



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

September 5, 2008

RE: SUBURBAN COLLISION CENTER
OH0 000 059 550
CUYAHOGA COUNTY
RCRA/CESQG
SECOND NOTICE OF VIOLATION

Mr. Jason Voldrich
General Manager
Suburban Collision Center
23380 Miles Road
Bedford Heights, OH 44128

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Mr. Voldrich:

On April 22, 2008, Ohio EPA's Division of Hazardous Waste Management conducted a Compliance Evaluation Inspection (CEI) of the Suburban Collision Center (Suburban Collision) facility located at 23380 Miles Road in Bedford, Ohio. Suburban Collision is a paint and body shop and qualifies as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. Hazardous waste streams generated at the facility include spent lacquer thinner and paint waste (D001, D035, F003, F005), generated during the painting of automobiles and parts at the facility.

On May 9, 2008, Ohio EPA sent Suburban Collision a Notice of Violation (NOV) letter via certified mail. On June 12, 2008 Ohio EPA received an e-mail response from you stating that you were waiting for specific documentation and labels to assist you in your demonstration of compliance in response to Ohio EPA. You also attached a photograph of a satellite accumulation container, which had been labeled with the word "waste". Ohio EPA responded to said e-mail, but has had no further response or submittal from the facility. Ohio EPA is therefore sending a second notice of violation letter.

Based on the April 22, 2008 inspection, Ohio EPA has determined that Suburban Collision has violated the following state hazardous waste regulations:

1. **OAC 3745-273-13(D)(1) Universal waste lamp management:** *A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages **must remain closed** and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*

Suburban Collision accumulates universal waste lamps generated at the facility to be shipped off site for recycling. At the time of the April 22, 2008 inspection, Ohio EPA observed one open container of Universal Waste lamps (UW lamps) being accumulated on a shelf in the maintenance area and two loose four foot UW lamps.

To demonstrate abatement of this violation, please see Violation #4.



2. **OAC 3745-273-14(E) Labeling/marketing of universal waste:** *Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste- Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."*

At the time of the April 2, 2008 inspection, Ohio EPA observed the containers being used to accumulate the UW lamps were not labeled with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

To abate this violation, please see Violation #4.

3. **OAC 3745-273-15(C) Accumulation time limits for universal waste:** *A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

At the time of this inspection, Suburban Collision did not have a system in house to track how long the UW lamps had been on site.

To abate this violation, please see Violation #4.

4. **OAC 3745-273-16 Employee Training for Small Quantity handlers of universal waste:** *A small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.*

At the time of the April 22, 2008 inspection, Suburban Collision could not demonstrate that employees had been trained in proper universal waste management.

To demonstrate abatement of Violations #1, #2, #3 and #4, Suburban Collision must submit the following information and documentation to this office:

- Suburban Collision must develop a written protocol for the proper management of UW lamps managed at the facility. Employees who manage UW lamps must be trained in this protocol. After receiving said training, employees must sign the written protocol acknowledging the receipt of training on this topic and a copy must be submitted to this office. Guidance regarding proper UW lamp management was provided to you at the time of this inspection.

- Suburban Collision must submit to this office documentation in the form of a photograph demonstrating that the UW lamps have been properly containerized in a closed container which is labeled with one of the following phrases: "*Universal Waste- Lamp(s),*" or "*Waste Lamp(s),*" or "*Used Lamp(s).*"
- Suburban Collision must develop a tracking system to enable the facility to track how long the UW lamps are accumulated on site and submit to this office documentation demonstrating how this tracking system will be implemented. This may be in the form of a photograph demonstrating that containers of UW are labeled with an accumulation date or one of the other methods described in the guidance provided to you at the time of this inspection.

Please submit all the requested documentation to my attention within **fifteen (15) days** of receipt of this letter demonstrating that all issues have been addressed.

Ohio EPA wishes to remind Suburban Collision that prior mismanagement of hazardous waste at this site by the previous operator resulted in the creation of an unpermitted hazardous waste storage unit in the rear of the facility. At the time of the April 22, 2008 inspection, Ohio EPA observed sloppy management of the satellite accumulation area. Suburban Collision must stress proper waste management to their employees which manage hazardous waste. In order to facilitate this action, please find below a link to Ohio EPA's Hazardous Waste Generator Handbook:

http://www.epa.state.oh.us/dhwm/pdf/gen_handbook.pdf

Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (*i.e.* source reduction). For those wastes and pollutants that are generated, the second is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment and improve your public image by implementing pollution prevention programs. The Office of Compliance Assistance and Pollution Prevention provides compliance and pollution prevention assistance on environmental issues related to air, land and water. Their web site is: <http://www.epa.state.oh.us/opp/ocapp.html>

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link:

<http://www.epa.state.oh.us/dhwm/listserv.html>

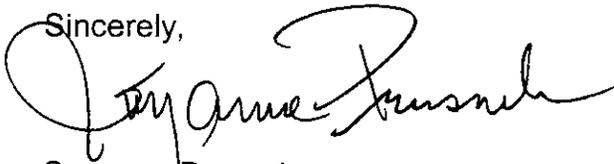
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Please feel free to share this information with your colleagues.

Failure to list specific deficiencies in this communication does not relieve Suburban Collision from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Suburban Collision from liability for any past or present violations of the state's hazardous waste laws.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne Prusnek". The signature is fluid and cursive, with a large initial "S" and "P".

Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

ec: Frank Popotnik, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, NEDO, OEPA

cc: Natalie Oryshkewych, DHWM, NEDO, OEPA
Philip Talarico, property owner