



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 11, 2011

**RE: SR PRODUCTS
OHR 000 159 442
SECOND NOTICE OF VIOLATION**

Benita Thompson
70 Karago Ave.
Youngstown, OH 44512

Dear Ms. Thompson:

The Ohio EPA Division of Hazardous Waste Management conducted an inspection of SR Products located at 13311 Union Avenue, Cleveland, Ohio 44120, on December 9, 2010. This was a follow up to our May 3, 2010 inspection. Ohio EPA was represented by me and Patricia Natali, and SR Products was represented by Mike Dohar, Phil Detec, Pat and your consultant Tom Kmiec. I have also received the August 16, 2010 letter from Tom Kmiec.

This letter will document any violations and concerns and outline what you need to do to correct them. A written response to these issues is required within 30 days of the date of this letter.

A leaking rolloff box containing waste was seen on May 3, 2010. The August 16, 2010 letter documented your correction of this issue. On December 9, 2010, no leaks were seen from this rolloff although it was cold and snow was piled up around it.

On May 3, 2010, we saw an open 5-gallon bucket with liquid in it stored outside on a pallet. The August 16, 2010 letter documented your correction of this issue.

We saw areas outside that had contaminated gravel both with a silver color material and with black material. The August 16, 2010 letter stated this area was cleaned up and covered with clean gravel. Include in your response, a description of what you believe these materials were, including Material Safety Data Sheets (MSDS) if they are available.

On December 9, 2010, many of the containers I saw on May 3, 2010 had been removed. You have submitted shipping papers for this material and "a copy of the inventory list identifying the materials shipped". This is confusing because drums with numbers indicated as shipped on November 19, 2010 were seen at this location on December 9, 2010.

The following violation was found on December 9, 2010:

1. OAC rule 3745-52-11 – Hazardous waste determination.
This rule requires that any person who generates a waste must determine if that waste is a hazardous waste. The following documents give more information regarding this:

Identifying Your Hazardous Waste, 2010

<http://www.epa.ohio.gov/portals/41/sb/publications/identifyingwaste.pdf>

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OAC 3745-51-21 to 24 characteristic hazardous waste
http://www.epa.ohio.gov/dhwm/laws_regs.aspx

SR Products violated this rule by having containers of waste on December 9, 2010 that have not been evaluated as to whether they are hazardous waste. These include three drums of Dowtherm A and drums labeled as 44, 92, 97, 99, 100, 110, 115, 116, and 118. The August 16, 2010 list from Thomas Kmiec stated the Dowtherm A is reusable in the heat exchanger. Mike Dohar told me on December 9, 2010, that he doesn't know of any of their equipment that uses Dowtherm A. The Dowtherm A may be able to be used by another company. If so, it would not be a waste and therefore not subject to this rule. Below is a list of waste exchanges that might help you to find a company to use this. You may also want to contact the manufacturer of this material because they may be willing to take it back or offer other information.

Ohio By-Product Synergy Network
<http://www.ohiobps.org/>

Ohio Materials Exchange
<http://www.myomex.com/ViewPosting.aspx?cat=3>

Zerowaste NEO
<http://www.zerowasteneo.org/>
<http://www.recyclematch.com/>

In order to correct this violation, you must send me a list of these drums that indicates whether each individual drum contains a hazardous waste. You must also submit whatever information you based this decision on.

The following violations and concerns were cited in my May 13, 2010 letter. The August 16, 2010 letter from Thomas Kmiec said the lamps that were the subject of these violations were not waste. However, on December 9, 2010 lamps that appeared to be waste were seen in a side room (somewhat like an attic) off of the second floor. So, SR Products is still in violation of these rules. In addition, during the December 9, 2010 inspection no one could tell me how SR Products manages waste fluorescent lamps. Please provide a description of how waste fluorescent lamps generated at this site will be managed and also provide a shipping paper or other records showing the most recent shipment of waste lamps if there has been any.

1. OAC rule 3745-273-13 (D) - Universal waste lamp containers.
This rule requires universal waste lamps to be in closed containers or packages that are structurally sound and adequate to prevent breakage.

SR Products violated this rule by having waste fluorescent lamps that were not in a closed container or package. You must correct this violation and provide documentation of that to me.

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2. OAC rule 3745-273-14 (E) - Universal waste lamp labeling.
This rule requires that containers of universal waste lamps be labeled as Universal Waste - Lamps, Waste Lamps, or Used Lamps.

SR Products violated this rule by not having its waste lamps labeled as required. You must correct this violation and provide documentation of that to me.

3. OAC rule 3745-273-15(A) - Universal waste accumulation time limits.
This rule allows the accumulation of universal waste for no longer than one year unless it is solely for the purpose of accumulation of such quantities to facilitate proper recovery or treatment.

Please state how you will comply with this rule. In general, there is no need to ship boxes of waste lamps that are not full even if it takes longer than a year to fill it.

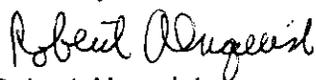
4. OAC rule 3745-273-15(C) Universal waste accumulation time limits.
This rule requires that you be able to demonstrate the length of time that a universal waste has been accumulated.

Please state how you will comply with this rule.

You can find copies of the regulations and other information on the Division of Hazardous Waste Management web page at <http://epa.ohio.gov/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

ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO
Patricia Natali, DHWM, NEDO
Mike Dohar, SR Products

cc: Marlene Kinney, DHWM, NEDO

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.