



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

April 11, 2008

RE: **COMPLAINT # 7006**
SUMMIT EQUIPMENT AND SUPPLY
SUMMIT COUNTY

Mr. Benny Hirsch
1190 Home Avenue
Akron, Ohio 44310

Dear Mr. Hirsch:

On March 25, 2008, Robert Almquist and I investigated a complaint at Summit Equipment and Supplies' facility in Akron, Ohio. According to the complaint received by the Ohio EPA, the complainant alleged that mercury was being collected in buckets at the facility.

You stated that there was mercury in a bucket that was collected while cleaning up after a fire destroyed a portion of your facility. Per my discussions with Bruce Miller of Ohio EPA, this mercury has been removed and sent off site for recycling.

Based on this inspection, Ohio EPA has determined that Summit Equipment and Supply has violated at least the following state hazardous waste regulation:

1. **Waste Evaluation, OAC 3745-52-11:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

You could not demonstrate that the fluorescent bulbs used at your site are non-hazardous prior to placing them in the solid waste dumpster. As we discussed during the investigation, you will start recycling the bulbs as a universal waste and by doing so, abate the violation.

I have included a list of recyclers in northeast Ohio for you to contact to make arrangements for recycling. Please note the Ohio portion of the list starts on page 6. The list can also be found at: <http://www.epa.state.oh.us/dhwm/pdf/comp.lamp.ballast.list.pdf>. Once you have chosen a recycler, please notify me and provide me with the details to abate this violation.

In addition, I have included the OCAPP fact sheet to assist you in correctly managing your fluorescent bulbs.

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Ohio EPA also noted at least 8 lead acid batteries at various locations at your facility. You stated that you generally send these batteries to Harris Battery in Akron. Ohio EPA encourages you to collect all the batteries and send them to Harris. If any of the batteries should break, they may release lead and acid into the environment which Summit Equipment and Supply would need to immediately address.

Failure to list specific deficiencies and/or violations in this communication does not relieve Summit Equipment and Supply from the responsibility of complying with all applicable laws, rules and regulations.

Further be advised that any instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please respond to this letter in writing by May 8, 2008, and provide all of the information requested above. In addition, I have enclosed the checksheet which I used during the compliance evaluation inspection for your use.

Should you have any questions or require additional information, please contact Frank Popotnik, my supervisor, or me at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Hazardous Waste Management

KLN:cl

Enclosure

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

cc: Natalie Oryshkewych, DHWM, NEDO