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File 006
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State of Ohio Environmental Protection Agency

Southwest District Office

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

March 6, 2009

James Taylor
American Metal Cleaning of Cincinnati Inc.
475 Northland Boulevard
Cincinnati, Ohio 45240

**Re: Notice of Violation
American Metal Cleaning of Cincinnati Inc., OHD981097603
SQG, Hamilton County**

Dear Mr. Taylor:

On January 23, 2009 and February 6, 2009 Ohio EPA inspected American Metal Cleaning of Cincinnati Inc.'s (American Metal Cleaning) facility at 475 Northland Blvd. in Cincinnati, Ohio to determine 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). Brian Marlatt and I represented Ohio EPA and Mark Kormelick represented American Metal Cleaning. This letter describes the violations and general concerns found during the inspection and describes the actions which American Metal Cleaning should take to correct these.

Overview of Operation

American Metal Cleaning has been operated at the same location and by same ownership since 1984. The facility removes paint and rust from metal parts by caustic stripping, sodium cyanide electrolytic cleaning, bake ovens, blasting, or chemical. The facility is able to process small parts as well as large parts including entire automobile bodies and also powder coats small parts. The process equipment includes a large bake oven, a large dip tank containing caustic stripper, a large dip tank containing sodium cyanide deruster, and a rinsing operation. The following hazardous wastes are said to be routinely generated at the facility.

- 1) Rinse waters are pretreated and the associated waste water treatment sludge is considered to be hazardous waste for F006, chromium D007, and cadmium D006. Generation rate is stated as 200 lb/ month.

- 2) Bottom sludge is regularly removed from the sodium cyanide deruster process vat, is put in large metal tank (estimated 2,000 gallon) and then pumped through a filter press. The resulting liquid is returned to the process vat and reused and the filtered solids are considered a hazardous waste (D003 and F009). Generation rate is stated as 200 lb/ month or 2,000-3,000 lbs /year.
- 3) The caustic stripping tank bath must occasionally be disposed of or cleaned out to remove spent solvent or sludge. This is said to occur infrequently, stated to be once per several years therefore generation rates are unknown, but these wastes also are likely to be hazardous.
- 4) Bake oven ash is currently disposed of as solid waste.

Based on information gathered during the inspection it appears that American Metal Cleaning normally generates about 400 lb/ month of hazardous waste therefore Ohio EPA considered the facility to be a small quantity generator (SQG) of hazardous waste (between 220 lb - 2,200 lb/ month). SQG's must limit on site storage of hazardous waste to a maximum of 13,200 lb. If more than 13,200 lb is accumulated on site the facility becomes a Treatment Storage Disposal facility (TSD) and is theoretically required to obtain a permit or is considered an illegal TSD. If the facility generates more than 2,200 lb in any given month it would be considered a large quantity generator (LQG) and additional regulations apply. A facility can be an "episodic" LQG if it occasionally generates 2,200 lb in a month but normally generates less than 2,200 lbs / month.

As a result of the inspection Ohio EPA found the following violations of Ohio's hazardous waste laws and regulations. **Within 30 days** American Metal Cleaning must abate each violation and must also submit a written response describing how each violation has been abated.

VIOLATION 1-

Accumulation of hazardous waste longer than 180 days
OAC 3745-52-34
ORC 3734-02 (E)&(F).

This rule prohibits a small quantity generator of hazardous waste from accumulating hazardous waste on site for greater than 180 days from the date it was generated. By accumulating hazardous waste on site for time periods greater than 180 days a SQG is considered an illegal treatment storage disposal facility (TSD).

