OhioEPA
State of Ohio Environmental Protection Agency
Northeast District Office

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

April 12, 2010

RE: ACCURATE PLATING
OHD 004 205 274
CUYAHOGA COUNTY
RCRA/LQG/ILLEGAL TSDF
NOTICE OF VIOLATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles Foley
President
Accurate Plating
6512 Carnegie Avenue
Cleveland, OH 44103

Dear Mr. Foley

On December 1, 2009, Ohio EPA Division of Hazardous Waste Management (DHWM) conducted a site visit and inspection of the Accurate Plating facility (Accurate) located at 6512 Carnegie Avenue in Cleveland, Ohio. Accurate is an electroplating operation and qualifies as a Large Quantity Generator (LQG) of hazardous waste. Hazardous waste streams generated at the facility include an electroplating wastewater treatment sludge (F006) and various plating bath solutions that contain cyanide and cadmium.

The purpose of this inspection was to determine Accurate's operating status and compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). Accurate Plating was represented by you while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the Accurate facility and a review of written documentation. Ohio EPA also documented portions of the inspection using digital photography.

At the time of this inspection, Accurate had at least fifty-two (52) containers of hazardous waste on site in addition to a roll-off box of F006 sludge. All hazardous waste on site was labeled and dated and appeared to be managed well. The bulk of this waste was generated from your efforts to clean up the facility, contains cyanide and is characteristically hazardous for cadmium and/or chromium. At that time, you stated that you were having financial troubles and the cost of shipping the waste off site was very high and you were having trouble finding the funding to ship the waste off-site.

On February 2, 2010, Ohio EPA received a 30-day extension request to the ninety-day accumulation time limit. Said request was processed by this office and approved by DHWM's Division Chief. The 30-day extension expired on March 8, 2010.

On March 25, 2010 Ohio EPA performed a follow-up inspection to inventory the waste on site. At the time of this inspection, you stated that you had not shipped any hazardous waste off-site during the 30-day extension period and that all fifty-two (52) drums of hazardous waste observed on site during the December 1, 2009 inspection were still on site. However, the F006 roll-off box had been shipped off-site to a permitted facility.

Based on this inspection, Ohio EPA has determined that Accurate has violated the following state hazardous waste regulation:

1. ***Ohio Revised Code (ORC) § 3734.02(E) and (F) storage of hazardous waste without a facility installation and operation permit:***

   At the time of the March 25, 2010 inspection, Ohio EPA observed at least forty (40) of the fifty-two containers of hazardous waste had been on site in excess of 120 days (90 days plus the 30 day extension). This accumulation and storage of hazardous waste on site without a hazardous waste installation and operation permit qualifies Accurate as an illegal Treatment, Storage and Disposal Facility (TSDF).

   Since Accurate violated ORC §3734.02(E) and (F), Accurate is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Accurate begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

Failure to list specific deficiencies in this communication does not relieve Accurate from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Accurate from liability for any past or present violations of the state's hazardous waste laws.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,

Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

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