OhioEPA

State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Central Avenue Strip Shop
OHD987052156
Lucas Co.
Complaint #2612
2nd PRTC

July 31, 2008

Mr. Dan McKie
Central Avenue Strip Shop
8035 W. Central Avenue
Toledo, Ohio 43617

Dear Mr. McKie:

Thank you for your May 19, 2008 response to my March 17, 2008, 2nd Notice of Violation letter. The documentation and photographs you sent have abated several of the violations that were outstanding. I will summarize the status of the violations below:

1. Waste Evaluation, OAC Rule 3745-52-11: CASS was asked to produce fluorescent bulb evaluation information or establish a recycling plan. In your May 19, 2008, response you stated that CASS will recycle any bulbs generated in the future at Gross Electric in Toledo, Ohio. Gross Electric takes the bulbs to Environmental Recycling in Bowling Green, Ohio, which is a permitted hazardous waste facility. *Therefore, this violation is considered abated.*

2. Unpermitted Treatment, Storage and Disposal, ORC 3734.02(E)&(F): This violation will remain outstanding.

3. Tank Requirements, OAC Rules 3745-66-101: CASS utilized a hazardous waste water tank from which evaporation took place. The tank was subject to the hazardous waste tank standards.
To abate this violation, you must remove all hazardous waste from the tank (liquid and sludge). You must submit copies of the hazardous waste manifests and land disposal restriction forms that accompany the wastes off-site. CASS must also submit a plan as to how the tank will be utilized in the future. (How will it be used in the process, will it be used to hold hazardous waste, etc.)

4. Labeling of Tanks, OAC Rule 3745-52-34(A)(3): CASS did not label the evaporator tank with the words "hazardous waste". In your May 19, 2008, response you provided a photograph showing that the evaporator tank was properly labeled with a hazardous waste label. *Therefore, this violation is considered abated.*

5. Management of Satellite Containers, OAC Rule 3745-52-34(C)(1)(a): CASS must keep all hazardous waste containers closed except when adding or removing waste. During our complaint investigation on April 17, 2007, the container of paint sludge next to the evaporator tank was open.

During our September 12, 2007, visit the container was closed. Therefore, this violation is considered abated.

6. Labeling of Containers, OAC Rule 3745-52-34(C)(1)(b): CASS must keep all hazardous waste satellite containers labeled with the words "hazardous waste". The drum containing paint sludge next to the evaporator tank was not labeled "hazardous waste".

At the time of our April 17, 2007, sampling event, you labeled the drum with the words "hazardous waste". *Therefore, this violation is considered abated.*

7. Inspections of Containers, OAC Rule 3745-66-74(A): CASS must conduct weekly inspections of all hazardous waste containers.

On May 19, 2008, you submitted four weeks worth of inspection documentation. *Therefore, this violation is considered abated.*

8. Inspections of Containers, OAC Rule 3745-66-74(B): CASS must keep records of the weekly inspections in an inspection log or summary.

On May 19, 2008, you submitted four weeks worth of inspection documentation. *Therefore, this violation is considered abated.*

9. Emergency Preparedness, OAC Rule 3745-52-34(D)(5)(b): CASS must have emergency information posted next to the telephone.

On May 19, 2008, you submitted a photograph documenting that all emergency information is posted next to the shop telephone. *Therefore, this violation is considered abated.*

I will be contacting you in the next week to set up a time to meet with you. I'd like to discuss a solution to help minimize the amount of hazardous waste you generate in the future.

If you have any questions, please contact me at (419)373-3114.

Sincerely,

Wendy Miller

Wendy Miller
Division of Hazardous Waste Management

/lb

pc: Colleen Weaver, DHWM, NWDO
Wendy Miller, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
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