those rags or wipers become a listed hazardous waste. Even though the Division of Hazardous Waste Management no longer considers solvent contaminated rags and wipers as being listed hazardous waste, if you generate solvent-contaminated rags or wipers, and do not have them laundered, you will still need to evaluate this waste stream to determine whether they would be a characteristic hazardous waste for purposes of storage, transportation, and disposal."

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Orbit currently characterizes it's solvent (acetone) contaminated rags as D001/F003 hazardous waste. While the F003 listed waste code may no longer be applicable, Orbit has characterized the rags as a characteristic (D001) hazardous waste.

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

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FAZ:ddw

cc: Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO
ec: Jim Kavalec, DHWM, CO
Elissa Miller, Legal, CO