



Environmental
Protection Agency

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

September 5, 2012

RE: UPPER DECK LOUNGE
OHR 000 170 779
SUMMIT COUNTY
COMPLAINT 7546
RTC

John Thorton
Turkeyfoot Properties Company
294 W. Turkeyfoot Lake Road
Akron, OH 44319

Dear Mr. Thorton:

I have received your August 29, 2012 letter and waste analysis report. This was in response to my July 30, 2012 letter regarding Upper Deck Lounge at 357 W. Turkeyfoot Lake Road, New Franklin, Ohio 44319. As outlined below, your letter documents the correction of the one violation cited in my letter.

1. **OAC Rule 3745-52-11 – Hazardous waste determination.**

Your letter included the August 20, 2012 results of the analysis of a sample of paint chips that were tested by the TCLP. Lead was the only metal found in any appreciable amount. 1.16 mg/l of lead was found. This is below the hazardous waste level of 5 mg/l. Therefore, this waste is not a hazardous waste.

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
Lynn Sowers, DMWM, NEDO
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Mary Dalton, Summit County Public Health