



State of Ohio Environmental Protection Agency

Northeast District Office

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

August 4, 2008

Ken Donohue, Vice President  
Vision Telecommunications, Inc.  
148 E. Miller Rd.  
Akron, OH 44301

**RE: VISION TELECOMMUNICATIONS, OHR000149989, COMPLAINT 7038,  
SUMMIT COUNTY, NOV-RTC**

Dear Mr. Donohue:

On July 25, 2008, this writer, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), visited Vision Telecommunications, Inc. (Vision) located at 148 East Miller Road in Akron, Ohio to conduct a hazardous waste compliance evaluation inspection (CEI). Vision was represented by you. On July 25 and July 30, 2008, Vision submitted a description of corrective actions taken at the facility.

The purpose of the inspection was to determine Vision's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). The inspection included a review of the facility's operations and records, as well as the management of wastes. Vision was inspected for the requirements of a conditionally exempt small quantity generator (CESQG) of hazardous waste.

Information obtained pertaining to waste generation is included on the Process Description-Waste Activities Summary Sheet within the enclosed inspection checklist.

Based on the inspection, Ohio EPA identified the following violations:

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

Vision failed to evaluate its spent fluorescent lamps prior to disposal as a solid waste. Vision's July 30 correspondence identified the corrective actions taken to address this violation. No further response is requested.

2. OAC rule 3745-273-14(A), Labeling/marketing Standards for Small Quantity Handlers of Universal Waste: A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified in this rule. (A) Universal waste batteries or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "universal waste - battery(ies)," or "waste battery(ies)," or "used battery(ies)."

Vision failed to label/mark approximately 60 batteries (gel cell, lead based) with the words required by this rule. Vision's July 30 correspondence identified the corrective actions taken to address this violation. No further response is requested.

3. OAC Rule 3745-273-15(C); Accumulation Time Limits - Standards For Small Quantity Handlers of Universal Waste: A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of paragraph (B) of this rule are met. 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. The handler may make this demonstration through methods identified in OAC rule 3745-273-15(C).

Vision failed to track the length of time that the universal waste batteries have been accumulated. Vision's July 30 correspondence identified the corrective actions taken to address this violation. No further response is requested.

4. OAC rule 3745-279-22(B)(C)(1)(D), Used Oil Storage Requirements for Generators: Used oil generators must store used oil in containers and tanks which must be in good condition and not leaking. The containers and tanks must be labeled with the words "Used Oil." If used oil is released to the environment, the generator must stop the release, contain the used oil, and clean-up and properly manage the released oil and other materials.

Vision failed to label approximately 30, 5-gallon pails and 6, 1-gallon containers with the words "Used Oil." Further, Vision failed to clean up a release of used oil since stained soil was observed beneath the pails along the wooden fence in the rear of the facility. Vision's July 25 and July 30 correspondence identified the corrective actions taken to address this violation. No further response is requested.

Ohio EPA offers the following comments:

5. As a pollution prevention opportunity, Vision may wish to manage the empty aerosol cans and used oil filters as scrap metal.
6. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.state.oh.us/dhwm>
7. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: <http://www.epa.state.oh.us/dhwm/listserv.html>
8. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://www.epa.state.oh.us/ocapp/ocapp.html>
9. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land, and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://www.epa.state.oh.us/ocapp/ocapp.html>

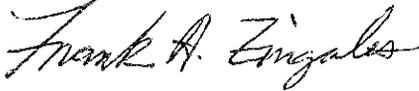
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Ohio EPA issued an EPA ID number (OHR000149989) to track our inspection activity at Vision. Vision may not use this number for manifesting hazardous waste shipments. If Vision wishes to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, Vision must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029) to Ohio EPA. This form is available on Ohio EPA's internet site at <http://www.epa.state.oh.us/dhwm/notiform.html> or you may contact me for a copy.

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve Vision 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

