



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

March 15, 2012

RE: WE-R-CHROME
OHD004214805
COMPLAINT #7500
CUYAHOGA COUNTY/CESQG
NOTICE OF VIOLATION

Mr. Wally Spike
We-R-Chrome
3885 East 78th St.
Cleveland, OH 44105

Dear Mr. Spike:

On March 1, 2012, Ed D'Amato and I of the Ohio EPA Division of Materials and Waste Management, conducted a hazardous waste complaint investigation at We-R-Chrome, located at 3885 East 78th St., Cleveland, Ohio. The purpose of our visit was to investigate a complaint received by Ohio EPA alleging that We-R-Chrome does not have a hazardous waste hauler come to pick up hazardous waste, that waste is going into a drain in the bathroom across from the plating room and that the company has no wastewater pretreatment system. Also present during the investigation were Brandy Reischman and Frank Schuschu, representatives of Northeast Ohio Regional Sewer District, who were present to conduct their own investigation of the alleged activities. You represented We-R-Chrome during the complaint investigation.

We-R-Chrome is a decorative chrome, nickel and copper plating company. The facility does not have a pre-treatment system and is classified as a zero process discharger. We-R-Chrome generates a small amount of hazardous waste from the strip tanks and from the chrome tank. The material that would likely be classified as a hazardous waste is being stored in 5 gallon pails. Some of the material is a solid byproduct of the stripping process (nickel sulfide, nickel chloride) and some of it is a liquid. There were roughly eighteen, five gallon pails containing hazardous waste located in the plating room surrounding the water rinse tank, and waste was also noted in a "bathtub" in the abandoned bay on the west side of the building. You thought that it contained a zinc material generated when We-R-Chrome used to plate aluminum. Based on the number of containers that we saw, it appears that We-R-Chrome is a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste.

If you generate no more than 100 kg of hazardous waste and no more than one kg of acutely hazardous waste in a calendar month, you are considered a CESQG. You may accumulate hazardous waste which is generated on-site for any length of time; however, if you accumulate more than 1,000 kg of hazardous waste (2200 pounds, or about five, fifty-five gallon drums) or more than one kg of acute hazardous waste on-site at any time, you become subject to the SQG requirements. To ensure that you do not become classified as a SQG, you will want to get all the hazardous waste we saw off-site as soon as possible.

I have enclosed copies of the checklists and the photographs that were taken. The following violation was noted:

1. **Ohio Administrative Code (OAC) 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.**

One of the 5 gallon pails stored by the water rinse tank contained an unknown material. You thought that it might be old drywall, but you weren't really sure what the pail contained. The mixture looked like it had some of the nickel sulfide or nickel chloride mixed in it. There was a tub in the west bay area that contained a material that you thought had been generated from aluminum plating.

To abate this violation, We-R-Chrome must do the following:

- A. Properly characterize the unknown material in the 5 gallon pail and the material in the tub. Please submit analytical data regarding the nature of the wastes listed above. You will need to collect a sample of each of the wastes and have them tested using the Toxicity Characteristic Leaching Procedure (TCLP) for the eight RCRA; metals, arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver. Additionally you should also analyze the samples for cyanide. If the material is determined to be a hazardous waste, you will not be able to dispose of it in the trash and will have to send it off-site to a permitted hazardous waste facility.
- B. Properly characterize the remaining waste in the 5 gallon pails and then send me a list of all the wastes that are being stored in the plating room. You may want to combine like materials into a container(s) that can be closed to prevent the chance of a spill of hazardous waste.

When the waste material is shipped off-site for disposal, please send me the hazardous waste manifests and/or bill of lading that accompanied the waste off-site to document that it was properly disposed of.

Based on this inspection and the amount of waste we saw on-site, We-R-Chrome is a CESQG. However, should you continue to accumulate hazardous waste without shipping any off-site, you run the risk of storing more than 1000 kg of hazardous waste. This would change your generator status from CESQG to a Small Quantity Generator (SQG) of hazardous waste. As a SQG you would have more rules to follow and would only be able to accumulate waste for up to 180 days before the material would have to be shipped off- site.

