



State of Ohio Environmental Protection Agency

Southwest District Office

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

Eval 004
Ent 003

November 6, 2009

Mr. Eric Nieder
The Sherwin-Williams Company
10488 Chester Road
Cincinnati, Ohio 45215

Re: NOV Sherwin-Williams Company OHD095198479

Dear Mr. Nieder;

On October 20, 2009 I conducted an inspection at your facility to determine the Sherwin-Williams Company's 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). As is our practice, my inspection was unannounced. You represented Sherwin-Williams.

I found the following violations of Ohio's universal waste rules:

- 1) **Internal communications or alarm systems capable of providing emergency instructions is required: OAC 3745-65-32(A)** requires that all facilities be equipped with an internal communications or alarm system capable of providing emergency instruction (voice or signal) to facility personnel.

This Sherwin-Williams facility is not equipped with any type of device capable of alerting employees in the case of emergency. The automatic sprinkler system which triggers an audible alarm outside the building is not considered to be compliant with this requirement because it only operates in the event of a fire and would not be useful in the case the spills or similar emergencies. For the record, your contingency plan directs employees to yell "Fire!" in the event of a fire

Sherwin-Williams must develop a plan to obtain and deploy a device to provide internal communications capable of providing immediate emergency instructions to personnel. You have a large degree of discretion in choosing such a device. I suggest you consult with your corporate safety staff and also your local employees to get suggestions. A system in which a signal bell which rings differently for fires, spills and direct immediate evacuation has been determined to be compliant at some facilities. PA systems have been determined to meet the requirements at other facilities. The rules are clear that the required communications can not be accomplished solely be voice as a physical device is required.

- 2) **Access to communications or alarm system: OAC 3745-53-34(A)** requires that all personnel who are handling hazardous waste have immediate access to an internal alarm or emergency communication device.

Employees handling hazardous waste in the product service room and in the less than 90 day storage area do not have access to any type of internal alarm system

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- ☞ This violation is related to violation #1 to the extent that employees in the product service room and in the less than 90 day storage area will need access to the internal communication device. It is your decision whether the same type of device is appropriate at each location. You may choose to deploy different communication devices at each location where wastes are being handled.

To correct these violations, please provide me with your strategy to obtain and deploy the communications device within 30 days of your receipt of this letter. Depending on the method you choose, you may not be able to complete the decision and purchase and deploy the device within 30 days. If I determine that you have made satisfactory progress, I will keep these violations 'outstanding' until the device is actually deployed. I do not intend to cite a new violation, unless I determine that you are not making satisfactory progress. In either case, I will not return Sherwin Williams to compliance until the internal communications device is actually deployed and is operational. It goes without saying that your employees will require instruction in properly using the device. I have already determined that your personnel training program is compliant with the hazardous waste rules but I will need to reconsider this decision in light of the new internal communication system.

Enclosed you will find a copy of the LQG checklist, a process description summary, a Universal Waste checklist and an LDR checklist. If you have any questions, please call me at (937) 285-6090.

Sincerely,



Tom Ontko
Hazardous Waste Inspector
Southwest District Office

Enclosures

cc: ✓ DHWM Data Entry/Facility File

TO/plh

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.

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more

Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

PROHIBITIONS

1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]	No
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	No

WASTE MANAGEMENT AND LABELING/MARKING

UNIVERSAL WASTE BATTERIES

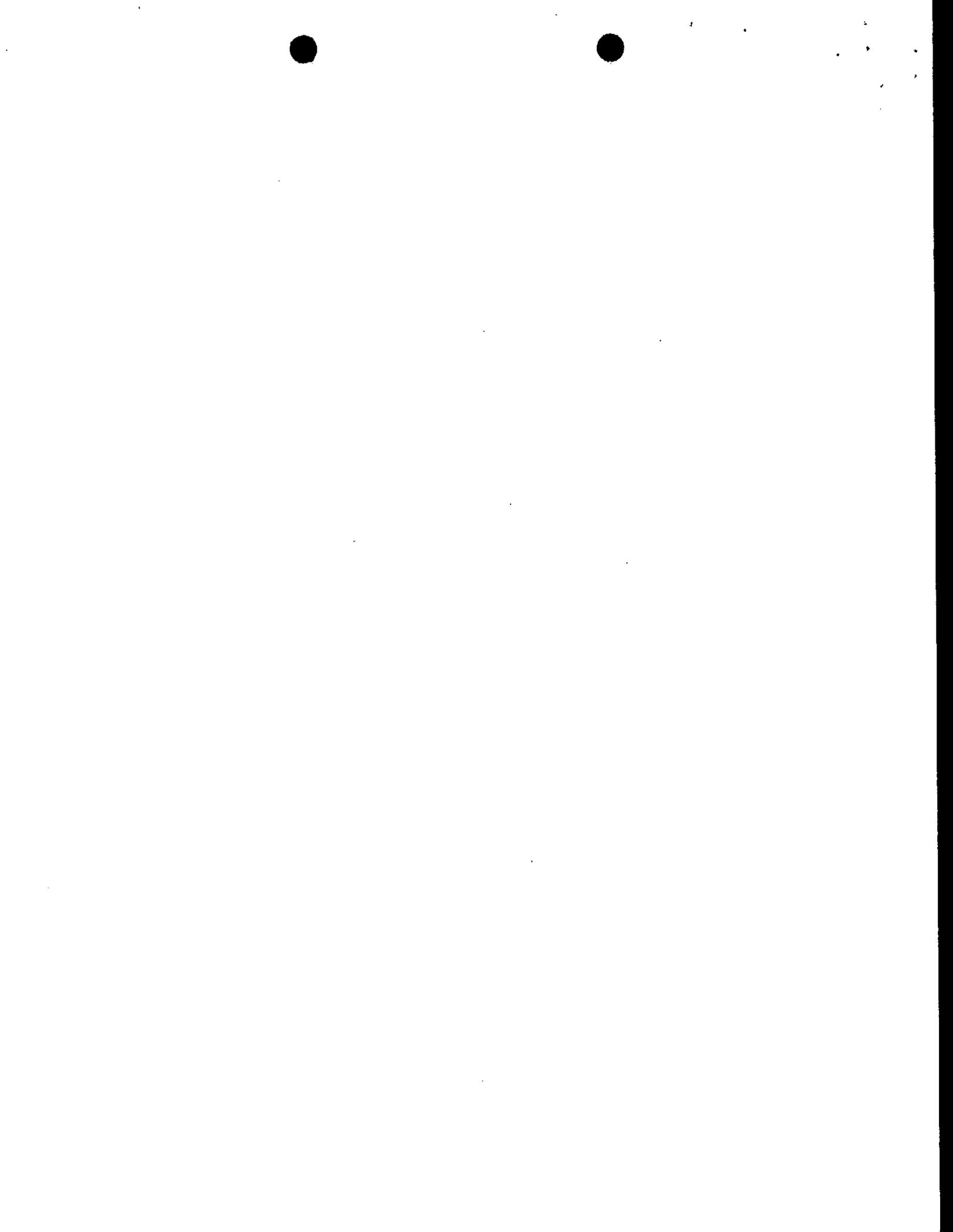
3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]	N/A
4.	If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]	N/A
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	N/A
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	N/A
a.	If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	N/A
b.	If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	N/A
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	N/A

