



State of Ohio Environmental Protection Agency

Northeast District Office

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

August 11, 2008

RE: **SUNRISE EQUIPMENT COMPANY  
OHR 000 146 704**

Ken Joseph  
Sunrise Equipment Company  
5075 Navarre Road S.W.  
Canton, OH 44706-3333

Dear Mr. Joseph:

On May 20, 2008, John Palmer, Ed D'Amato, and I of the Ohio EPA conducted a follow-up inspection of Sunrise Equipment Company (Sunrise) located at 5075 Navarre Road, SW, in Canton, Ohio. We met with Lindy Vogelsong, John Adkins, and Scott. While there I also spoke with Matthew Yackshaw on the telephone. I also received your August 4, 2008 letter which asked for an outline of this recent inspection. The following concern and violations were found:

I saw the drum which is used to accumulate hazardous waste generated from painting clean up. The bung of this drum was open. I was told that waste had just been put in the drum and that person had forgotten to close it. We closed the drum. This drum should be kept closed for the following reasons: 1) It is outside and rain water entering it could increase your disposal costs (I have since received photographs from you showing it is now stored inside a trailer), 2) It could be viewed as illegal disposal of a hazardous waste into the air because the solvent will evaporate, and 3) The chance of spills and fires are less when it is closed.

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.

Sunrise violated this rule by having a broken fluorescent lamp in its solid waste dumpster without determining whether or not it is a hazardous waste. Scott told me that Sunrise now has a program to save these for recycling and that this one should have been saved for recycling.

2. OAC rule 3745-279-22(D) - Response to releases of used oil.  
This rule requires that upon detection of a release of used oil to the environment, the generator must clean up and manage properly the released used oil and other materials.

Sunrise violated this rule by having used oil spilled on the ground at its used oil tank and in an area on the west side of its building. There was also a material on the ground which may be used oil at a set of empty drums. Photographs of these areas have been e-mailed to Lindy Vogelsong. I have since received photographs showing new gravel put down at the used oil tank. Any used oil contaminated soil must be removed before new gravel is put down. **Please let me know if this was done.**

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A representative from Sunrise told me that the drum of painting clean up hazardous waste is set up to be picked up every 80 days and that sometimes it is not filled within those 80 days.

It is not required to be picked up so often. It appears that Sunrise currently generates less than 220 pounds of hazardous waste per month. At this generation rate there are no accumulation time limits. However, you should ship the waste at least before you accumulate 2,200 pounds (about 5 drums).

I will now outline the current status of the violations found during the November 13, 2007 inspection:

1-3. Previously corrected.

4. Ohio Revised Code (ORC) 3734.02(E) and (F) – Accumulation beyond 180 days. On August 4 and 8, 2008, we discussed the soil sampling needed to correct this violation. We decided that we will set a day in the near future for John Palmer and I to come to Sunrise Equipment to discuss these sampling requirements/procedures.

5-14. Previously corrected.

You can find copies of the regulations and other information on the Division of Hazardous Waste Management web page at: <http://www.epa.state.oh.us/dhwm/>.

If you have any questions, please contact me at (330) 963-1217, or [robert.almquist@epa.state.oh.us](mailto:robert.almquist@epa.state.oh.us).

Sincerely,

  
Robert Almquist  
Division of Hazardous Waste Management

RA:cl

ec: Frank Popotnik, DHWM, NEDO      cc: Natalie Oryshkewych, DHWM, NEDO  
Harry Sarvis, DHWM, CO                      Tammy Heffelfinger, DHWM, CO  
John Palmer, DHWM, NEDO  
Todd Anderson, LEGAL, CO  
Joshua Adams, DSIWM, NEDO

<p><b>Notice:</b> 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.</p>
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