WE-R-CHROME
MARCH 15, 2012
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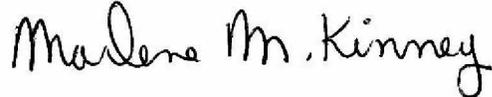
We-R-Chrome needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, We-R-Chrome is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to marlene.kinney@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, We-R-Chrome is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dmwm.aspx>

Should you have any questions, please feel free to call me at (330) 963-1162 or email me at marlene.kinney@epa.state.oh.us

Sincerely,



Marlene M. Kinney
Environmental Specialist
Division of Materials and Waste Management

MMK:ddw

Enclosure

ec: Jeff Mayhugh, DMWM, CO
Nyall McKenna, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO
reichsmanb@neorsd.org

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHD004214805	
Site Name	Name: We-R-Chrome	Website: (Optional)
Site Location Information	Street Address: 3885 East 78th St.	
	City, Town, or Village: Cleveland	State: OH
	County Name: Cuyahoga	
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>
NAICS code(s) www.census.gov/epcd/www/naics.html	District <input type="checkbox"/>	Federal <input type="checkbox"/>
	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>
	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Zip Code: 44105	

Facility Representative	First Name: Walter	MI: .	Last Name: Spike
Additional names can be recorded in number 12	Title: Owner		
Only provide address information if it is different than the site address	Phone Number: 216-441-2795		Phone Number Extension:
	E-Mail Address: thechromeking@yahoo.com		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		
	State:	Zip Code:	

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	Name of Site's Legal Owner: Walter Spike		Date Became Owner (mm/dd/yyyy):	
	Owner Type: <input checked="" type="checkbox"/>	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>
	Other <input type="checkbox"/>	Street or P.O. Box:		
	City, Town or Village:		Owner Phone #:	
	State:	Country:	Zip Code:	
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type: <input type="checkbox"/>	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>
	Other <input type="checkbox"/>	Street or P.O. Box:		
	City, Town or Village:		Operator Phone #:	
	State:	Country	Zip Code:	

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)	
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY)	
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil	
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications	

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

<input type="checkbox"/> College or University	
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university	
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university	

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. 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 type="checkbox"/> No	
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)
Marlene Kinney	Ed D'Amator	03/01/2012

Comments:

One violation cited. Complaint investigation and we were accompanied by representatives of NEORSD. Violation will be cited.

This address was inspected in 2004 when it was called Better Bumper (later was called Archer Custom Chrome, now is We-R-Chrome). An ID number should have been assigned to 3885 E. 78th St. in 2004 so the violation noted in NOV dated 11/3/2004 could be entered in RCRA info. However, the violation for Better Bumper was entered incorrectly using the ID number assigned to 9110 Manor Ave. (OHR000013904). Better Bumper had moved from Manor Ave to 3885 E.78th St. The Manor Ave. number should be deactivated with an ISI date of 10/12/2004.

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

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.*

Safety Equipment Used: *Steel Toe Boots, Safety Glasses*

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)] <i>Has never shipped off-site</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

[Facility Name/Inspection Date]

[ID number]

CESQG/February 2009

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W

We-R-Chrome 3/1/2012



Looking at water reuse tank. 5 gallon pails contain waste spent H_2SO_4 slup and Nickel sulfite and nickel chloride -
Byproducts of stripping operations

001



Looking toward alkyl copper tank
Potassium cyanide is used.
This part of the room is the caustic side