UNIVERSAL WASTE PESTICIDES

8.	Does the SQUWH prevent releases to the environment by managing pesticides in containers that are closed, structurally sound, compatible with the pesticides, and lack evidence of leakage, spillage, or damage? [3745-273-13(B)(1)]	N/A
9.	If the original pesticide container is in poor condition, was it over-packed into an acceptable container? [3745-273-13(B)(2)]	N/A
10.	If the pesticide is stored in a tank, are the requirements of rules 3745-66-90 through 3745-66-101, except for paragraph (C) of 3745-66-97, of the OAC met? (Use tank checklist) [3745-273-13(B)(3)]	N/A
11.	If pesticides are stored in a transport vehicle, is it closed, structurally sound, compatible with the pesticide(s), and does it lack evidence of leakage, spillage, or damage that could cause leakage? [3745-273-13(B)(4)]	N/A
12.	Are recalled universal waste pesticides that are in containers, tanks, or transport vehicles labeled with the label that was on or accompanied the product as sold or distributed and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides?" [3745-273-14(B)(1)&(2)]	N/A
13.	Are unused pesticide products that are in containers, tanks, or transport vehicles labeled with either the label that was on the product when purchased (if still legible), the appropriate DOT label, or the designated label prescribed by the pesticide collection program and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides?" [3745-273-14(C)(1)&(2)]	N/A

UNIVERSAL WASTE THERMOSTATS

14.	Have thermostats that show evidence of leakage, spillage or damage that	N/A		
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	could cause leaks been contained in a container that is closed, structurally sound, compatible with contents of the thermostats and lacks evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(C)(1)]	
15.	If the mercury-containing ampules are removed, does the SQUWH: [3745-273-13(C)(2)]	
	a. Remove the ampules in a manner to prevent breakage and is the removal done over or in a containment device? [3745-273-13(C)(2)(a)&(b)]	N/A
	b. Have a clean-up system readily available to transfer spilled mercury to another container that meets the requirements of OAC rule 3745-52-34 and is the spilled mercury transferred immediately? [3745-273-13(C)(2)(c)&(d)]	N/A
	c. Ensure that the area where ampules are removed is well ventilated and monitored in compliance with applicable OSHA exposure levels for mercury? [3745-273-13(C)(2)(e)]	N/A
	d. Ensure that employees are thoroughly familiar with the proper waste handling and emergency procedures? [3745-273-13(C)(2)(f)]	N/A
	e. Ensure that removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-13(C)(2)(g)]	N/A
	f. Pack removed ampules in containers with packing material to prevent breakage during storage, handling and transportation? [3745-273-13(C)(2)(h)]	N/A
16.	When removing mercury containing ampules from thermostats if there are mercury or clean-up residues resulting from spills or leaks, and/or other waste generated (e.g., remaining thermostat units), has it been determined whether those exhibit a characteristic of hazardous waste identified in OAC rules 3745-51-20 to 3745-51-24? [3745-273-13(C)(3)(a)]	N/A
	a. If the residues, and/or wastes are characteristic, are they managed in compliance with Chapters 3745-50 through 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code? (The handler is considered the generator of the mercury, residues, and/or other waste and is subject to OAC Chapter 3745-52) [3745-273-13(C)(3)(b)]	N/A
17.	Are thermostats or containers of thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)"? [3745-273-14(D)]	N/A
UNIVERSAL WASTE LAMPS		
18.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]	Yes <input type="checkbox"/>
19.	Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]	N/A <input type="checkbox"/>
<p>NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.</p>		
20.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? [3745-273-14(E)]	Yes <input type="checkbox"/>
ACCUMULATION TIME		