James Taylor
American Metal Cleaning of Cincinnati Inc.
March 6, 2009
Page 3 of 10

At the time of inspection Ohio EPA found a 1,500 gallon tank on the south wall of the facility full of dried deruster sludge hazardous waste D003. When asked how long the waste had been stored in the tank, American Metal Cleaning stated that it had been accumulated in the tank for at least a couple of years possibly longer. This indicates the waste has been accumulated for greater than 180 days. Therefore at the time of inspection January 23, 2009 and February 6, 2009 American Metal Cleaning was in violation of OAC 3745-52-34 and ORC 3734-02 (E)&(F) for storing hazardous waste on site for greater than 180 days. Since American Metal Cleaning violated ORC 3734.02(E) and (F), American Metal Cleaning is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, since American Metal Cleaning has violated ORC 3734-02 (E)&(F), at any time in the future Ohio EPA may assert its right to have American Metal Cleaning begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

To address this violation American Metal Cleaning must properly dispose of the contents of the 1,500 gallon tank and in the future must not accumulate hazardous waste greater than 180 days if a SQG; or 90 days if a LQG. Provide this office a copy of the manifest from the off site transport and disposal of this waste.

Tank Labeling **OAC 3745-52-34 (A)(3)**

This regulation requires tanks containing hazardous waste to be labeled with the words "hazardous waste".

American Metal Cleaning had a 1,500 gallon tank containing deruster sludge hazardous waste. On February 10, 2009 this tank was not labeled with the words hazardous waste. Therefore on February 10, 2009 American Metal Cleaning was in violation of OAC 3745-52-34 (A)(3) for not labeling tanks containing hazardous waste with the words "hazardous waste".

To abate this violation label any tanks accumulating hazardous waste with the words hazardous waste. Provide an explanation how this violation has been abated.

Tank Inspections **OAC 3745-66-101 (C)**

This regulation requires daily inspections of tanks accumulating hazardous waste.

On January 23, 2009 and February 6, 2009 American Metal Cleaning was storing hazardous waste in the 1,500 gallon tank and had not been conducting daily tank

James Taylor
American Metal Cleaning of Cincinnati Inc.
March 6, 2009
Page 4 of 10

inspections. Therefore at the time of inspection American Metal Cleaning was in violation of OAC 3745-66-101 (C) for not conducting daily tank inspections.

To abate violation American Metal Cleaning must begin to conduct daily inspections of the 1,500 gallon tank accumulating hazardous waste for conditions as required by OAC 3745-66-101 (C). These inspections should be documented. As an alternative American metal Cleaning may cease using the tank to accumulate hazardous waste.

**Labeling of Hazardous Waste Storage Containers
OAC 3745-52-34 (D)(4)**

This regulation requires that hazardous waste storage containers be labeled with the words hazardous waste.

At the time of inspection January 23, 2009 American Metal Cleaning had one gaylord box containing deruster sludge hazardous waste and two gaylord boxes containing waste water treatment sludge hazardous waste which were not labeled with the words hazardous waste. Therefore American Metal Cleaning was in violation of OAC 3745-52-34 (D)(4) for not labeling containers of hazardous waste with the words "hazardous waste".

This violation was abated by American Metal Cleaning prior to our February 6, 2009 inspection.

To avoid future violations of this requirement American Metal Cleaning must label or mark all containers which contain hazardous waste with the words "hazardous waste".

**Accumulation Date on Hazardous Waste Storage Containers
OAC 3745-52-34 (D)(4)**

This regulation requires that a facility mark each container of hazardous waste with the date when accumulation began.

At the time of inspection January 23, 2009 American Metal Cleaning had one gaylord box containing deruster sludge hazardous waste and two gaylord boxes containing waste water treatment sludge hazardous waste which did not have the accumulation dates marked.

At the time of inspection February 6, 2009 American Metal Cleaning had been able to determine the start accumulation date for one of the three gaylord boxes, but two gaylord boxes - one gaylord box containing deruster sludge hazardous waste and one containing waste water treatment sludge hazardous waste did not have the accumulation dates marked. Therefore at the time of inspection January 23, 2009 and February 6, 2009

RCPA Info says

3745-52-34 (A)(2)

Accumulation date must

be clearly marked.

Can't cite 52-34 - it's

all broken down.

James Taylor
American Metal Cleaning of Cincinnati Inc.
March 6, 2009
Page 5 of 10

American Metal Cleaning was in violation of OAC 3745-52-34 (D)(4) for not marking containers of hazardous waste with accumulation dates.

