OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
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50 W. Town St., Suite 700
Columbus, Ohio 43215

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MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL

January 16, 2009

Jennifer Weinbrecht
Component Repair Technologies, Inc.
8507 Tyler Boulevard
Mentor, OH 44060

RE: Director's Final Findings & Orders
Component Repair Technologies, Inc.
US EPA ID No.: OHD147190417

Dear Ms. Weinbrecht:

Here are the Director's Final Findings and Orders (Orders) issued to Component Repair Technologies, Inc. on January 16, 2009. These Orders are effective today.

Enclosed are invoices for the penalty payments required by Order No. 1. a through 1. h. Please remember your first payment is due no later than February 16, 2009.

If you have any questions concerning compliance with these Orders, do not hesitate to contact Natalie Oryshkewych at (330) 963-1267.

Sincerely,

for Jeremy A. Carroll, P.E.
Manager, Regulatory and Information Services Section
Division of Hazardous Waste Management

Attachments

cc: Michael A. Savage, Chief, DHWM
Harry Sarvis, Mgr., CAS, DHWM
Todd Anderson, Legal
Heidi Greismer, PIC
Natalie Oryshkewych, DHWM, NEDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.
JAN 16 2009
ENTERED DIRECTOR'S JOURNAL

In the Matter of:

Component Repair Technologies, Inc.
8507 Tyler Boulevard
Mentor, OH 44060

Respondent

Director's Final Findings and Orders

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: _____ Date: 1-16-09

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to Component Repair Technologies, Inc. (Respondent) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) §§ 3734.13 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of the Respondent or of the Facility owned by the Respondent shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734. and the rules promulgated there under.

IV. FINDINGS

All of the findings necessary for the issuance of these Orders pursuant to ORC § 3734.13 and 3745.01 have been made and are outlined below. Nothing in the findings shall be considered to be an admission by Respondent of any matter of law or fact. The Director of Ohio EPA has determined the following findings:

1. Respondent is a "person" as defined in ORC § 3734.01(G) and Ohio Administrative Code (OAC) rule 3745-50-10(A).

2. Respondent operates a commercial jet engine overhauling facility located at 8507 Taylor Blvd., Mentor, Lake County, Ohio 44060 (Facility).

3. At the Facility, Respondent generates "hazardous waste" as that term is defined by ORC § 3734.01(J) and OAC rules 3745-50-10(A) and 3745-51-03. Respondent is a large quantity generator of hazardous waste and has been assigned EPA ID number OHD147190417. The hazardous wastes generated by Respondent at the Facility include hazardous waste plating line waste (D002, D007, D008), cleaning line waste (D002, D006, D007, D008), paint waste (D001, D035, D007), degreasers (D008, D039, D040, F001), solvents (D001, D007, D035, F003, F005), aerosols (D001, D035), and corrosives (D002). Respondent is a small quantity handler of universal waste and generates spent lamps and batteries.

4. On September 18, 2007 Ohio EPA performed a compliance evaluation inspection at the Facility. As a result of this inspection, Ohio EPA informed Respondent that it had, *inter alia*:

   a. Managed hazardous waste at the Facility, in violation of ORC § 3734.02 (E) and (F);

   b. Failed to maintain the required personnel training documents at the Facility, in violation of OAC rule 3745-52-34(D)(1) - (3);

   c. Failed to have all of the documents related to the contingency plan at the Facility, in violation of OAC rule 3745-65-52(D);

   d. Failed to provide an immediately available telephone in the 90-day container storage area in violation of OAC rules 3745-65-32(B) and 3745-65-34(A);

   e. Failed to conduct and record emergency equipment inspections in violation of OAC rule 3745-65-33;

   f. Failed to keep hazardous waste satellite accumulation containers closed, except when adding or removing waste, in violation of OAC rule 3745-52-34(C)(1)(a);

g. Failed to label a container of hazardous waste with the words "Hazardous Waste," in violation of OAC rule 3745-52-34(A)(3);

h. Failed to date containers of hazardous waste in the accumulation area with the date that accumulation began, in violation of OAC rule 3745-52-34(A)(2);

i. Failed to keep a container of hazardous waste closed in the 90-day storage area, in violation of OAC rule 3745-66-73(A);

j. Failed conduct and/or record container accumulation area inspections on a weekly basis, in violation of OAC rule 3745-66-74;

k. Failed to label/mark containers holding used oil with the words "Used Oil," in violation of OAC rule 3745-279-22(C);

l. Failed to label/mark containers holding universal waste lamps with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)," in violation of OAC rule 3745-273-14(E); and

m. Failed to record the length of time that universal waste lamps had been accumulating, in violation of OAC rule 3745-273-15(C).

5. By letter dated October 15, 2007, Ohio EPA notified Respondent of the violations referenced in Finding No. 4., and that violations 4.f. through 4.h. and 4.k. through 4.m. were abated during the inspection.

6. Ohio EPA received a response to the violations referenced in Finding No. 4. on November 15, 2007.

7. By letter dated December 4, 2007, Ohio EPA notified Respondent that it had abated the violations referenced in Finding Nos. 4.c., e., i. and j. of these Orders.