21.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes	
	a. If not, is the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]	N/A	<input type="checkbox"/>
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>			
22.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)]	Yes	<input type="checkbox"/>
	If yes, describe below:		
EMPLOYEE TRAINING			
23.	Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]	Yes	<input type="checkbox"/>
RESPONSE TO RELEASES			
24.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	N/A	
25.	Is the material released characterized? [3745-273-17(B)]	N/A	
26.	If the material released is a hazardous waste, was it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to OAC Chapter 3745-52) [3745-273-17(B)]	N/A	
OFF-SITE SHIPMENTS			
<i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i>			
27.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes	<input type="checkbox"/>
28.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes	<input type="checkbox"/>
29.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes	<input type="checkbox"/>
30.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	No	
	a. If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	N/A	
31.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :		
	a. Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	N/A	
32.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	N/A	
EXPORTS			
33.	Is waste being sent to a foreign destination? If so:	No	



	a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	N/A
	b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	N/A
	c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	N/A



**GENERATOR LDR CHECKLIST
DOES NOT APPLY TO CESQGS**

GENERAL REQUIREMENTS

1.	If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07 (A)(7)]	N/A	<input type="checkbox"/>
2.	Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)]	Yes	<input type="checkbox"/>

NOTE: This is done by determining if the HW /soil contains levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the HW, no determination is required [3745-270-07 (A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).

3.	Does the generator have documentation of how he determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)]	Yes	<input type="checkbox"/>
4.	Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]	Yes	<input type="checkbox"/>
5.	Does the generator generate a listed HW that exhibits a characteristic? If yes,	No	<input type="checkbox"/>
a.	Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)]	N/A	<input type="checkbox"/>

FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed HW is treated for.

6.	Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]	Yes	<input type="checkbox"/>
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NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.

NOTE: Written documentation of this determination is not required.

7.	Did the generator treat his HW /soil on-site to meet the LDR treatment standard?	No	<input type="checkbox"/>
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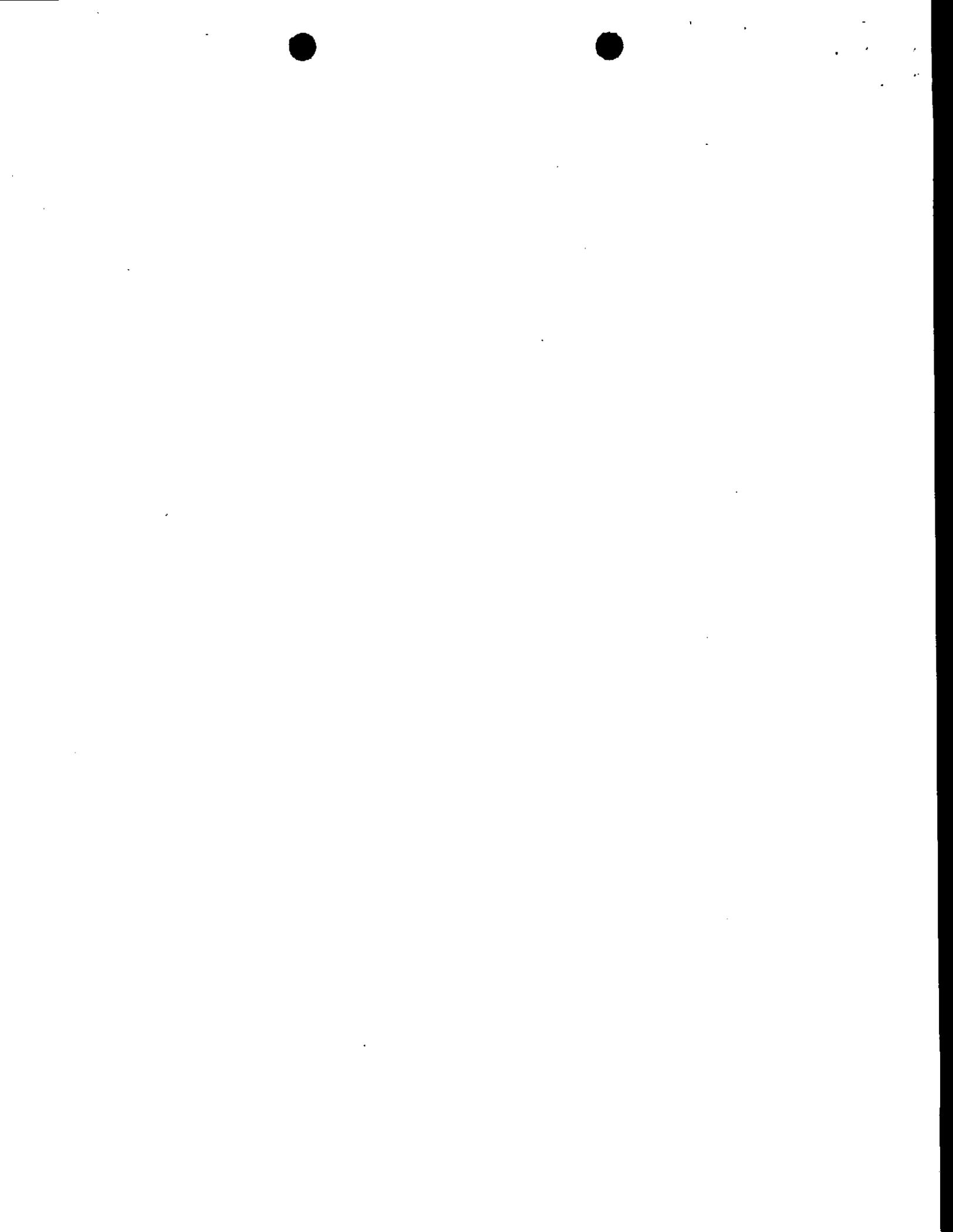
NOTE If "Yes" see question #16.

