



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

May 10, 2010

John Kusner
768 E. North St.
Akron, OH 44305

RE: KEN TOOL, OHD 001 882 737, SUMMIT COUNTY, CEI, RETURN TO COMPLIANCE

Dear Mr. Kusner:

Thank you for your May 4, 2010 response to Ohio EPA's April 14, 2010 Notice of Violation (NOV). Your response was received on May 5, 2010. The documentation you submitted included the following:

1. A picture of a hazardous waste label and accumulation date on the unlabeled drum of hazardous waste cited in the NOV.
2. A copy of your weekly hazardous waste inspection log showing two completed inspections.
3. A copy of the emergency equipment inspection log and an explanation that the inspection interval will be every 3 months.
4. A copy of the LDR form for Ken Tool's mixed paint waste stream.
5. An explanation that the remaining containers of used oil have been labeled.

I have reviewed your documentation and determined that it is sufficient to correct the outstanding violations cited in the NOV:

1. **Dating of Containers (SQG)**
OAC 3745-52-34(D)(4)
2. **General Inspection Requirements**
OAC 3735-66-74
3. **Emergency Equipment Inspections**
OAC 3545-65-33
5. **Land Disposal Restrictions**
OAC 3745-270-07 (A)(2)(a)

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**7. Used Oil Storage Requirements for Generators (Labels)
OAC 3745-279-22(C)**

No response to this letter is required.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Failure to list specific deficiencies or violations in this communication does not relieve Ken Tool from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Sincerely,



Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

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