002

We-R-Chrome 3/1/2012



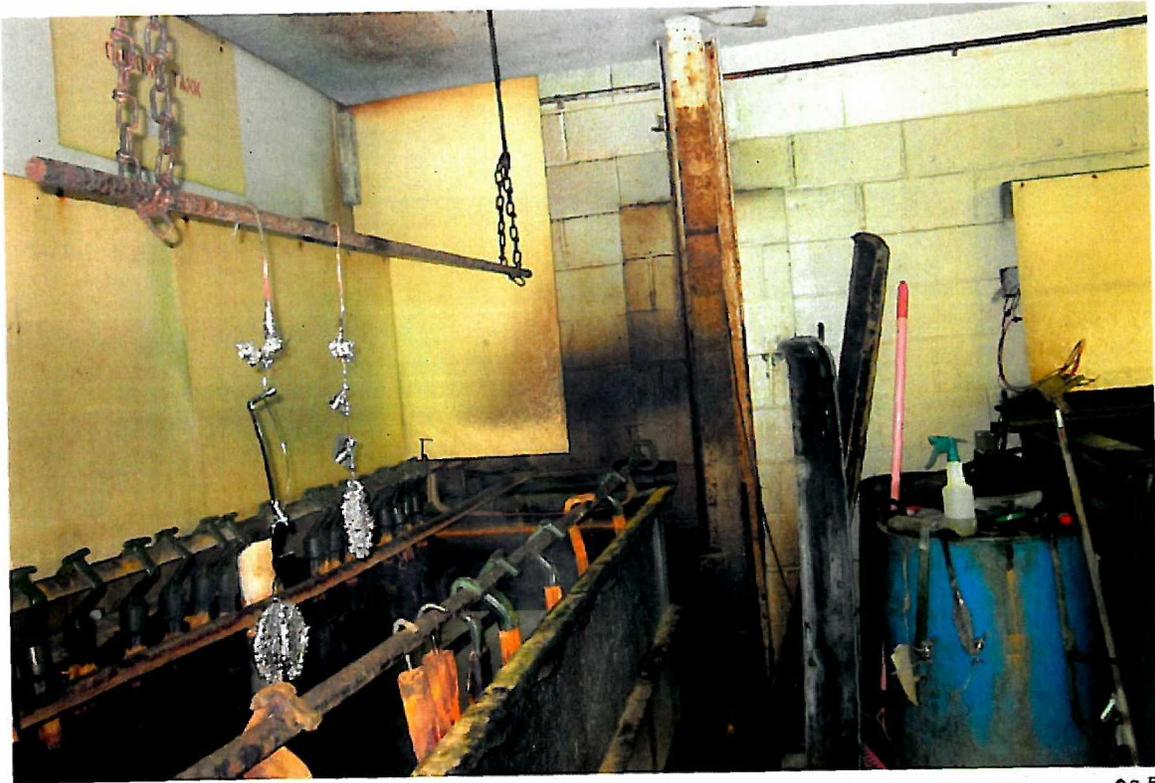
"Wase" fitting out has chrome plating tank on other side of it. 003



