



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Sunny Cleaners
Hazardous Waste
OHD 981 788 672
Wood County
Notice of Violation

July 31, 2009

Mr. W. B. Hwang
Sunny Cleaners
1111 Louisiana Avenue
Perrysburg, Ohio 43551

Dear Mr. Hwang:

On July 15, 2009, Ohio EPA, Division of Hazardous Waste Management conducted a hazardous waste compliance evaluation inspection (CEI) of Sunny Cleaners (Sunny) located at 1111 Louisiana Avenue, Perrysburg, Ohio. This inspection was conducted to determine Sunny's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC), and Ohio's hazardous waste regulations as adopted under Chapter 3745. of the Ohio Administrative Code (OAC). Sunny was represented by you. Ohio EPA was represented by the writer. The inspection included a tour of the facility and a review of facility paperwork. This letter will explain the violation I discovered, what you need to do to correct this violation and one general comment.

Sunny is a dry cleaner. Sunny is a conditionally exempt small quantity generator of hazardous waste. Hazardous waste generated at the facility includes perchloroethylene sludge, separator water and filters (D039, F002). You also generate fluorescent light bulbs.

During the inspection, I gave you the following information: the fact sheets Universal Waste Rules for Handlers of Lamps; Fluorescent Lamps: What you Should Know; Environmental Guide for Ohio Dry Cleaners; Managing Hazardous Waste from Dry Cleaning and a list of computer, fluorescent lamp and ballast recyclers.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information **within 30 days** of your receipt of this letter:

1. Waste Evaluation.
OAC Rule 3745-52-11

Any person who generates a waste must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

Sunny failed to have waste evaluation documentation for the fluorescent bulbs generated at the facility.

Sunny is currently disposing of their fluorescent bulbs in the trash. Sunny must cease disposing of their fluorescent bulbs as non-hazardous waste in the local landfill until a proper waste evaluation has been completed.

The waste evaluation can be conducted by taking a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Sunny must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs. Sunny must sample the fluorescent bulbs to determine the Toxicity Characteristic Leaching Procedure (TCLP) concentrations of barium (D005), cadmium (D006), lead (D008), and mercury (D009) as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846. Sunny's may run total concentrations for these constituents as a screening tool. If the concentration(s) are detected for any of these constituents at or above the regulatory limit, a TCLP may be required to ensure these constituent(s) are not present above the Ohio EPA regulatory level.

If the bulbs are determined to be hazardous through a proper waste evaluation, Sunny will have to manage their bulbs either as 1) a universal waste (OAC Chapter 3745-273), or 2) as a hazardous waste under Ohio's generator standards (OAC Chapter 3745-52). Sunny may recycle their bulbs if they are hazardous or non-hazardous. Ohio EPA would encourage this option as a pollution prevention alternative.

- In lieu of conducting a waste evaluation, Sunny may choose to manage their bulbs as a universal waste as outlined in OAC Chapter 3745-273. Please consult the fact sheet Universal Waste Rules for Handlers of Lamps given to you during the inspection for more information. If you choose this option, please provide me an outline of your universal waste management plan.
- ***To abate this violation, please submit to me your waste evaluation of your lamps or an outline of your universal waste management plan (indicating how you will manage, label, send off-site within one year, where lamps will be recycled, etc.)***

If you perform sampling, Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the wastes tested. The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data.

To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form which can be obtained from Ohio EPA's web page:
http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html. Ohio EPA may request the documentation needed to confirm the validity of the data submitted.

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Please submit a brief narrative of each sampling event which includes: process generating the waste, point in the process the sample was obtained, sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

In addition, if sampling is performed, please notify me at least seven days prior to taking the samples so that I or an Ohio EPA representative may be present.

General Comment:

Separator Water.

- ✓ You stated that you want to begin separating your separator water so that you may discharge the water to the sanitary sewer. There are specific guidelines that must be followed pertaining to this activity. I have enclosed the fact sheet entitled Separator Water. Please read and ensure that you are following all appropriate regulations pertaining to the separator unit.

I have told our Office of Compliance Assistance and Pollution Prevention (OCAPP) that you would be interested in purchasing a dry cleaning machine which is more environmentally friendly and that you are looking for any assistance that OCAPP may be able to offer you in acquiring this machine. Someone from OCAPP should be calling you soon. If you find additional ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements. You can find helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

The Division of Hazardous Waste Management (DHWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio.

If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082.

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You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Sincerely,



Amber M. Hicks
Division of Hazardous Waste Management

/lb

Enclosures

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO, File, Wood County, General~~

ec: Amber Hicks, DHWM, NWDO
Ron Nabors, OCAPP, NWDO

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/w/naics.html	EPA ID Number: OHD981788672 Name: Sunny Cleaners Website: (Optional) Street Address: 1111 Louisana Avenue City, Town, or Village: Perrysburg County Name: Wood State: OH Zip Code: 43551 Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> 812320
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: W B MI: Last Name: Hwang Phone Number: 419-873-1736 Phone Number Extension: E-Mail Address: Fax Number: 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: Owner Private County District Federal Indian Municipal State Other Type: <input type="checkbox"/> <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State: Owner Phone #: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): Owner Private County District Federal Indian Municipal State Other Type: <input type="checkbox"/> <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State: Operator Phone #: United States Zip Code:

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED	
<input type="checkbox"/> Not a Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input 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

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)	
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

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

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input 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. Oil	
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	

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 if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

D039 F002

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	Other Comments:
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)
Amber Hicks		7/15/2009 10:46-11:14

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Sunny Cleaners
 Facility Type: LQG
 SQG
 CESQG
 TSD
Date of Inspection: 7-15-09
EPA ID#: OHD981788672

Waste Generated			On- or Off-Site Management		P2 Activities		
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities	
1	Dry cleaning process (through still)	still bottom sludges, filters, separator water (D039, F002)	~ 90 lbs (all waste placed together in same drum)	NA	Petro-Chem Processing - Michigan		
2	Lighting	Fluorescent light bulbs	Unknown.		Fluorescent bulbs disposed at local landfill. 52-11 violation cited.		Gave facility bulb fact sheet and list of recyclers.
3							
4							
5							
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7							

8							
9							

REMARKS-GENERAL INFORMATION

General Process Information:

Regulatory/Enforcement History (if applicable):

Additional P2 remarks and information:

Facility would like some assistance/information pertaining to switching to a dry cleaning machine which is more environmentally friendly. I have emailed Ron Nabors in OCAPP.

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.
 Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other:

**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:

WASTE EVALUATION

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