



Environmental  
Protection Agency

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

Re: French Tex Cleaners  
OHD018301325  
Hazardous Waste  
Complaint # 3010  
Erie County  
RTC

August 22, 2011

Mr. Toby Mollaun, Owner  
French Tex Cleaners  
1172 Cleveland Road  
Sandusky, Ohio 44870

Dear Mr. Mollaun:

Thank you for your January 7, 2011, and January 9, 2011, responses to Ohio EPA's October 13, 2010, Notice of Violation letter (NOV). On January 7, 2011, you stated via telephone that you will be managing your fluorescent bulbs as universal waste and recycling with the City of Norwalk which has four recycling collection times throughout the year. Please note that you must ensure that the City of Norwalk is able to accept your spent lamps from a business for recycling. Otherwise you will need to find an alternate recycler who is able to accept lamps from businesses. Please consult the fact sheet Universal Waste Rules for Handlers of Lamps given to you during the CEI on September 22, 2010. In addition on January 10, 2011, I received via fax two manifests for the pick-up of your dry cleaning waste and the waste profile information for your Eco-Solv Dry Cleaning Fluid from Petro-Chem Processing Group (PSC).

On January 28, 2011, Deneen Hubbard of PSC emailed me the two manifests which you faxed one dated May 6, 2008 and the other dated November 16, 2010 (I was unable to read the fax that you sent).

My review of this documentation reveals that French Tex Cleaners has adequately demonstrated abatement of the violation discovered during the September 22, 2010, inspection as listed below:

Violation	Date Violation Observed	Date Violation Abated
1. OAC Rule 3745-52-11 Waste Evaluation.	September 22, 2010	January 7, 2011

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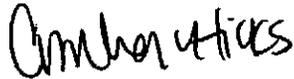
During my CEI on September 22, 2010, I reviewed the Material Safety Data Sheet (MSDS) for your EcoSolv Dry Cleaning Fluid. Based on the ingredients listed on the MSDS, this material does not appear to be a listed or characteristic hazardous waste. The flashpoint was 144 degrees Fahrenheit. I reviewed the Generator's Waste Profile # 475549-00 which PSC had generated for your EcoSolv Dry Cleaning Fluid in November of 2010 which you faxed to me on January 10, 2011. I observed on this waste profile that the Flash Range for this waste stream was 101-141 degrees Fahrenheit. A waste is a hazardous waste for ignitability (D001) if it has a flash point of 140 degrees or less Fahrenheit. So based on this flash range, your waste could be a hazardous waste (D001). I called Deneen Hubbard of PSC on March 2, 2011 and March 4, 2011, to inquire about whether this material was profiled as a hazardous waste or a non-hazardous waste (also based on the manifest dated 11-16-10 your waste was shipped as a non-hazardous waste but on a hazardous waste manifest). Deneen stated that this material was profiled as a non-hazardous waste and shipped as such, but Michigan requires all waste to be shipped on a hazardous waste manifest (the treatment, storage and disposal facility was Petro-Chem in Detroit, MI). She stated that the Flash Range box must have been checked wrong on your waste profile. At that time, she also stated that for your account, Annette Riviera would be the new point of contact. Deneen stated that she would look into this waste profile issue and get back to me and also send me an updated profile sheet (if the profile is changed if it was determined to be an error). She stated that after handling this issue that all other issues should be handled by Ms. Riviera. I never heard back from Ms. Hubbard. I left a message for Ms. Riviera on May 3, 2011. Ms. Riviera called me back and left a message for me on May 4, 2011. I then called Ms. Riviera back on May 5, 2011, June 23, 2011 and June 27, 2011 and left messages. To date, I have not received another return call.

Please be advised that it is your responsibility as a generator to ensure that your waste is properly evaluated. I would highly recommend that upon the next generation of your dry cleaning waste that you sample this material for Flash Point and any other possible characteristics to ensure that you have properly determined whether this waste is hazardous or not. It is a serious violation of Ohio's hazardous waste laws to ship hazardous waste as non-hazardous waste and likewise to dispose of hazardous waste at a disposal facility that is not licensed to accept hazardous waste (under the presumption that they are disposing of a non-hazardous waste). Based on the fact that the MSDS lists the Flash Point as 144 (which is only 4 degrees above the regulatory level) and the fact that PSC has your waste profiled with a flash from 101-141 (which would be in fact a hazardous waste), you should ensure to analyze this material upon your next generation. When you perform this analytical, please forward your results to me. This information will also be verified during a future inspection at your facility.

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If you should have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks  
Division of Materials and Waste Management

/llr

pc: Colleen Weaver, DMWM, NWDO  
~~Cindy Lohrbach, DMWM, NWDO~~  
DMWM-HW, NWDO File: French Tex Cleaners

ec: Amber Hicks, DMWM, NWDO

**NOTICE:**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.