8.	Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility?[3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
9.	Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)]	N/A	<input type="checkbox"/>
10.	Does the generator have a copy of the LDR notification form on file?[3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
a.	Is the form kept on file for three years after last HW shipped? [3745-270-07(A)(8)]	Yes	<input type="checkbox"/>

NOTIFICATION FORM

11.	Does the LDR Notification form contain the following information:		
a.	Manifest number of the first waste shipment to the TSD?[3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
b.	Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]	N/A	<input type="checkbox"/>
c.	A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)].	Yes	<input type="checkbox"/>

NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is

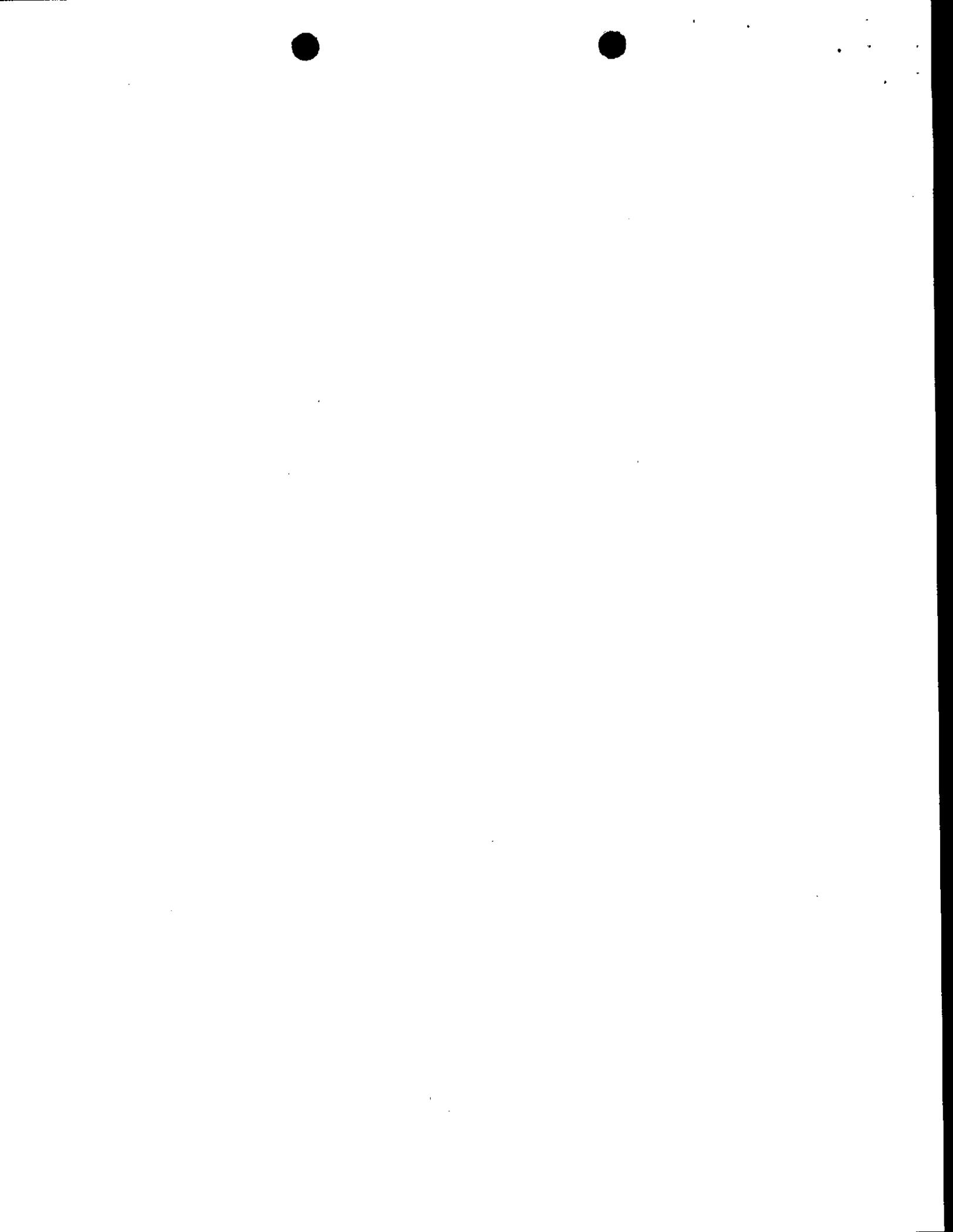


a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.		
e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	N/A
NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories		
f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	Yes
NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.		
g.	If the HW is F001-F005 or F039, did the generator HW note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for?[3745-270-07(A)(2)]	N/A
NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.		
PROHIBITED DILUTION		
12.	Is the HW treated by burning? If "No" go to #15.	No
13.	Is the HW a metal-bearing HW?	Yes
NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.		
14.	a. Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless <u>one</u> of the following conditions apply. [3745-270-03(c)]	N/A
	i. Contains > 1% TOC?	
	ii. Contains organic constituents or cyanide at levels greater than the UTS levels?	
	iii. Is made up of combustible material e.g., paper, wood, plastic?	
	iv. Has a reasonable heating value (e.g., > 5000 Btu)?	
	v. Co-generated with a HW that must be combusted?	
	b. If all responses to 14 a.i. through 14 a.v. are No, HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	No
15.	Was the HW treated by wastewater treatment?	No
a.	Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]	No
NOTE: If Yes, HW is improperly being treated by dilution.		
b.	Does the waste carry the D001 code and contain $\geq 10\%$ TOC?	N/A
c.	Does the wastewater treatment process include a process to separate/recover the organic phase of the waste?	N/A
NOTE: If the answers to b & c are yes and no, respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].		
NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.		
GENERATOR TREATMENT		
16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?	No
