



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
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: Kimmel Corporation Dry Cleaning
Richland County
Hazardous Waste Inspection/
Complaint # 2828
Notice of Violation
OHD 083 332 197

January 14, 2009

Ms. Barbara Fairchild, Manager
Kimmel Corporation Dry Cleaning
36 North Brookwood Way
Mansfield, Ohio 44906

Dear Ms. Fairchild:

Thank you for accompanying me during the Ohio Environmental Protection Agency's (Ohio EPA's) January 8, 2009, complaint investigation (#2828) and subsequent hazardous waste compliance evaluation inspection of Kimmel Corporation Dry Cleaning (KCDC) located at the address stated above. I inspected KCDC to determine the validity of the complaint and to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and Chapter 3745 of the Ohio Administrative Code (OAC). Pollution prevention options were also discussed during this inspection. This letter will list observations I made during the inspection, a statement as to the validity of the complaint, and the violation found.

The inspection consisted of a tour of the facility, including areas where the wastes are generated and stored, and a review of related paperwork. KCDC is a small dry cleaning business. Actual dry cleaning represents only a small portion of the overall garment washing at the facility. KCDC has a perchloro-ethylene based dry cleaning machine. Spent solvent is containerized in two 30-gallon plastic containers and is picked up by Safety-Kleen on a routine basis. The solvent is reclaimed at Clean-Harbors Recycling facility in Hebron, Ohio (OHD 980 587 364). Based on the amount of waste generated each month, KCDC was a conditionally exempt small quantity generator of hazardous waste at the time of this inspection. In regards to the complainant who suspected that KCDC was "dumping" its waste in a ditch in the back of its building, no evidence was found to substantiate such claim. KCDC was managing its waste properly and disposing of it according to Ohio EPA rules and regulations.

I found the following violation of Ohio's hazardous waste laws. You must provide me the requested information within 30-days of receipt of this letter.

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

Any person, who generates a waste, as defined in Rule 3745-51-02 of the administrative code, must determine if that waste is a hazardous waste.

- a) KCDC has failed to properly evaluate the spent fluorescent bulbs generated at the facility.

During the inspection, I spoke with Rod Smock, maintenance, who stated that in the past KCDC has disposed of the spent fluorescent light bulbs in the trash. KCDC must not dispose of any spent light bulbs as non-hazardous waste in the local landfill until a proper waste evaluation has been completed. The waste evaluation must be conducted through one of **three options**: **1)** KCDC may apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation [manufacturer analytical information – Toxicity Characteristic Leaching Procedure (TCLP) test results], or **2)** KCDC may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. KCDC must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs.

KCDC must sample the fluorescent bulbs to determine the concentration of mercury (D009), cadmium (D006) and lead (D008) as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846. KCDC may run a total concentration for these constituents as a screening tool. If the concentration is detected for mercury, lead or cadmium at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level; or **3)** a combination of options 1 and 2.

If the bulbs are determined to be hazardous through a proper waste evaluation, KCDC 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). ***Instead of taking samples for analysis as described above, KCDC may recycle their bulbs if they are hazardous or non-hazardous by managing them as universal waste. Ohio EPA would encourage this option as a pollution prevention alternative. Please refer to the information I gave you on how to manage light bulbs as universal waste.***

To abate this violation, KCDC must inform me in writing as to how the facility plans to manage the spent fluorescent light bulbs and other spent light bulbs.

Ms. Barbara Fairchild, Manager
January 14, 2009
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The Division of Hazardous Waste Management 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 <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: www.epa.state.oh.us/ocapp/ocapp.html.

During the inspection I provided you with the following documents: Universal Rules Pamphlet, February, 1996; Universal Waste Rules for Handlers of Lamps, June, 2005; Computer, Fluorescent Lamps, and Ballasts Recyclers List, July, 2008; Fluorescent Lamps: What You Should Know, January, 2007; and Universal Waste, December, 2004.

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division's web page at www.epa.state.oh.us/dhwm.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/llr

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
cDHWM, NWDO File: Richland County General File
ec: Ed Pulido, DHWM, NWDO

<p>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.</p>

**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.

SGQ: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: $\geq 1,000$ 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 No N/A

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

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 No N/A

TREATMENT OF HAZARDOUS WASTE

- a. Container that meets 3745-66-70 to 3745-66-77? Yes No N/A
- b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes No N/A
- c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
- d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

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.

REMARKS

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.	EPA ID Number: OHD 083 332 197	
Site Name	Name: Kimmel Corp Dry Cleaning	Website: (Optional)
Site Location Information	Street Address: 36 North Brookwood Way	State: OH
	City, Town, or Village: Mansfield	Zip Code: 44906
	County Name: Richland	
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>
NAICS code(s) www.census.gov/epcd/www/naics.html	812320	
Facility Representative	First Name: Barbara	MI: Last Name: Fairchild
Additional names can be recorded in number 12	Phone Number: (419)529-8000	Phone Number Extension:
Only provide address information if it is different than the site address	E-Mail Address:	Fax Number Extension:
	Fax Number:	
	Street or P.O. Box:	
	City, Town or Village:	Zip Code:
	State:	
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: Mark Kimmel	Date Became Owner (mm/dd/yyyy):
	Owner Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
	Type: <input checked="" type="checkbox"/>	
	Street or P.O. Box: 295 Park Avenue West	Owner Phone #: (419)524-1119
	City, Town or Village: Mansfield	Country: Zip Code: 44906-3102
	State: Ohio	Date Became Operator (mm/dd/yyyy):
	Name of Site's Operator:	
	Owner Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
	Type: <input type="checkbox"/>	
	Street or P.O. Box:	Operator Phone #:
	City, Town or Village:	United States Zip Code:
	State:	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input type="checkbox"/> Not a Generator	<input 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 checked="" 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

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- 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 RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

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)

Ed Pulido

Name of Inspector(s)

Kara Reynolds

Date of Inspection/Time

(mm/dd/yyyy) (hh:mm)

1/8/2009 11:00AM

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)