To abate this violation for the two boxes which do not have accumulation start dates American Metal Cleaning should estimate the date and mark the containers. In the future American Metal Cleaning must mark all tanks and containers of hazardous waste with the start accumulation date.

Required aisle space
OAC 3745-65-35

This regulation requires a facility owner/ operator to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to all areas of facility.

At the time of inspection January 23, 2009 there was not adequate aisle space to allow access to two gaylords of waste water treatment sludge and one gaylord of deruster sludge hazardous waste. Therefore at the time of inspection January 23, 2009 American Metal Cleaning was in violation of OAC 3745-65-35 for not providing adequate aisle space for access to hazardous waste storage containers.

This violation was abated prior to our inspection of February 7, 2009. To avoid violations of this nature in the future maintain adequate aisle space to allow access to any hazardous waste storage container.

Inspections of Container areas
OAC 3745-66-74

This regulation requires that the owner or operator of a hazardous waste generator facility must inspect areas where containers of hazardous waste are accumulated, at least weekly, to look for leaks and for deterioration caused by corrosion or other factors. This regulation also requires the owner or operator to record inspections in an inspection log or summary.

At the time of inspection January 23, 2009 and February 6, 2009 American Metal Cleaning admitted to not conducting any weekly inspections of hazardous waste containers and had not documented any inspections. Therefore, at the time of inspection American Metal cleaning was in violation of OAC 3745-66-74 for not conducting and documenting weekly inspections of hazardous waste storage areas.

To abate this violation develop an inspection log and begin conducting weekly inspections of any hazardous waste storage areas for conditions as required by OAC 3745-66-74.

James Taylor
American Metal Cleaning of Cincinnati Inc.
March 6, 2009
Page 6 of 10

Waste Determination
OAC 3745-52-11

This regulation requires a generator of a waste to determine if it is hazardous waste.

American Metal Cleaning generates waste ash from the burn off oven. At the time of inspection February 6, 2008 American Metal Cleaning had not determined if this waste was hazardous waste.

To abate this violation determine if this waste is hazardous waste. Provide an explanation how it was determined if the waste was hazardous or not.

In addition to the violations, Ohio EPA found the following general concerns. American Metal Cleaning should follow Ohio EPA's recommendations to address these general concerns. And, **within 30 days** of receipt of this letter must submit a written response describing how each general concern has been addressed.

GENERAL CONCERN 1-

From talking to American Metal Cleaning it appears that the deruster sludge is managed as follows. Deruster sludge is removed from the process vat and transferred to a 2,000 gallon tank and then the sludge is run through a filter pressed. Reclaimed liquid is returned to process and any filter cake or remaining solids are considered a hazardous waste. The act of recovering usable liquid and returning it to the process vat is considered reclamation, and material being reclaimed is not considered waste. However, American Metal Cleaning must be able to demonstrate that reclamation begins immediately and then is completed in a timely manner. If material is accumulated prior to reclamation, cannot be reclaimed because it dries, or remains in the tank, Ohio EPA considers this accumulation of hazardous waste. In these scenarios the tank would be regulated as a hazardous waste tank, and accumulation time is limited to a maximum of 180 days for SQG, and 90 days for LQG.

Ohio EPA is concerned that deruster sludge is being accumulated in the 2,000 gallon tank without being pressed. It appears this is occurring as the amount of deruster sludge in the 2,000 gallon tank (approximately 7 ft x 10 ft x 4 ft high) has an estimated capacity of 280 cubic foot (2,000 gallons/ 17,000 lbs) and American Metal Cleaning has stated that its generation rate of this waste as 2000-3000 lbs/ year. Also the surface of the contents of the deruster sludge crystallized from evaporation which indicates it has been accumulated for a long period of time.

James Taylor
American Metal Cleaning of Cincinnati Inc.
March 6, 2009
Page 7 of 10

To address this concern, the entire current contents of the 2,000 gallon tank must be removed within 30 days. The solids then become hazardous waste and may be managed on site properly then disposed of off site within 180 days. In the future if American Metal Cleaning continues to reclaim liquid from the deruster this must begin after it is transferred to the tank and then be completed within a timely manner. American Metal Cleaning must keep records which show the amounts and dates when deruster sludge is removed from its original process, and show dates that reclamation begins and is completed. If American Metal Cleaning wishes to accumulate solid hazardous waste in the tank a professional engineer must attest that the tank can safely store the hazardous waste and accumulation time must be limited to 180 days for SQG, and 90 days for LQG. As an alternative, a tank can be used to store hazardous waste on site.