- 1 = H₂O rinse tank
- 2 = murex acid
- 3 = muckie
- 4 = H₂O rinse

004
pails of spent strip solution
needed

We-R-Chrome 3/1/2012



Chrome tank

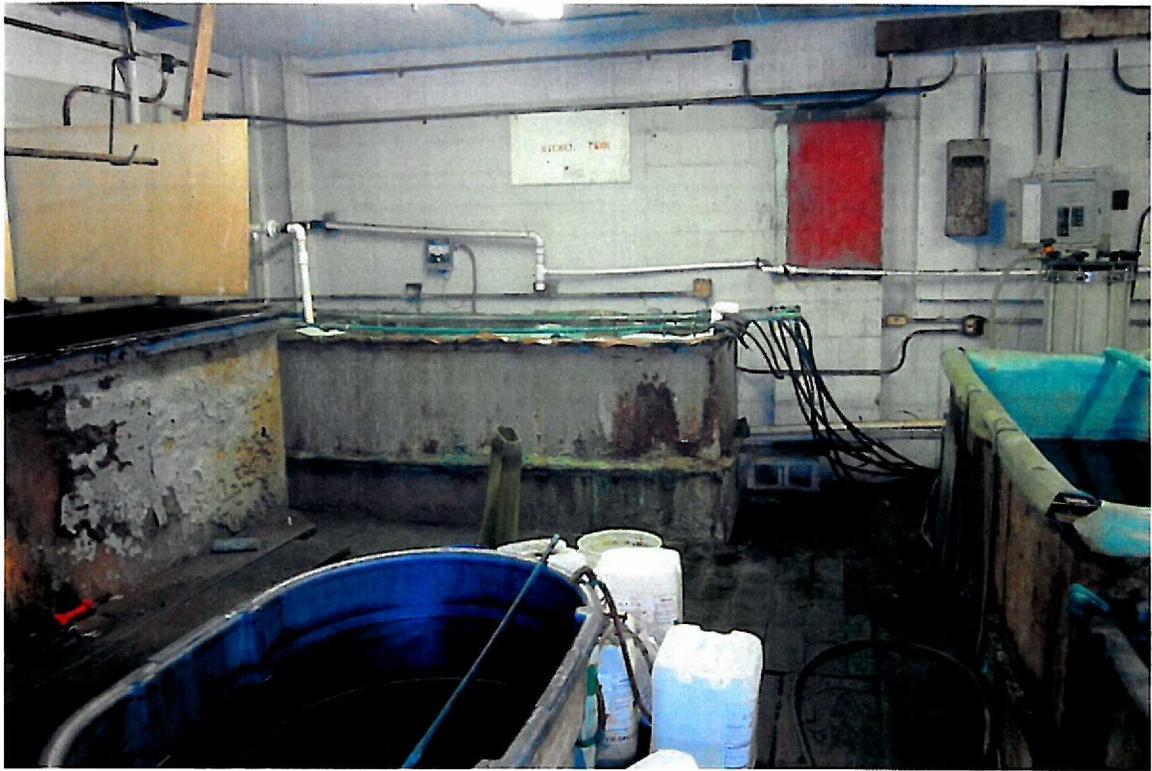
005



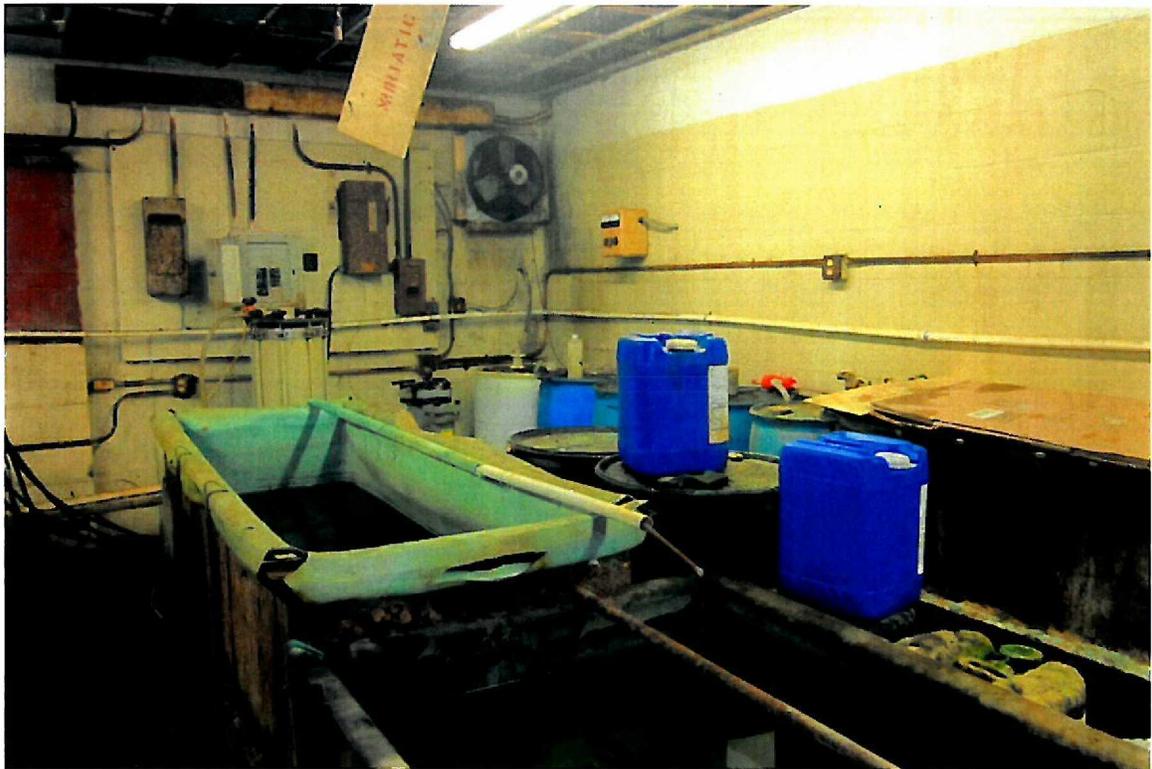
Chrome tank after chrome

006

Wa-R = Chrome 3/1/2012



007



