



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

Re: Clarks Auto
Hazardous Waste
OHR000175000
Erie County
Complaint #3195
RTC

August 28, 2013

Mr. Paul Clark
Clark's Auto
14216 State Route 113
Wakeman, Ohio 44889

Dear Mr. Clark:

Thank you for your April 15, 2013, response to Ohio EPA's November 5, 2012, Notice of Violation letter (NOV) and February 4, 2013, 2nd NOV. You submitted the Material Safety Data Sheets (MSDS) for the paint utilized at your facility. According to the MSDSs you submitted, your paint waste material is ignitable (D001), contains barium (barium sulfate) and contains methyl ethyl ketone (MEK). In lieu of conducting sampling, and based on the MSDSs submitted, this waste stream would be a D001, D005 (barium) and D035 (MEK), hazardous waste.

My review of this information reveals that Clark's Auto has adequately demonstrated abatement of the violations discovered during the October 17, 2012, investigation as listed below:

Violation	Date Violation Observed	Date Violation Abated
1. OAC Rule 3745-52-11 Waste Evaluation	October 17, 2012	A.) April 15, 2013 B.) April 15, 2013

On October 17, 2012, I printed a copy from the Internet of the MSDS for your solvent utilized to clean your paint guns based on the can of lacquer thinner I observed during my investigation (as well as you stated you utilize this material to clean your guns). Based on this MSDS, your spent solvent is a D001, F003, F005, hazardous waste. I sent this MSDS to you with my November 5, 2012, NOV. Your solvent and painting waste combined, according to the MSDSs provided, is a D001, D005, D035, F003, F005, hazardous waste.

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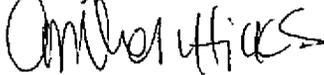
You should also ensure to consolidate the un-useable paint waste into one 55-gallon drum and collect your solvent and paint waste in this drum. This waste must be picked up by a licensed hazardous waste hauler destined for a hazardous waste treatment, storage or disposal facility. I provided you a list of Commercial Facilities Accepting Hazardous Waste with my November 5, 2012, NOV. I have enclosed another copy for your convenience. Your solvent and/or painting waste may not be dumped or allowed to evaporate to the air for the purpose of disposal as this would be a serious violation of Ohio's hazardous waste laws.

Please note that if your paint booth is functional, any filters generated from your painting booth must also be evaluated to determine if they are a hazardous waste. They may not be thrown in the trash unless you have conducted a proper waste evaluation which indicates that this waste stream is non-hazardous. Based on the MSDSs for the materials utilized at your shop, the paint filters must be evaluated [Toxicity Characteristic Leaching Procedure (TCLP) analysis] for metals and volatile organic compounds (VOCs).

No response to this letter is necessary. Should you have any questions, please feel free to call me at (419) 373-3082 or email me at amber.hicks@epa.ohio.gov.

You can find copies of the rules and other information on the division's web page at <http://epa.ohio.gov/dmwm/dmwmrules.aspx>.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

/l/r

Enclosure

pc: Lisa Gifford, DMWM, NWDO
Colleen Weaver, DMWM, NWDO
ec: Amber Hicks, DMWM, NWDO
Colleen Weaver, DMWM, 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.