



Environmental
Protection Agency

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

July 30, 2012

RE: **BARKER PRODUCTS**
OHD 070 763 339
CUYAHOGA COUNTY
PARTIAL RETURN TO COMPLIANCE

Bill Gallagher
The Barker Products Co.
PO Box 10845
Cleveland, OH 44110

Dear Mr. Gallagher:

I have received your June 25, 2012 letter and attachments. This was sent in response to the violations found during my June 7 and 8, 2012 inspection of Barker Products at 1028 East 134th Street, Cleveland, Ohio 44110. With the exception of violation # 1, you have documented a correction of the violations as outlined below.

1. **OAC Rule 3745-52-11 – Hazardous waste determination.**
Number 8 on the inventory is 3 totes of waste cleaner. You said you will be slowly reintroducing this into the WWT. You need to determine whether this is a hazardous waste and send me that determination.
2. **OAC Rule 3745-52-41 – Annual report.**
Previously corrected.
3. **OAC Rule 3745-65-31 – Maintenance and operation of facility.**
Your June 25, 2012 letter documents your correction of this violation.
4. **OAC Rule 3745-65-35 – Required aisle space.**
Previously corrected.
5. **OAC Rule 3745-52-34(C)(1)(b) – Satellite container labeling.**
Your June 25, 2012 letter documents your correction of this violation.
6. **OAC Rule 3745-52-34(A)(3) – Container labeling.**
Your June 25, 2012 letter documents your correction of this violation.
7. **OAC Rule 3745-52-34(A)(2) – Accumulation start date.**
Your June 25, 2012 letter documents your correction of this violation.
8. **OAC Rule 3745-66-73(A) – Closed containers.**
Your June 25, 2012 letter documents your correction of this violation.

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9. **OAC Rule 3745-66-74 – Inspections of container storage areas.**

Your June 25, 2012 letter documents your correction of this violation. One comment on your log is that under “Are any containers beyond 90 days stored?” N/A was marked. It would be more appropriate to mark yes or no since this rule does apply to your facility.

10. **OAC Rule 3745-279-22(C) - Used oil labels.**

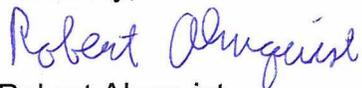
Your June 25, 2012 letter documents your correction of this violation.

You need to immediately take the necessary measures to return to compliance with Ohio’s environmental laws. Within 14 days of receipt of this letter, you are requested to provide documentation to me including the steps taken to abate the violations cited above. Such documentation may include written correspondence, updated policies, and photographs, as appropriate.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 (or 3714 for C&DD) 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. If circumstances delay the abatement of violations, you are requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please contact me at (330) 963-1217, or robert.almquist@epa.ohio.gov.

Sincerely,



Robert Almquist
Division of Materials and Waste Management

RA:cl

ec: Frank Popotnik, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO
Marlene Kinney, DMWM, NEDO
Anthony Becker, DAPC, NEDO
Jeff Mayhugh, DMWM, CO

cc: Kathryn Crestani, NEORS