GENERAL CONCERN 2-

Although Ohio EPA is confident the deruster waste stream carries the waste code D003 it is unlikely that the deruster sludge should carry the F009 waste code because this listing is for waste streams from "electroplating" operations and American Metal Cleaning does not have electroplating operations. Carrying F009 waste code increases regulatory burden and may increase cost of disposal.

To address this concern, Ohio EPA recommends American Metal Cleaning work with its TSD to update the waste profile to determine if the waste stream should carry codes in addition to D003. Ohio EPA recommends obtaining a representative sample of the waste stream by a composite method and having this analyzed by a laboratory for TCLP RCRA metals, cyanides, and any other properties which may render the waste hazardous. Provide to this office an updated waste profile, any results of analysis conducted, and other information used to update the waste profile. American Metal Cleaning has the right to assume additional waste codes apply as a precaution, for instance if a waste stream is inconsistent and sometimes it contains additional hazardous constituents. In any case a facility must conduct waste determination if a waste stream changes or is inconsistent.

GENERAL CONCERN 3-

It is possible the waste water treatment sludge may not be a hazardous waste. It is unlikely that this waste stream should carry the F006 waste code because this listing is for waste streams from "electroplating" operations and American Metal Cleaning does not have electroplating operations. It is unknown if the waste stream still routinely contains concentrations of lead or chrome which would cause it to carry D006 or D007 waste codes. It is also possible the waste stream may no longer need to carry D006 or D007 waste codes or should carry other codes.

James Taylor
American Metal Cleaning of Cincinnati Inc.
March 6, 2009
Page 10 of 10

POLLUTION PREVENTION OPPORTUNITY –

American Metal Cleaning may be able to change its processes, raw materials used (Sodium Cyanide), or waste management methods to reduce waste and reduce regulatory burden. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides assistance in evaluating these types of opportunities. OCAPP is non regulatory in nature and can be reached at (800)-329-7518. Here is the link to their web site. <http://www.epa.state.oh.us/ocapp/ocapp.html>. Please call OCAPP or myself if you are interested.

This concludes the findings of Ohio EPA's January 23, 2009 and February 6, 2009 inspections. If you have any questions about this letter or how to comply with hazardous waste regulations, please call me at (937) 285-6082. Enclosed you will find a copy of the checklists that Ohio EPA completed as a result of the inspection. 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.

Sincerely,



Brian Gitzinger
District Representative
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM, SWDO
Paul Pardi, SWDO
John Schierberl, DHWM, CO