	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?	N/A
	If "Yes"...complete the rest of the checklist. If "No"...stop...you are done.	
a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the	N/A



		LDR treatment standard? [3745-270-07(A)(5)]	
	b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	N/A
	c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	N/A
	d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	N/A
	e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	N/A
	f.	Is the WAP available for the inspector's review during the inspection? [3745-270-07(A)(5)(b)]	N/A
NOTIFICATION FORM FOR GENERATOR TREATMENT			
17.	a.	Contains all information in #11 a-g above and	N/A
	b.	If the treated HW/soil is listed.....notification contains the following certification statement: "I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or through knowledge of the waste, to support this certification that the waste complies with the treatment standards specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."	N/A
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:	
		i. Send a one-time notification to the director?[3745-270- 09 (D)]	N/A
		ii. Maintain a copy of the notice onsite?[3745-270-09(D)]	N/A
		iii. Include in the notification: [3745-270-09(D)(1)(a)]	
		1. Name & address of receiving landfill?	N/A
		2. Description of HW when generated?	N/A
		3. HW code when generated?	N/A
		4. Treatability group when generated?	N/A
		5. Underlying hazardous constituents present when generated?	N/A
	iv.	Contain the certification statement as required by 3745-70-07(B)(4)?	N/A

The waste stream reviewed for this determination bears EEI profile number X23102 and is manifested as D007 and D008. This waste is described as wastes 2 and 4 on the waste profile sheet (lab waste and misc. waste).



PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: The Sherwin-Williams Company **Facility Type:** LQG SQG CESQG TSD **Date of Inspection:**
OHD095198479

EPA ID#:

Waste Generated

On- or Off-Site Management

P2 Activities

Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	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	collection of test samples of paint	paper cups and misc solid waste contaminated w/ paint	SAA drum in product service room and < 90 day storage area	none	Giant Resource Recovery-incineration	
2	left-over paint from QA samples	waste paint liquids	same locations		same	
3	cleaning spray guns	spent solvent	combined with liquid waste above		same	
4	empty raw material buckets and pails	solid waste				
5						
6						
7						
8						



9							
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REMARKS **GENERAL INFORMATION**

General Process Information:

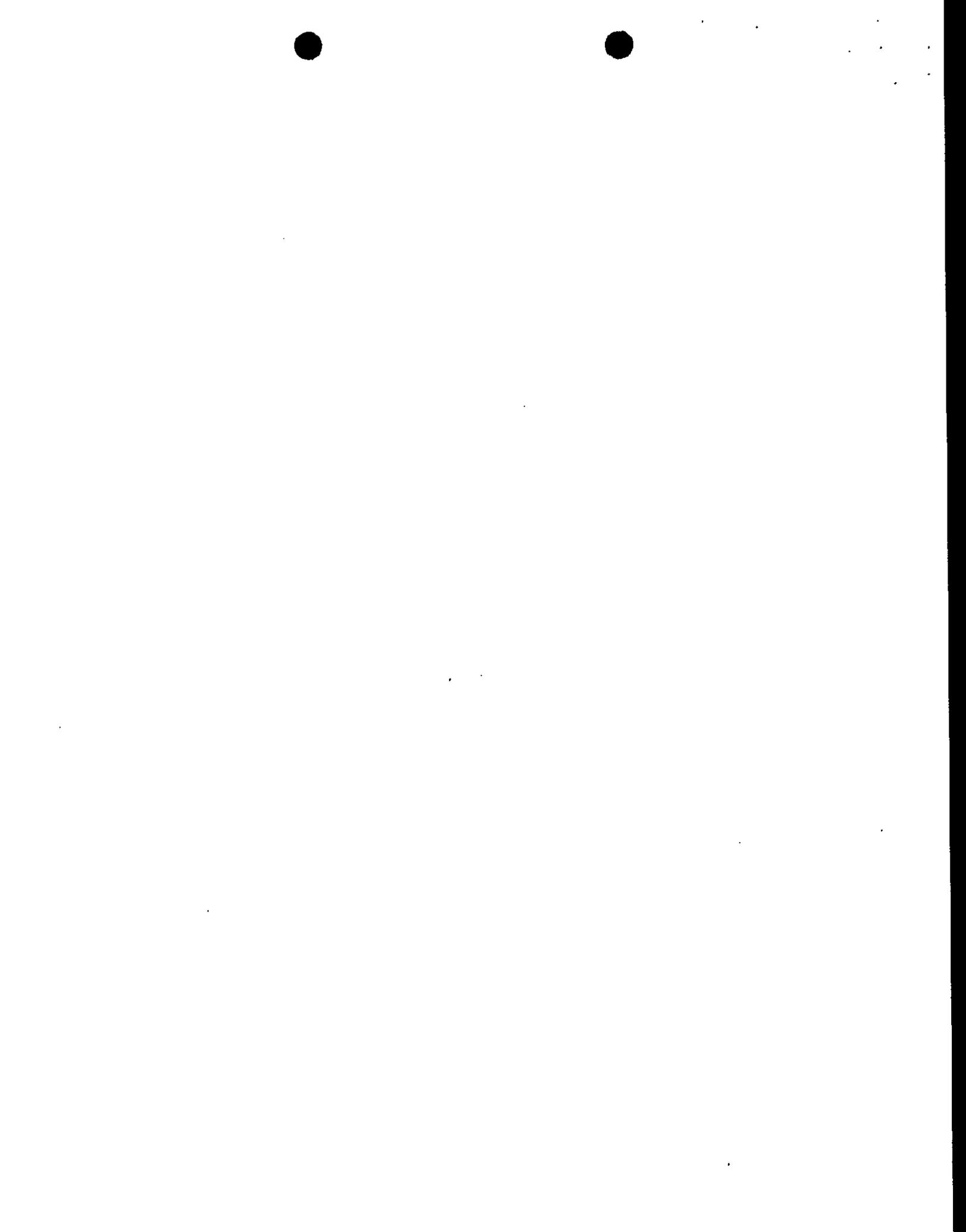
This Sherwin-Williams Company has 88 blending facilities around the country. This facility was opened in 1975 and there are plans to move next year to a new location. The newer blending facilities are more modern and do have better emergency communications methods. The blending facilities are larger than paint stores but smaller than a manufacturing plant. Approximately 65% of the total sales are paint products with most of the balance being custom-blended two- component polyurethane paints sold mostly to OEM manufacturers. None of the paint pigments contain RCRA metals. The wastes generated are mostly residual samples from testing batches for color and gloss. Typical batches are 1 to 5 gallons in size. Raw materials are white, clear and black bases (received in 5 gallon buckets); 14 different organic colorants (received in one-gallon pails); the paint catalyst; and components for water-based paints. The facility also sells 55-gallon drums of solvents as a service to their customers. The facility is equipped w/ temperature activated sprinklers which also trigger an audible alarm located on the buildings' exterior. The sprinklers do not signal the local fire department and there are no manual fire alarms.

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:



**LARGE QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY**

CESQG: =100Kg. (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:safety shoes and regular eye glasses

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes		
2.	Are records of waste determination being kept for at least 3 years? [3745-52-40(C)]	Yes		
3.	Has the generator obtained a U.S. EPA identification number? [3745-52-12]	Yes		
4.	Were annual reports filed with Ohio EPA on or before March 1 st ? [3745-52-41(A)]	Yes		
5.	Are annual reports kept on file for at least 3 years? [3745-52-40(B)]	Yes		
6.	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)]	No		
7.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E)&(F)]	No		
8.	Does the generator accumulate hazardous waste?	Yes		

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

9.	Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02(E)&(F)?	No		
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NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G)&(H).

10.	Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]			
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes		
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	No		
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	No		
	d. Containment building that meets 3745-256-100 to 3745-256-102?	No		

NOTE: Complete appropriate checklist for each unit.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

11.	Does the generator export hazardous waste? If so:	No		
	a. Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	N/A		
	b. Has the generator complied with special manifest requirements? [3745-52-54]	N/A		
	c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	N/A		
	d. Has an annual report been submitted to U.S. EPA? [3745-52-56]	N/A		
	e. Are export related documents being maintained on-site? [3745-52-57(A)]	N/A		

MANIFEST REQUIREMENTS

12.	Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)(1)]	Yes		
13.	Have items (1) through (20) of each manifest been completed?	Yes		



[3745-52-20(A)(1)]&[3745-52-20(A)]		
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 completed. [3745-52-20(A)(1)]		
14.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input type="checkbox"/>
NOTE: The generator may designate on the manifest one alternate 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)].		
15.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	N/A <input type="checkbox"/>
16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)]	Yes <input type="checkbox"/>
17.	If the generator received a rejected load or residue and accumulated the waste on-site, did the generator sign item 18c or 20 of the manifest? [3745-52-34(M)]	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 a program in place to reduce the volume and toxicity waste they generate.		
18.	If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter, did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)]	N/A <input type="checkbox"/>
19.	If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)]	N/A <input type="checkbox"/>
20.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	Yes <input type="checkbox"/>
NOTE:		
PERSONNEL TRAINING		
21.	Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)]	Yes <input type="checkbox"/>
22.	Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)]	Yes <input type="checkbox"/>
23.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes <input type="checkbox"/>
24.	Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)]	Yes <input type="checkbox"/>
25.	Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes <input type="checkbox"/>
26.	Does the generator keep records and documentation of:	
a.	Job titles? [3745-65-16D(1)]	Yes <input type="checkbox"/>
b.	Job descriptions? [3745-65-16D(2)]	Yes <input type="checkbox"/>
c.	Type and amount of training given to each person? [3745-65-16D(3)]	Yes <input type="checkbox"/>
d.	Completed training or job experience required? [3745-65-16D(4)]	Yes <input type="checkbox"/>
27.	Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)]	Yes <input type="checkbox"/>
NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the-job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.		
<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date Trained</u>
operations mgr.	John Keller	



facilities mgr.	Eric Neider	
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CONTINGENCY PLAN