Enclosure

cc: Natalie Oryshkewych, DHWM, NEDO

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b>	<b>EPA ID Number: OHR000149989</b>								
<b>Site Name</b>	<b>Name: Vision Telecommunications, Inc.</b>				<b>Website: (Optional)</b>				
<b>Site Location Information</b>	<b>Street Address: 148 E. Miller Ave.</b>						<b>State: OH</b>		
	<b>City, Town, or Village: Akron</b>				<b>Zip Code: 44301</b>				
	<b>County Name: Summit</b>								
<b>Site Land Type (check only one)</b>	<b>Private</b> <input checked="" type="checkbox"/>	<b>County</b> <input type="checkbox"/>	<b>District</b> <input type="checkbox"/>	<b>Federal</b> <input type="checkbox"/>	<b>Indian</b> <input type="checkbox"/>	<b>Municipal</b> <input type="checkbox"/>	<b>State</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>	
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	238990		517919						
<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	<b>First Name: Ken</b>			<b>MI:</b>	<b>Last Name: Donohue</b>				
	<b>Phone Number: 330-733-7355</b>				<b>Phone Number Extension:</b>				
	<b>E-Mail Address: <a href="mailto:kdonohue@visiontelcom.com">kdonohue@visiontelcom.com</a></b>								
	<b>Fax Number:</b>				<b>Fax Number Extension:</b>				
	<b>Street or P.O. Box:</b>								
	<b>City, Town or Village:</b>								
	<b>State:</b>			<b>Country:</b>		<b>Zip Code:</b>			
<b>Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page</b>	<b>Name of Site's Legal Owner:</b> White Birches Properties LLC				<b>Date Became Owner (mm/dd/yyyy):</b> 01/19/2007				
	<b>Owner Type:</b>	<b>Private</b> <input checked="" type="checkbox"/>	<b>County</b> <input type="checkbox"/>	<b>District</b> <input type="checkbox"/>	<b>Federal</b> <input type="checkbox"/>	<b>Indian</b> <input type="checkbox"/>	<b>Municipal</b> <input type="checkbox"/>	<b>State</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Street or P.O. Box: 13411 Mogadore Ave NW</b>								
	<b>City, Town or Village: Uniontown</b>				<b>Owner Phone #:</b>				
	<b>State: OH</b>				<b>Country:</b>		<b>Zip Code: 44685</b>		
	<b>Name of Site's Operator:</b> Vision Telecommunications, Inc.				<b>Date Became Operator (mm/dd/yyyy):</b>				
	<b>Owner Type:</b>	<b>Private</b> <input checked="" type="checkbox"/>	<b>County</b> <input type="checkbox"/>	<b>District</b> <input type="checkbox"/>	<b>Federal</b> <input type="checkbox"/>	<b>Indian</b> <input type="checkbox"/>	<b>Municipal</b> <input type="checkbox"/>	<b>State</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Street or P.O. Box:</b>								
	<b>City, Town or Village:</b>				<b>Operator Phone #:</b>				
	<b>State:</b>				<b>Country:</b>		<b>Zip Code:</b>		
<b>Violations Cited?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
<b>Type of Generator</b>									
<input type="checkbox"/> Not Regulated				<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste					
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input type="checkbox"/> Small Quantity Generator (SQG)									
<b>Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)</b>									
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Underground Injection Control Facility				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste									

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))			
<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste		<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
(Check all boxes below that apply for each of the three types of facilities above)		Used Oil Activities (Indicate Type(s) of Activity(ies))	
	<b>Managed</b>	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.			
Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Frank Zingales			7/23/2008 1030
OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.			
Signature of Owner, Operator, or an Authorized Representative		Name and Title (Print)	Date (mm/dd/yyyy)

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

Facility: Vision Telecommunications, Inc. Type: CESQG Date: 7/23/08 EPA ID number: OHR000149989

General Process Information: Vision Telecommunications is a contractor for Time Warner Cable.

**Wastes Generated:**

- Vehicle maintenance activities generate used oil. Following the inspection, used oil recycled through Akron Canton Waste Oil (Canton, OH; OHD000724286).
- Servicing back-up power sources (off-site) generates batteries. Batteries are recycled through Harris Battery (Bolivar, OH).
- Facility maintenance activities generate fluorescent lamps. Following the inspection, used lamps will be managed as a universal waste through Vexor Technology (Medina, OH; OHD077772895).

CESQG: ≤ 100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.  
 LQG: ≥1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Special Safety Equipment Used: None required.

**WASTE EVALUATION**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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**GENERATOR CLASSIFICATION**

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). **If so, complete the Small Quantity Generator Requirements checklist.**

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**TREATMENT OF HAZARDOUS WASTE**

4.	Does the generator treat hazardous waste:	No
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**USED OIL INSPECTION CHECKLIST  
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

*NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.*

**PROHIBITIONS**

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes  No  N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes  No  N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes  No  N/A

*NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).*

**GENERATOR STANDARDS**

4. Does the generator mix hazardous waste with used oil? If so, Yes  No  N/A
- a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes  No  N/A

*NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.*

5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes  No  N/A

*NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.*

6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes  No  N/A
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes  No  N/A
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes  No  N/A

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes  No  N/A
- b. Contained the release? Yes  No  N/A
- c. Cleaned up and properly managed the used oil and other materials? Yes  No  N/A
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes  No  N/A

**ON-SITE BURNING IN SPACE HEATER**

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes  No  N/A
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes  No  N/A
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes  No  N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes  No  N/A

**GENERATOR TRANSPORTATION**

11. If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] Yes  No  N/A
- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes  No  N/A
- b. Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24] Yes  No  N/A

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

**COLLECTION CENTERS AND AGGREGATION POINTS**

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes  No  N/A
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes  No  N/A
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes  No  N/A

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*