2 Checklists

SQG TANK SYSTEM REQUIREMENTS [3745-66-101]		
1.	Is each tank marked with the words "Hazardous Waste"? [3745-52-34(A)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
TANK SYSTEM OPERATING REQUIREMENTS		
2.	Is the SQG complying with the following operating requirements of OAC 3745-66-101(B):	
a.	Is the storage and/or treatment of ignitable, reactive or incompatible waste done in accordance with precautionary measures of 3745-65-17(B)? [3745-66-101(B)(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Does the SQG ensure that wastes or treatment reagents are not placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode or fail? [3745-66-101(B)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Are uncovered tanks operated with 2 feet of freeboard or is the tank equipped with a containment structure, drainage control system, or diversion structure with a capacity that equals or exceeds the volume of the top 2 feet of the tank? [3745-66-101(B)(3)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	If waste is continuously added to the tank: Is the tank equipped with a waste feed cut-off or bypass system? [3745-66-101(B)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
TANK SYSTEM INSPECTION		
3.	Does the generator inspect the following:	
a.	Discharge control equipment (daily)? [3745-66-101(C)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Data from monitoring equipment (daily)? [3745-66-101(C)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	The level of the waste in the tank (daily)? [3745-66-101(C)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	The tank construction material (weekly)? [3745-66-101(C)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
e.	The area surrounding the tank (weekly)? [3745-66-101(C)(5)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Per ORC§1.44(A) "Week" means 7 consecutive days.</i>		
TANK SYSTEM CLOSURE REQUIREMENTS		
4.	Upon closure of the tank did the SQG remove all hazardous waste from the tank system in compliance with OAC 3745-66-101(D)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES		
5.	For tanks used to store ignitable or reactive wastes, has the owner/operator complied with one of the following : [3745-66-101(E)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	The waste is treated, rendered, or mixed before or immediately after placement in a tank so that the resultant waste, mixture or dissolution of material no longer meets the definition of ignitable or reactive waste; and 3745-65-17 is complied with? or	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Is the waste stored or treated to protect it from any materials or conditions that may cause the waste to ignite or react?; or	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Is the tank used solely for emergencies?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
6.	If ignitable or reactive waste are treated or stored in covered tanks, does the owner/operator comply with the buffer zone requirements for tanks contained in tables 2-1 to 2-6 of the NFPA Flammable and Combustible Liquid Code (1977 or 1981)? [3745-66-101(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Have incompatible wastes, or incompatible wastes and materials been placed into the same tank?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	<i>If so, have the requirements of 3745-65-17(B) been met?</i> [3745-66-101(F)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>



8.	Have hazardous wastes been placed in an unwashed tank which previously held an incompatible waste or material? [3745-66-101(F)(2)]	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
	<i>If so, have the requirements of 3745-65-17(B) been met?</i> [3745-66-101(F)(2)]	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>



**SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100 Kg. (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:

GENERAL REQUIREMENTS

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"/>
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
4.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: If the SQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements might still apply, e.g. manifest, marking, LDR, etc.

6.	Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

7.	Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

8.	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 waste is treated to meet LDRs, use LDR checklist.

MANIFEST REQUIREMENTS

9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the contractual agreement specify the type of waste and frequency of shipment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the transport vehicle owned and operated by the reclaimer?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

[Facility Name/Inspection Date]
 [ID number]
 SQG/June 2008
 Page 1 of 4



62

	c.	Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.			
11.	Have items 1 through 20 of each manifest been completed?[3745-52-20(A)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations, items (21) through (35) must also be complete. [3745-52-20 (A)]			
12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: The generator may designate on the manifest one alternative facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]			
13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.			
15.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.			
PREPAREDNESS AND PREVENTION			
17.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]		
	a.	Name and telephone number of emergency coordinator?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Telephone number of local fire department?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
21.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:		
	a.	Internal Alarm system? [3745-65-32(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Emergency communication device? [3745-65-32(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

[Facility Name/Inspection Date]

[ID number]

SQG/June 2008

Page 2 of 4



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	c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
23.		Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a.	Are inspections recorded in a log or summary? [3745-65-33]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
24.		Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
25.		If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (unless not required under OAC 3745-65-32)? [3745-65-34(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
26.		Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
27.		Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
28.		Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
SATELLITE ACCUMULATION AREA REQUIREMENTS			
29.	Does the generator ensure that satellite accumulation area(s):		
	a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
30.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<p>NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.</p>			
USE AND MANAGEMENT OF CONTAINERS			
31.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
32.	Is the accumulation date on each container? [3745-52-34(D)(4)]		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

[Facility Name/Inspection Date]

[ID number]

SQG/June 2008

Page 3 of 4



Handwritten marks and symbols in the top right corner, including a small 'e' and several dots.

