



State of Ohio Environmental Protection Agency

Northeast District Office



2110 East Aurora Rd.  
Twinsburg, Ohio 44087

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

**CERTIFIED MAIL**

April 14, 2010

Chuck Kover  
Marko Body Shop  
1490 E. Archwood Ave.  
Akron, OH 44306

**RE: MARKO BODY SHOP OHD 017 484 536, SUMMIT COUNTY, CESQG-CEI, 2<sup>nd</sup> NOTICE OF VIOLATION**

Dear Mr. Kover:

You have failed to respond to Ohio EPA's Notice of Violation (NOV) dated March 10, 2010. The violation cited in the NOV remains outstanding. In order to correct it you must do the following and send me all requested information **within 15 days** of the date of this letter:

**1. Hazardous Waste Determination  
OAC 3745-52-11**

*Any person who generates a waste in the state of Ohio...shall determine if the waste is a listed hazardous waste...*

You explained that you dispose of spent fluorescent lamps in your trash dumpster. Often these lamps contain mercury at a level that makes them a hazardous waste if disposed.

If the spent lamps are sent for recycling instead of disposal, they would be exempt from the hazardous waste management requirements.

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 Marko Body Shop 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

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