28.	Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)]	Yes	<input type="checkbox"/>
29.	Does the plan describe the following:		
a.	Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? [3745-65-52(A)]	Yes	<input type="checkbox"/>
b.	Arrangements with emergency authorities? [3745-65-52(C)]	Yes	<input type="checkbox"/>
c.	A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)]	Yes	<input type="checkbox"/>
d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes	<input type="checkbox"/>
e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes	<input type="checkbox"/>

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under CFR Part 112 or 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. [3745-65-52(B)]

30.	Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53(A)&(B)]	Yes	<input type="checkbox"/>
31.	Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54]	No	<input type="checkbox"/>
32.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes	<input type="checkbox"/>

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

EMERGENCY PROCEDURES

33.	Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:	No	<input type="checkbox"/>
a.	Was the contingency plan implemented? [3745-65-51(B)]	N/A	<input type="checkbox"/>
b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	N/A	<input type="checkbox"/>
c.	Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)?	N/A	<input type="checkbox"/>

NOTE: OAC 3745-65-51(b) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.

PREPAREDNESS AND PREVENTION

34.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31]	Yes	<input type="checkbox"/>
35.	Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:		
a.	Internal communications or alarm system? [3745-65-32(A)]	No	<input type="checkbox"/>
b.	Emergency communication device? [3745-65-32(B)]	Yes	<input type="checkbox"/>
c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes	<input type="checkbox"/>
d.	Water of adequate volume/pressure per documentation or facility rep?	Yes	<input type="checkbox"/>



[3745-65-32(D)]

NOTE: Verify that the equipment is listed in the contingency plan.

36.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes		
37.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]	Yes		
38.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)]	No		
39.	If there is only one employee on the premises, is there immediate access to a device (eg., phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)]	N/A		
40.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes		
41.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]	Yes		
42.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	Yes		

Item 35b—The facility is equipped with phones and the product services room where hazardous wastes are generated has phone in the adjacent lab. No phone is available near the less than 90 day storage area. Since only waste accumulation occurs there, I conclude that the language of OAC 3745-65-32(B) which states "A device, such as a telephone (immediately available at the scene of operations) ..." is met by having the phone located in the lab. The lab is adjacent to where the waste is generated in the product services room and where products are formulated in the shaker area. The route along which wastes are transported to the the < 90 day storage area is warehouse/storage and I conclude that these areas do not meet the 'scene of operations' criteria in the OAC.

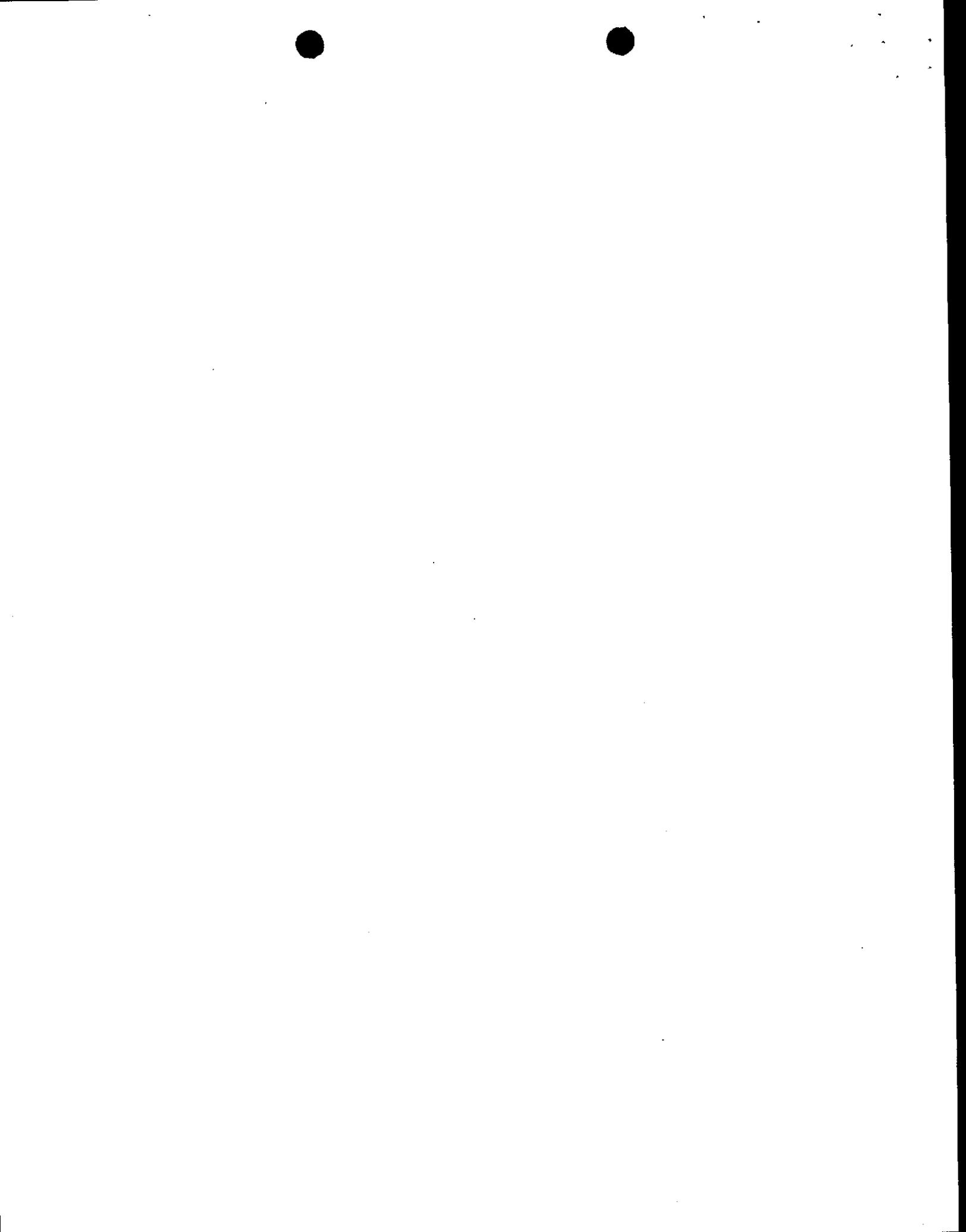
SATELLITE ACCUMULATION AREA REQUIREMENTS