33.	Are hazardous wastes stored in containers which are:		
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	In good condition? [3745-66-71]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Compatible with wastes stored in them? [3745-66-72]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: Record location on process summary sheets and photograph the area.			
34.	Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
35.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
36.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
37.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.			
PRE-TRANSPORT REQUIREMENTS			
38.	Does each generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
39.	Does each container ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
40.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>



7
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PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: *American Metal Cleaning* Facility Type: LQG/SQG/CESQG/TSD Date of Inspection: EPA ID#: *OH0981097603*

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1 WWT of Rinse Water	<i>D006, D007 F006 Filter Cake (D006, D007, D008)</i>	<i>2000 - 3000 lb/ yr ≈ 200 lb/m</i>		<i>Enviro of Ohio</i>		
2 Bake oven cleaning	<i>Ash non-haz.</i>	<i>30 lb/ yr</i>		<i>Rumpke</i>		
3 De rusting Tank Cleanout	<i>D003, F009 Sludge → Filter CAKE D008</i>	<i>2000 - 3,000 lb yr ≈ 200 lb/m</i>	<i>Dewater</i>	<i>Enviro of Ohio</i>		
4 Stripping Tank Cleanout						

5							
6							
7							
8							
9							

REMARKS-GENERAL INFORMATION

General Process Information:

Regulatory/Enforcement History (if applicable):

Additional P2 remarks and information:

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:

November 23, 2009

American Metal Cleaning of Cincinnati Inc.

Description of photographs:

All photographs taken February 6, 2009.

002- gaylord of WWT sludge (F006, D006, D007) with no accumulation start date.

004- WWT sludge waste (F006, D006, D007)

010-electrolytic deruster process vat.

011- approximate 1,500 gallon capacity tank full of hazardous waste deruster sludge (D003, D009), without a hazardous waste label or an accumulation start date.

012- gaylord of deruster sludge waste (D003, D009) without an accumulation start date.

014- deruster sludge waste (D003, D009)

021- caustic cleaner process vat.

023- open bake oven.

024- waste water pretreatment system.

026- inadequate aisle space around a gaylord of deruster sludge hazardous waste (D003, D009).

027- deruster sludge hazardous waste inside of 1,500 gallon tank.