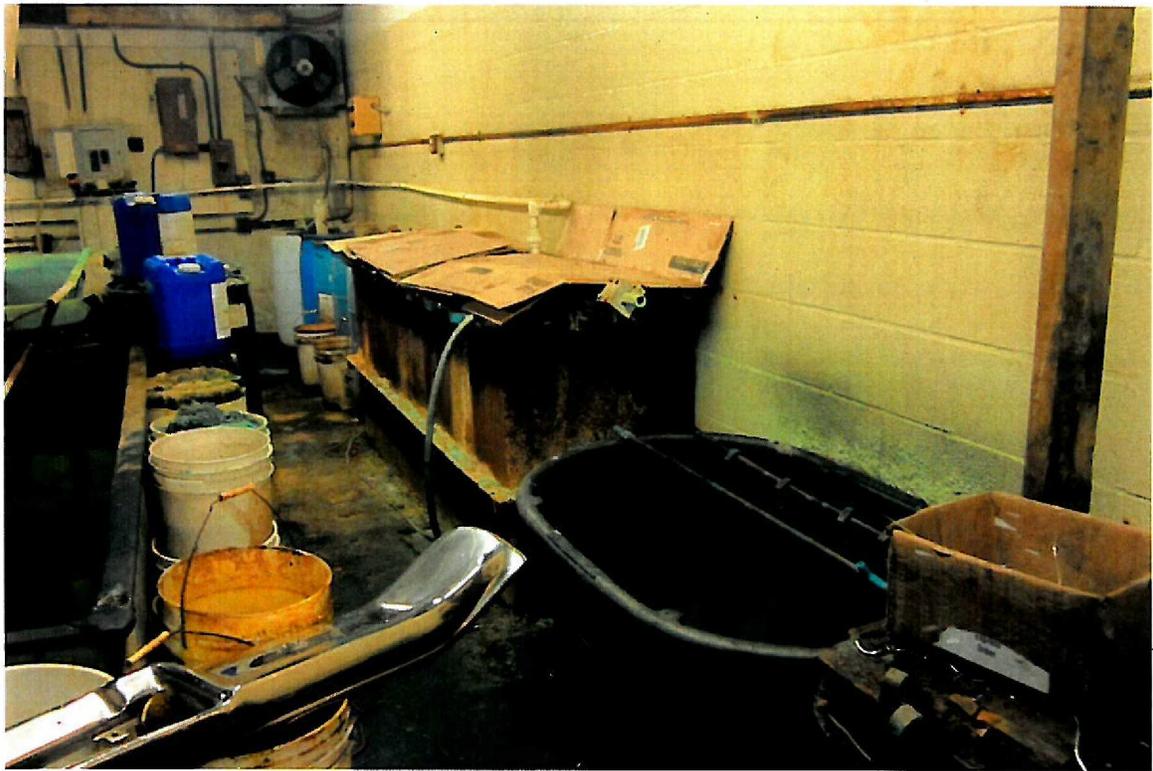
008

We-R-Chrome 31/2012



Copper plating tanks - in use

009



Tub = sulfuric acid strip

010

We-R-Chrome 3/1/2012



etch tank - rarely used

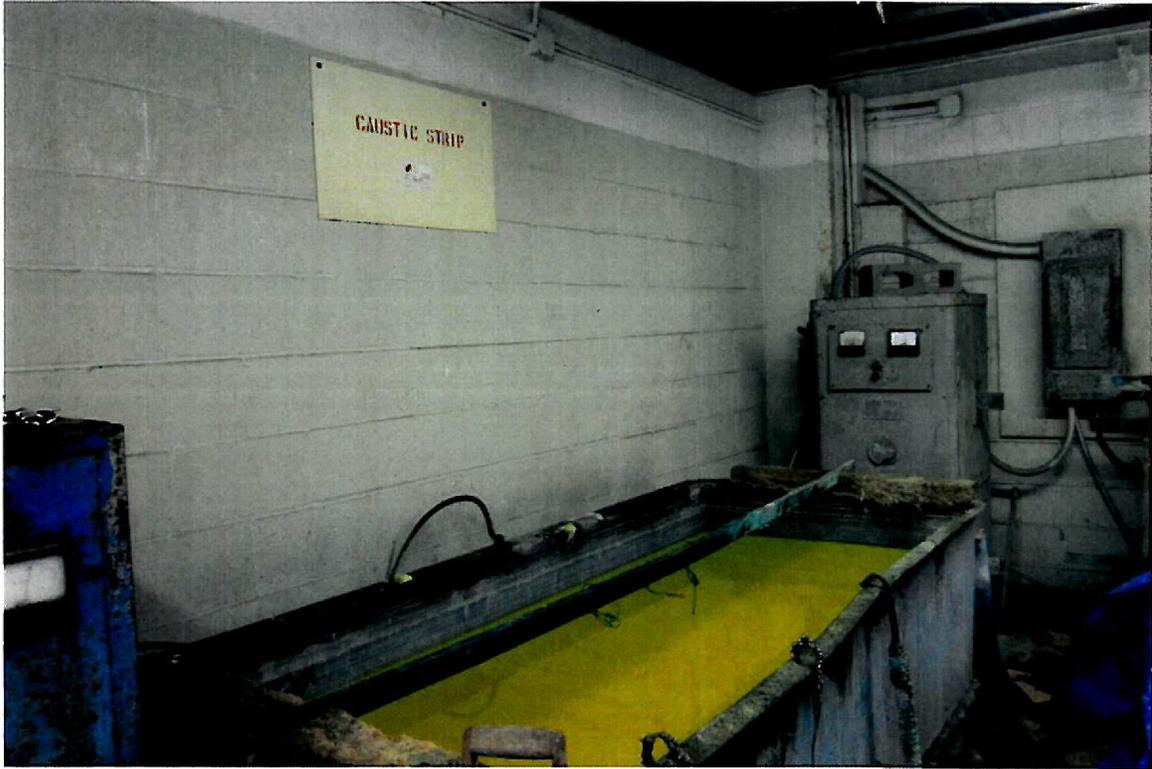
011



NaOH - tank

012

Wc-R-Chrome 3/1/2012



another view of caustic strips

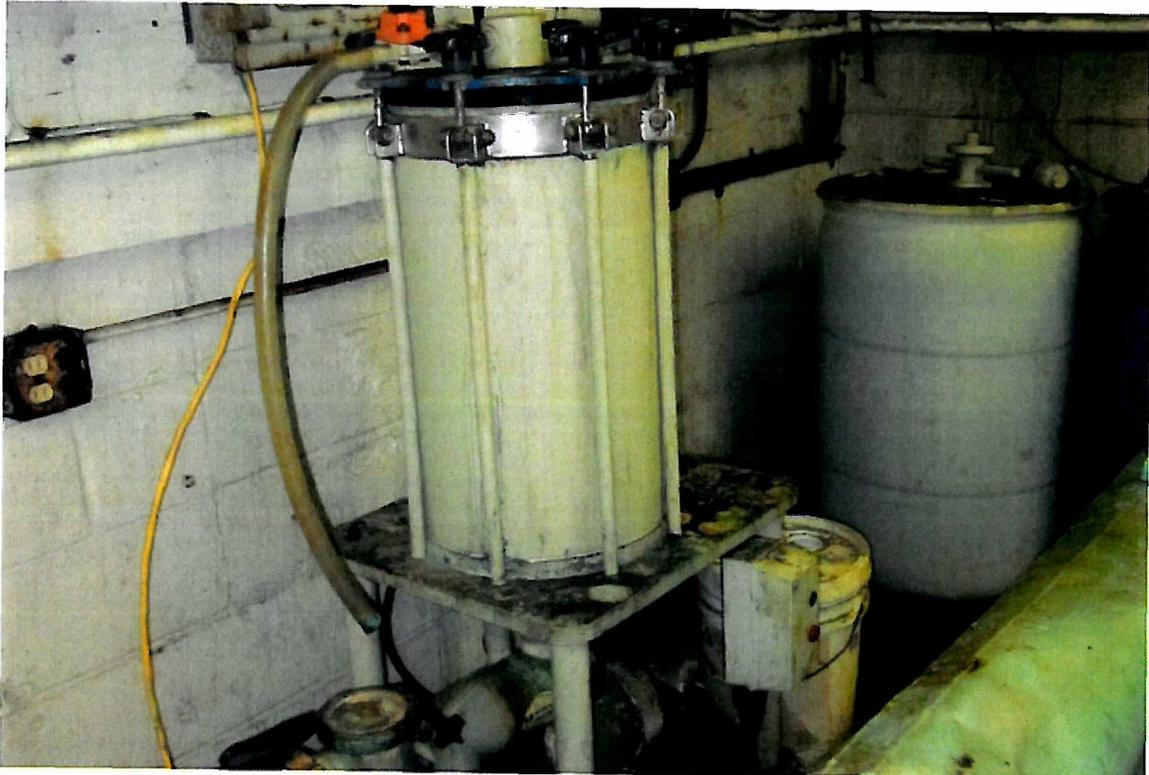
013



waste strips

015

Wc-R-Chrome 3/1/2012



At end of room across from muriatic acid tank

017



5 gallons pails of spent sludge to dried
out sludge

018

We-R-Chrome 3/1/2012



experiment setup by Halcyon setup tank

016



Tub in other room - zinc material?

023

We-R-Chrome 3/1/2012



015



018