

July 14, 2010

Lawrence P. Zajac Jr.
Vice President of Operations
30 Industry Drive
Bedford, OH 44146

**RE: FLASH INDUSTRIAL TECHNOLOGY, OHR000038232, RCRA/CESQG,
COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION/RETURN
TO COMPLIANCE**

Dear Mr. Zajac:

On June 25, 2010, Ohio EPA's Division of Hazardous Waste Management (DHWM) conducted a compliance evaluation inspection at the Flash Industrial Technology (FIT) facility located at 25900 Solon Road in Bedford, Ohio. At the time of this inspection, FIT qualified as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. FIT generates used oil and spent fluorescent lamps which are shipped off site for recycling.

The purpose of this inspection was to determine FIT's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). FIT was represented by you, while Ohio EPA was represented by me. Ohio EPA's inspections included an inspection of the FIT facility and a review of written documentation.

Based upon this inspection Ohio EPA has determined that FIT has violated the following state hazardous waste regulation:

1. **OAC Rule 3745-273-13(D)(1) Universal Waste Lamp Management:** *A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. **Such containers and packages must remain closed** and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*

FIT accumulates spent fluorescent lamps for recycling as universal waste. At the time of this inspection, Ohio EPA observed that the spent fluorescent lamps were not being accumulated in closed containers as required by the Universal Waste regulations.

To demonstrate abatement of this violation, please see Violation #4

2. **OAC Rule 3745-273-14(E) Labeling/marking of Universal Waste:** *Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."*

At the time of this inspection, the containers of spent lamps observed by Ohio EPA were not labeled with one of the following phrases: "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

To demonstrate abatement of this violation, please see Violation #4

3. **OAC 3745-273-15(C) Accumulation time limits for Universal Waste:** *A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

At the time of this inspection, the FIT did not have a system for tracking how long the universal waste lamps have been on site.

To demonstrate abatement of this violation, please see Violation #4.

4. **OAC Rule 3745-273-16 Employee Training for Small Quantity handlers of Universal Waste:** *A small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.*

FIT has not trained employees responsible for the management of universal waste in the proper handling and emergency procedures appropriate to the type of universal waste handled at the facility. Ohio EPA has provided the facility with a copy of Ohio EPA's guidance on management of spent fluorescent lamps under the universal waste rules.

By e-mail dated June 30, 2010, Ohio EPA received documentation and photographs demonstrating the spent lamps are being properly managed under the Universal Waste rules. Ohio EPA therefore considers violations #1, #2, #3 and #4 abated and no further action is required.

5. **OAC Rule 279-22C(1) Used oil requirements for generators:** *Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."*

At the time of this inspection, Ohio EPA observed one container of used oil which was not labeled with the words "Used Oil".

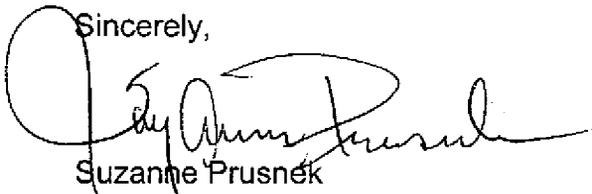
Upon observation of this violation, Ohio EPA provided you with a marker and observed while you labeled the container. Ohio EPA therefore considers this violation abated and no further action is required.

Enclosed you will find copies of the checklists completed at the time of the inspection.

The Division of Hazardous Waste Management has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptpage.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

Enclosure

ec: Natalie Oryshkewych, DHWM, NEDO, OEPA
Frank Popotnik, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, CO, OEPA

Failure to list specific deficiencies in this communication does not relieve FIT from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve FIT from liability for any past or present violations of the state's hazardous waste laws.



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 paula.canter@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHR000038232	
Site Name	Name: Flash Industrial Technology	Website: (Optional)
Site Location Information	Street Address: 30 Industry Drive	
	City, Town, or Village: Bedford	State: OH
	County Name: Cuyahoga	Zip Code:
Site Land Type (check only one)	Private <input checked="" 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"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html	33272	

Facility Representative	First Name: Lawrence	MI: P.	Last Name: Jr.
Additional names can be recorded in number 12	Title: Vice President of Operations		
Only provide address information if it is different than the site address	Phone Number: 3307868979		Phone Number Extension:
	E-Mail Address: Larry Zajac <larryzajac@fitltd.net>		
	Fax Number: 440-786-9688		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:		Date Became Owner (mm/dd/yyyy):	
	Owner Type:	Private <input checked="" 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:		Owner Phone #:	
	City, Town or Village:		Country:	Zip Code:
	State:		Date Became Operator (mm/dd/yyyy):	
	Name of Site's Operator: Flash Industrial Technology			
	Operator Type:	Private <input checked="" 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: Same		Operator Phone #:	
	City, Town or Village:		Country:	Zip Code:
	State:			