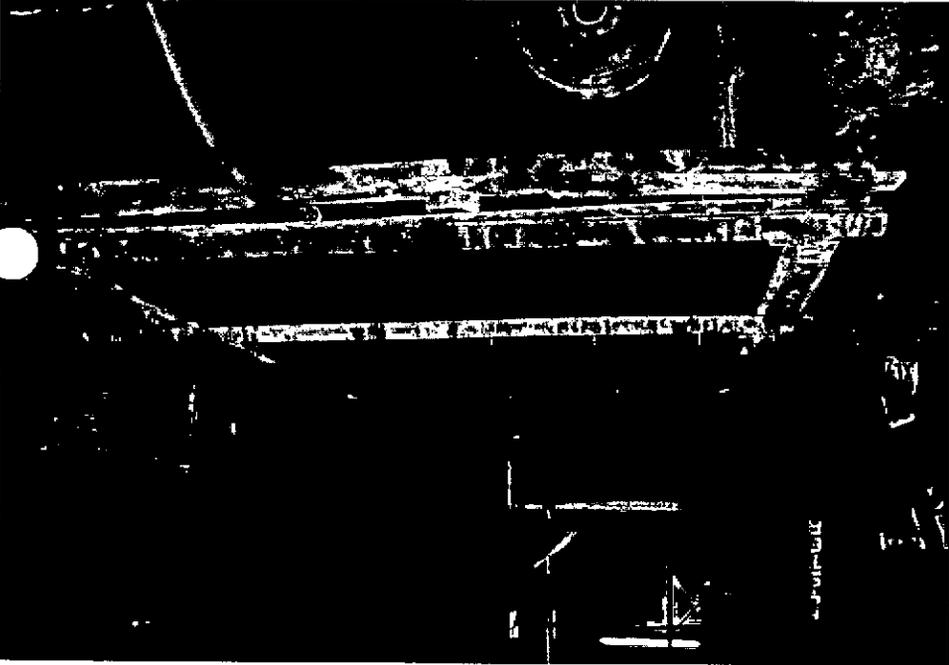




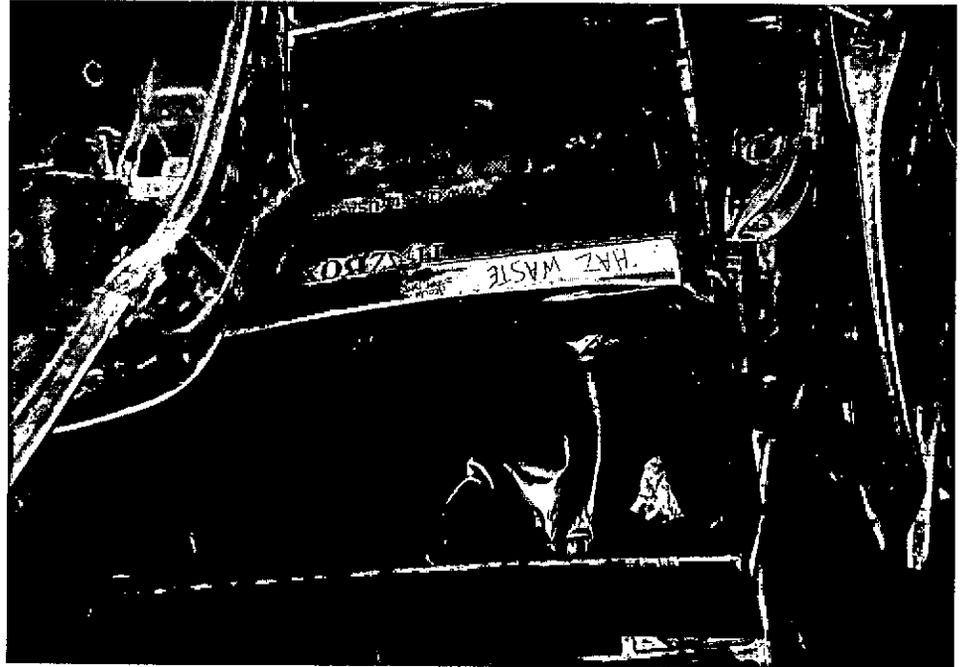
004



027



010

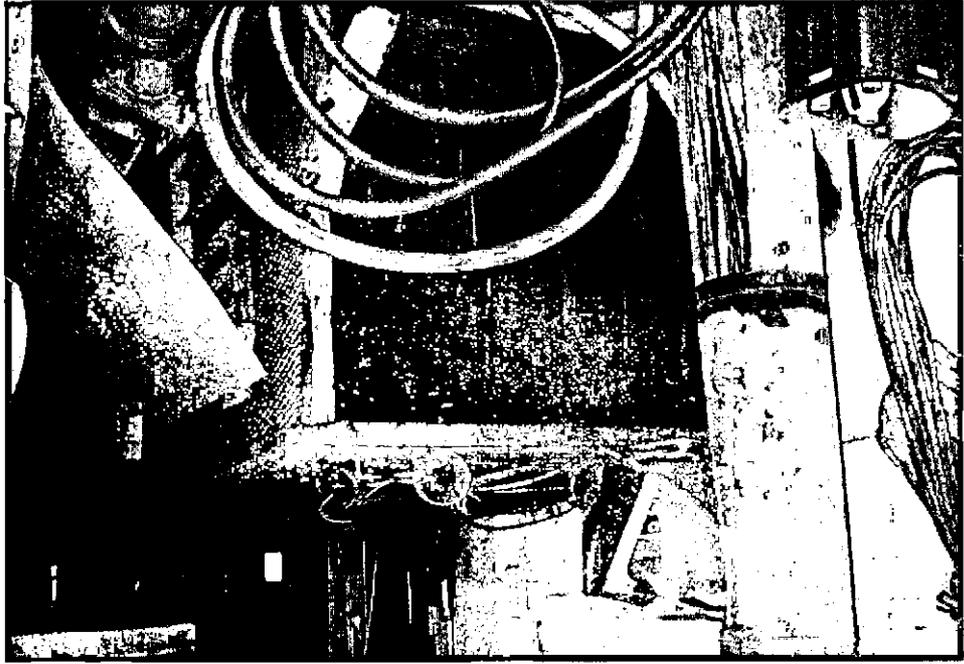