8. Ohio EPA received a response to the outstanding violations by letter from the Respondent on December 24, 2007.

9. After additional correspondence, by letter dated March 10, 2008, Ohio EPA notified Respondent it had abated the violations referenced in Finding Nos. 4.b. and d. of these Orders.

10. In electronic correspondence dated December 4, 2008, Respondent submitted information pertaining to a proposed supplemental environmental project (SEP). Specifically, the SEP information detailed the removal of the vapor degreaser at the Facility. Respondent uses the vapor degreaser for initial and in-process cleaning of parts to remove oil and grease. As a result of the use of the vapor degreaser, Respondent generates hazardous waste TCE (F001, D040, D008). In place of the vapor degreaser, Respondent proposes to use an aqueous power wash process to clean parts.

11. Because Respondent will continue to store hazardous waste in the less than ninety day accumulation area and because no releases of hazardous waste were observed, the Director has determined that no additional action is required of Respondent at this time regarding the violation referenced in Finding No. 4.a. of these Orders.

V. ORDERS

Respondent shall achieve compliance with Chapter 3734. of the ORC and the regulations promulgated there under according to the following compliance schedule:

1. Respondent shall pay Ohio EPA the amount of $12,600.00 in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3734., in accordance with the following schedule:

    a. Within 30 days after the effective date of these Orders, Respondent shall pay Ohio EPA the amount of $7,600.00 in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3734. and which will be deposited into the hazardous waste cleanup fund established pursuant to ORC § 3734.28. Payment shall be made by an official check made payable to "Treasurer, State of Ohio" for $7,600.00. The official check shall be submitted to Ohio EPA, Office of Fiscal Administration, Department L-2711, Columbus, Ohio 43260-2711, together with a letter identifying Respondent. A copy of this check shall be submitted in accordance with Section X. of these Orders.

    b. In lieu of payment of $3,000.00 of the civil penalty settlement and as a SEP, Respondent shall, within 30 days after the effective date of these Orders, cease operations of and remove the vapor degreaser referenced in Finding No. 10 of these Orders. Within 30 days after the effective date of these Orders, Respondent shall

submit documentation to Ohio EPA demonstrating that Respondent has removed the vapor degreaser.

c. Should Respondent fail to remove the vapor degreaser within the timeframe established in Order No. 1.b. of these Orders, Respondent shall pay to Ohio EPA the amount of $3,000.00 within 7 days of failing to comply with Order No. 1.b. Payment shall be made in accordance with the procedures in Order No. 1.a.

d. In lieu of paying the remaining $2,000.00 of civil penalty to Ohio EPA, Respondent shall fund a supplemental environmental project (SEP) by making a contribution in the amount of $2,000.00 to the Ohio EPA Clean Diesel School Bus Program (Fund 5CD). Respondent shall make the payment within 30 days after the effective date of these Orders by tendering an official check made payable to "Treasurer, State of Ohio" for $2,000.00. The official check shall be submitted to Brenda Case, or her successor, Ohio EPA, Office of Fiscal Administration, Department L-2711, Columbus, Ohio 43260-2711, together with a letter identifying Respondent. A copy of this check shall be submitted in accordance with Section X. of these Orders, and an additional copy of this check shall be sent to James A. Orlemann, Assistant Chief, SIP Development and Enforcement, or his successor, Ohio EPA, Division of Air Pollution Control, P.O. Box 1049, Columbus, Ohio 43216-1049.

e. Should Respondent fail to fund the SEP within the required time frame established in Order No. 1.d., Respondent shall pay to Ohio EPA, within 7 days after failing to comply with Order No. 1.d., the amount of $2,000.00 in accordance with the procedures in Order No. 1.a.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate upon Ohio EPA's receipt of the official check[s] required by Section V. of these Orders.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership

or corporation, not a party to these Orders, for any liability arising from, or related to, the operation of Respondent's Facility.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Northeast District Office
Division of Hazardous Waste Management
2110 E Aurora Road
Twinsburg, Ohio 44087
Attn: DHWM Manager

and Ohio EPA Central Office at the following address:

For mailings, use the post office box number:

Chris Korleski, Director
Ohio Environmental Protection Agency
Lazarus Government Center
Division of Hazardous Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Manager, Compliance Assurance Section

For deliveries to the building:

Chris Korleski, Director
Ohio Environmental Protection Agency
Lazarus Government Center
Division of Hazardous Waste Management
50 West Town Street
Columbus, Ohio 43215
Attn: Manager, Compliance Assurance Section

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA reserves its rights to exercise its lawful authority to require Respondent to perform closure of the hazardous waste accumulation area as well as corrective action at the Facility at some time in the future, pursuant to ORC Chapter 3734. or any other applicable law. Respondent reserves its rights to raise any administrative, legal or equitable claim or defense with respect to any final action of the Director regarding such closure or corrective action. Ohio EPA and Respondent each reserve all other rights, privileges and causes of action, except as specifically waived in Section XII. of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Except for the rights to seek closure of the hazardous waste accumulation area and corrective action at the Facility, which rights Ohio EPA does not waive, compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders,and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders

notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency

Chris Korleski
Director

January 16, 2009
Date

IT IS SO AGREED:

Component Repair Technologies, Inc.

Signature

6 January 2009
Date

Jennifer Weinbrecht
Printed or Typed Name

VP Compliance
Title