



State of Ohio Environmental Protection Agency

Northeast District Office

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

December 8, 2008

RE: GUARANTEED FINISHING UNLIMITED, INC.
CUYAHOGA COUNTY
OHD 107 109 563
PARTIAL RETURN TO COMPLIANCE/NOV #4

Mr. Bill Kozak Jr.
3200 W. 121st Street
Cleveland, OH 44111-1700

Dear Mr. Kozak:

On October 7, 2008 the Ohio EPA received a response to our NOV letter dated September 5, 2008 requesting additional information in regard to your evaluation and generation of hazardous waste. Your response appears to identify that based on the analytical data the accumulated debris and sludge waste were non-hazardous solid wastes. The generation of your facility hazardous waste was reported to be D002 fluids generated from alkaline cleaners, alkaline plating bath waste, acids and supernatant fluids from sludge cleanout. Non-hazardous sludge cleanout solids included chloride and zinc plating bath wastes.

It is understood that the drummed hazardous D002 fluids that had been accumulated were treated through your onsite waste water treatment system (wwts). It is also understood that all sludge wastes generated from wwt and filter press were accumulated and sampled by Enviroserve and analyzed for TCLP RCRA metals by North Coast Environmental Laboratories, Inc.

You stated that operational changes were made that will ensure wastes will no longer be accumulated and stored for later processing, but immediately treated through your wwts and filter press.

Based on our conversation on November 25, 2008 and documentation the Ohio EPA received on July 28, 2008 and October 7, 2008 it appears that you have abated the following violations:

- 1) OAC Rule 3745-65-16(A)(1-3), (B), (C), (D)(1-4) and (E), Personnel Training
- 2) OAC Rules 3745-65-51(A) and (B); 3745-65-52 (A), (B), (C), (D), (E) and (F); 3745-65-53(A) and (B); and 3745-65-55, Contingency Plan
- 6) OAC 3745-52-34(A)(3), Hazardous waste container labeling
- 7) OAC 3745-52-34(A)(2), Hazardous waste container dating
- 8) OAC Rule 3745-66-73(A) and (B), Management of Containers
- 9) OAC 3745-66-74, Inspections.

Based on the limited information your generator status remains uncertain. It appears quantities could fluctuate on a monthly basis to small quantity generator (SQG) and possibly episodic large quantity generator (LQG). Hazardous waste that is generated and immediately treated in your wwts must be counted toward determining your generator status. Additional information in response to the remaining violations and determining your generator status is required.

VIOLATIONS

The following violations require additional response from you:

Waste Evaluation, OAC 3745-52-11: Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51. Cleanout sludge, potentially a D007 waste, from chromating tanks (T1, T2, T3, T4 and T5) of Barrel Line #1 and chromating tanks (T4 and T5) of Barrel Line #2 need to be representatively characterized by sampling and analysis using USEPA test Method 1311 toxicity characteristic leaching procedure method (TCLP) for RCRA metals.

To abate this violation, you must:

- 1) Identify whether a D007 waste stream exists.
- 2) Obtain representative samples of potential D007 source tank sludge waste from chromating tanks.
- 3) Provide laboratory posted TCLP analytical results for RCRA metals by Method 1311 of the chromating tank sludge waste.
- 4) Provide the amount of this waste stream generated each month. Please provide the quantity generated whether it reports as a non-hazardous or characteristically hazardous waste. It is suggested that you post a tracking form for a period of time to identify the quantity of waste generated from the process.

Preparedness and Prevention

- 3) **OAC 3745-65-32 (A)(B)(C), Required Equipment:** All facilities shall be equipped with the following: spill control equipment, decontamination equipment and an internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel.

GFU failed to demonstrate having the above needed equipment appropriate to spill control for both liquid and solid wastes such as pigs, booms, shovels, neutralization materials, decontamination equipment and communication.

Please provide a list of emergency equipment at the hazardous waste generator area(s) appropriate to the wastes managed including communication, alarm, spill control and decontamination equipment and submit a list indicating what has been provided for each area.

- 4) **OAC 3745-65-33, Testing and Maintenance of Equipment:** All facility communication or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment shall be tested and maintained to assure proper operation in time of emergency. These tests must be documented in a log or summary.

GFU failed to have emergency equipment inspection records.

GFU must develop a log for recording inspections of all emergency equipment and commence these inspections immediately. GFU may inspect by a method or frequency that insures the emergency equipment is ready and available at all times. GFU must submit a copy of the latest completed inspection. An example container/equipment inspection form is enclosed. The inspection form provided can be adapted to meet your needs.

Unpermitted Hazardous Waste Storage

- 10) **ORC §3734.02(E) and (F):** GFU established an unpermitted hazardous waste storage facility by storing hazardous wastes without a permit.

GFU has analyzed and sent offsite the accumulated wastes as non-hazardous as indicated by TCLP data. Please provide receipt documentation of the disposal location of this material.

We understand some of the accumulated waste was a D002 corrosive waste that will now be collected and then treated through your wwts. To help determine your generator status, please provide the quantity of D002 corrosive fluids generated per month of alkaline cleaners, alkaline plating baths and acids. You might need to keep a tracking log to determine these quantities.

Be advised that any instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please respond to this letter in writing **within 15 days** of the date of this letter by providing the information requested above. Should you have any questions or require additional information, you may contact me at (330) 963-1146 or at ron.shadrach@epa.state.oh.us.

Sincerely,

for 
Ronald J. Shadrach
Division of Hazardous Waste Management

RJS:ddw

Enclosure

ec: Frank Popotnik, DHWM, NEDO

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.