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"/> Short-Term 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"/> Large Quantity Generator (LQG) <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
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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"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))	
<input checked="" 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 checked="" type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))
<input checked="" 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

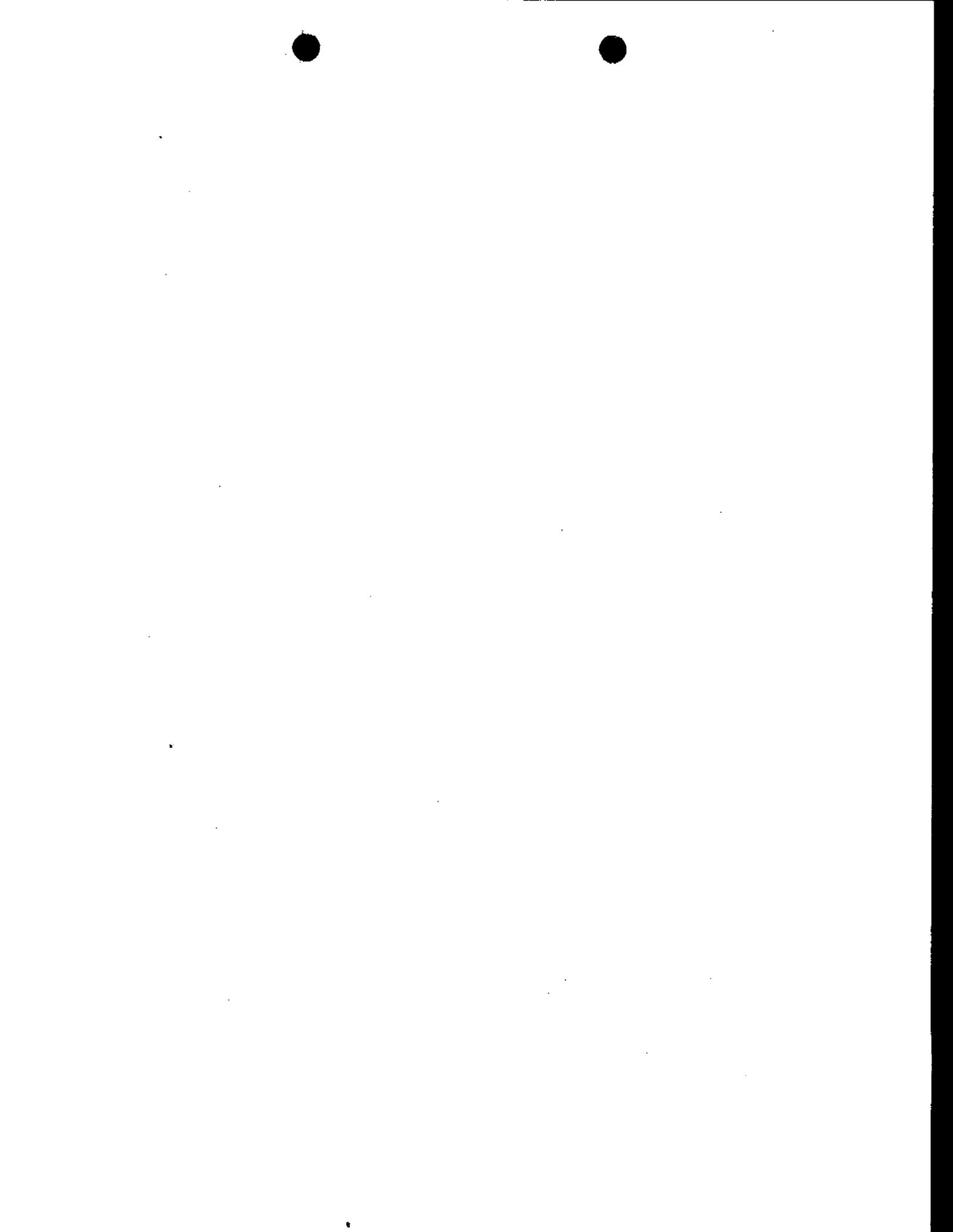
Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is 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 checked="" 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)
Suzanne Prusnek		06/25/2010 13:00

Comments:



**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: Safety Glasses and steel toed boots.

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/>	No <input 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)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input 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 checked="" type="checkbox"/>	N/A <input 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"/>

