Ohio | Environmental Protection Agency

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

February 8, 2011

Ms. Mary Mayse
Parma Board of Education
5311 Longwood Ave.
Parma, Ohio 44134-3800

RE: PARMA BOARD OF EDUCATION; CUYAHOGA COUNTY NOTICE OF VIOLATION/PARTIAL RETURN TO COMPLIANCE

Dear Ms. Mayse:

This letter is a follow up to the meeting on January 13, 2011 between you, representing the Parma Board of Education (the Board), and Sherry Slone and me. The objectives of the meeting were to discuss the notice of violation (NOV) dated December 27, 2010, and the Board's options with regard to waste management at the facilities within the District that generate hazardous waste.

Ohio EPA inspected seven facilities/buildings in the Parma City School District. The first inspection was conducted on July 28, 2010. Subsequent inspections were conducted on August 31, September 29, and November 2, 2010.

The Central Office Building (OHD 000 775 435), located at 6726 Ridge Road, was inspected on August 31, 2010. As a result of a building clean-out, this facility had acquired large quantity hazardous waste generator status for the months of August and September 2010. The inspection of this building was discussed in a letter dated December 21, 2010. The building has since been demolished and hazardous waste is no longer generated at this location. Since this site no longer has need for a hazardous waste identification number, you indicated you would request it be deactivated. Also, you understand that an annual hazardous waste report will need to be filed for this facility.

The findings of the inspections of the other facilities are included below.

I. Transportation Center, 7600 Day Drive, Parma – Non-Notifier. Inspection date: July 28, 2010.

Violation #1, OAC rule 3745-52-11. Hazardous Waste Determination. On January 13, 2011, you stated the aerosol cans, which had been filled with paint, were emptied by using the paint. The empty cans were then discarded with the solid waste. We also discussed the possibility of recycling the cans as scrap metal in the future. **This violation has been abated.**

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

Violation #3, OAC rule 3745-273-14(A). Universal Waste Batteries–Labeling. On January 13, 2011, during the follow-up inspection, we observed the "Universal Waste Batteries" sign on the rack that will contain waste batteries. **This violation has been abated.**

II. Shiloh Middle School, 2303 Grantwood Drive, Parma – Non-Notifier. Inspection date: August 31, 2010.

Violation #2, OAC rule 3745-273-13(D) and 14(E). Universal Waste–Containers. This violation was abated when the Board, on October 1, 2010, provided photographs of the spent lamps being managed in accordance with the Universal Waste regulations.

III. Greenbrier Middle School, 11810 Huffman Road, Parma – Non-Notifier. Inspection date: September 29, 2010.

Violation #4, OAC rule 3745-52-34 (C)(1)(b) Labeling of Containers (Satellite Accumulation). **This violation is rescinded.** The rule does not apply to conditional exempt small quantity generators (CESQGs) of hazardous waste. However, it is good management practice to label all containers of hazardous waste and store the discarded chemicals in accordance with compatibility guidelines.

IV. Valley Forge High School, 9999 Independence Boulevard, Parma. EPA ID Number: OHR 000 116 525; Inspection date: September 29, 2010.

Violation #4, OAC rule 3745-52-34 (C)(1)(b) Labeling of Containers (Satellite Accumulation). **This violation is rescinded.** The rule does not apply to conditional exempt small quantity generators (CESQGs) of hazardous waste. However, it is good management practice to label all containers of hazardous waste and store the discarded chemicals in accordance with compatibility guidelines.

Concern #1 in the NOV dated December 27, 2010, questioned the circumstances associated with the shipment of 700 lbs. of hazardous waste from the Valley Forge High School facility on September 9, 2010. On January 13, 2011, you informed us that these wastes were generated all at the same time from a clean-out in September immediately prior to the shipment. The action caused the Board to transition from a CESQG to a small quantity generator (SQG) of hazardous waste for this facility during the month of September 2010.

You understand that you are required to comply with SQG rules at any of your facilities for any month that you generate between 100 and 1000kg of hazardous waste.

Associated with Concern #1 described above, is a **newly cited violation**:

Violation #6, OAC rule 3745-52-20(A)(1) Manifest Completion Although this facility had an EPA ID Number, it was not included on the manifest as required. Instead, the facility was identified as a conditionally exempt small quantity generator. This is a violation of rule 3745-52-20(A)(1). Please correct your copy of the manifest and contact all other participating entities such as the transporter, PennOhio Corporation and the destination facility, Chemtron Corporation located in Avon, Ohio, and request their copies be corrected. **Please confirm that corrections have been made to all copies of the manifest and submit a copy of the corrected manifest to me within 30 days of the date of this letter.**

V. Normandy High School, 2500 West Pleasant Valley Road, Parma – Non-Notifier. Inspection date: November 2, 2010.

Violation #5, OAC rule 3745-55-73(A) Management of Containers. This violation **is rescinded.** This rule does not apply to CESQGs of hazardous waste. However, it is good management practice to keep all containers of hazardous waste closed unless adding to or removing from the container. You indicated this facility will need an EPA identification number due to anticipated quantities of hazardous waste generation.

Please go to http://www.epa.ohio.gov/Default.aspx?tabid=3915 to request an EPA identification number for this site.

VI. Parma Senior High School, 6285 West 54th Street, Parma.
EPA ID Number: OHD 981 530 850; Inspection date: November 2, 2010.

There were no violations noted at this facility.

Concern #2 in the December 27, 2010 NOV dealt with record-keeping requirements for generators. During the time of the inspection, records to be maintained at the facility had been confiscated by the courts and were not available for Ohio EPA review. Although you could not predict when the records would be returned to the Board, you assured me that, in accordance with OAC rule 3745-270-07(A)(8), the records will be maintained for an extended period of time once returned.

Please submit the requested documentation to respond to Violation #6 within 30 days of the date of this letter. Should you have any questions regarding this letter, please feel free to contact me at (330) 963-1279, or via e-mail at patricia.natali@epa.state.oh.us.

Sincerely,

Patricia Natali
Environmental Specialist
Division of Hazardous Waste Management

PN:cl

cc: Marlene Kinney, DHWM, NEDO
James Leigh, Parma City School District

ec: Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO
Adrienne LaFavre, OCAPP, NEDO
Paula Canter, DHWM, CO

NOTICE:

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