002

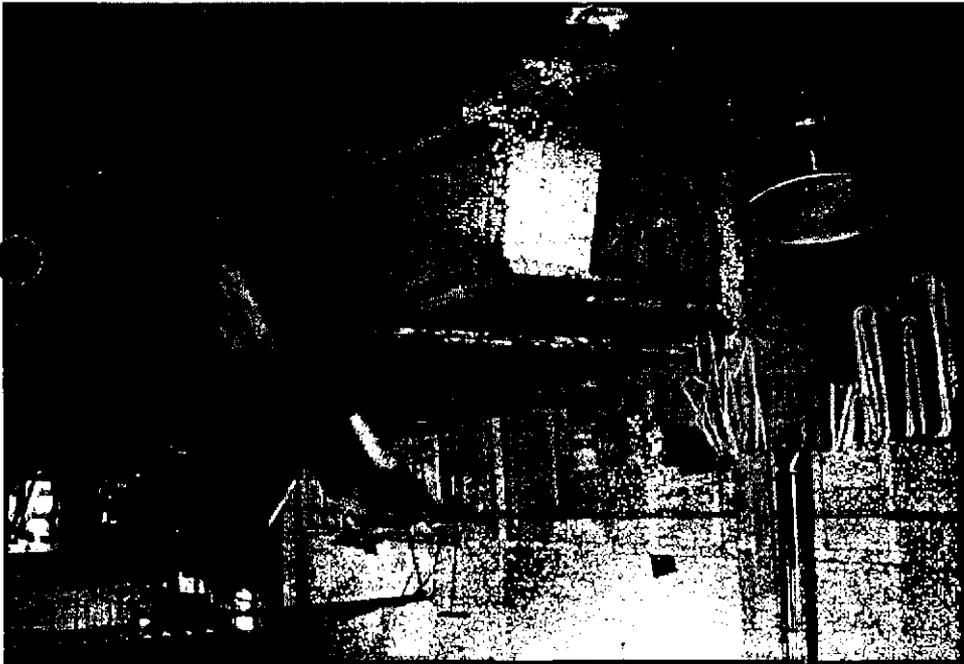




019



011



021



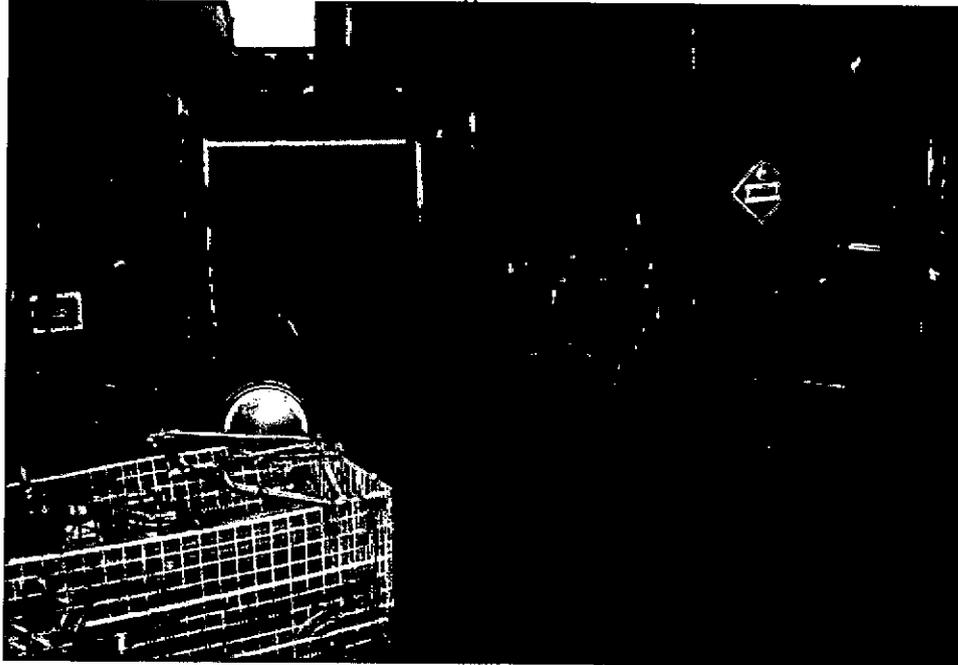
012



024



023



026