43.	Does the generator ensure that satellite accumulation area(s):			
a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes		
b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes		
c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes		
d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	N/A		
e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes		
f.	Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes		
44.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	No		
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)]	N/A		
b.	Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	N/A		

Sherwin-Williams manages two drums in the product service room under the SAA rules-one a drum of discarded paint samples and the other a drum of paper cups with dregs of paint.

USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

45.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes		
46.	Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes		



47.	Are hazardous wastes stored in containers which are:			
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes	<input type="checkbox"/>
	b.	In good condition? [3745-66-71]	Yes	<input type="checkbox"/>
	c.	Compatible with wastes stored in them? [3745-66-72]	Yes	<input type="checkbox"/>
	d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes	<input type="checkbox"/>

NOTE: Record location on process summary sheets, photograph the area, and record on facility map.

48.	Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days.		Yes	<input type="checkbox"/>
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes	<input type="checkbox"/>
49.	Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]		Yes	<input type="checkbox"/>
50.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]		N/A	<input type="checkbox"/>
51.	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)]		N/A	<input type="checkbox"/>
52.	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)]		N/A	<input 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.

53.	If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)]		N/A	<input type="checkbox"/>
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NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]

PRE-TRANSPORT REQUIREMENTS

54.	Does the 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 type="checkbox"/>
55.	Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]		Yes	<input type="checkbox"/>
56.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]		Yes	<input type="checkbox"/>



Generator: SHERWIN WILLIAMS

EPA ID: OHD095198479

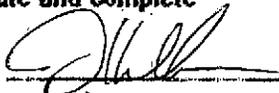
Manifest Doc:

State Manifest No:

(1) Waste Does Not Meet Applicable Treatment Standards - This is a restricted waste that does not meet the applicable treatment standards set forth in Subpart D of 40 CFR Part 268, or exceeds the applicable prohibition levels set forth in 40 CFR 268.32 or RCRA Section 3004(d).

I certify that the information provided on this and any additional pages (HCCLDR2; HCCLDR3) of this LDR notification is true, accurate and complete

Authorized Signature:



Print Name:

J. Keller

Company - Title:

Sherwin-Williams

Date:

9-11-09

Heritage-Crystal Clean does not warrant the acceptability of this form for any specific purpose, waste or treatment method and does not warrant that its use will constitute compliance with applicable law and expressly disclaims responsibility or liability, for any penalties, damages or other costs which may arise out of or be related to use of this document

Location:
Work Order #:

CINCINNATI
00-003850A

Route: CINCINNATI - ROUTE 1
CC Ws #: 61576-9



Generator: SHERWIN WILLIAMS

EPA ID: OHD095198479

Manifest Doc:

State Manifest No:

(1) Manifest Page-Line Item	(2) Hazardous Waste Code (One per line)	(3) Waste Water	(4) Non Waste Water	(5) Subcategory (if applicable)	(6) Underlying Constituents	(7) Applicable Certification (One per line)	Subcategory Description
1/A	D001		X	3	N/A	(1)	HIGH TOC IGNITABLE CHARACTERISTIC LIQUIDS
1/A	F003		X	NA	N/A	(1)	
1/A	F005		X	NA	N/A	(1)	

Enter date waste is subject to prohibition if Certification #3 applies.

Location:
Work Order #:

CINCINNATI
00-003650A

Route: CINCINNATI - ROUTE 1
CC Ws #: 61576-8



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Generator: SHERWIN WILLIAMS

EPA ID: OHD085193478

Manifest Doc:

State Manifest No:

This form is required for F001-F005 spent solvents, characteristic wastes requiring identification of underlying hazardous constituents, or for F039 leachate only. For each F001-F005 spent solvent, characteristic waste requiring identification of underlying hazardous constituents, or F039 leachate, check all constituents listed below and verify that they are appropriate to the wastestreams identified on HCCLDR1

Regulated Constituent
(Check all that apply)

Manifest
Page - Line

ACETONE (2-PROPANONE)
TOLUENE
METHYL ETHYL KETONE
XYLENE

1/A
1/A
1/A
1/A

Location:
Work Order #:

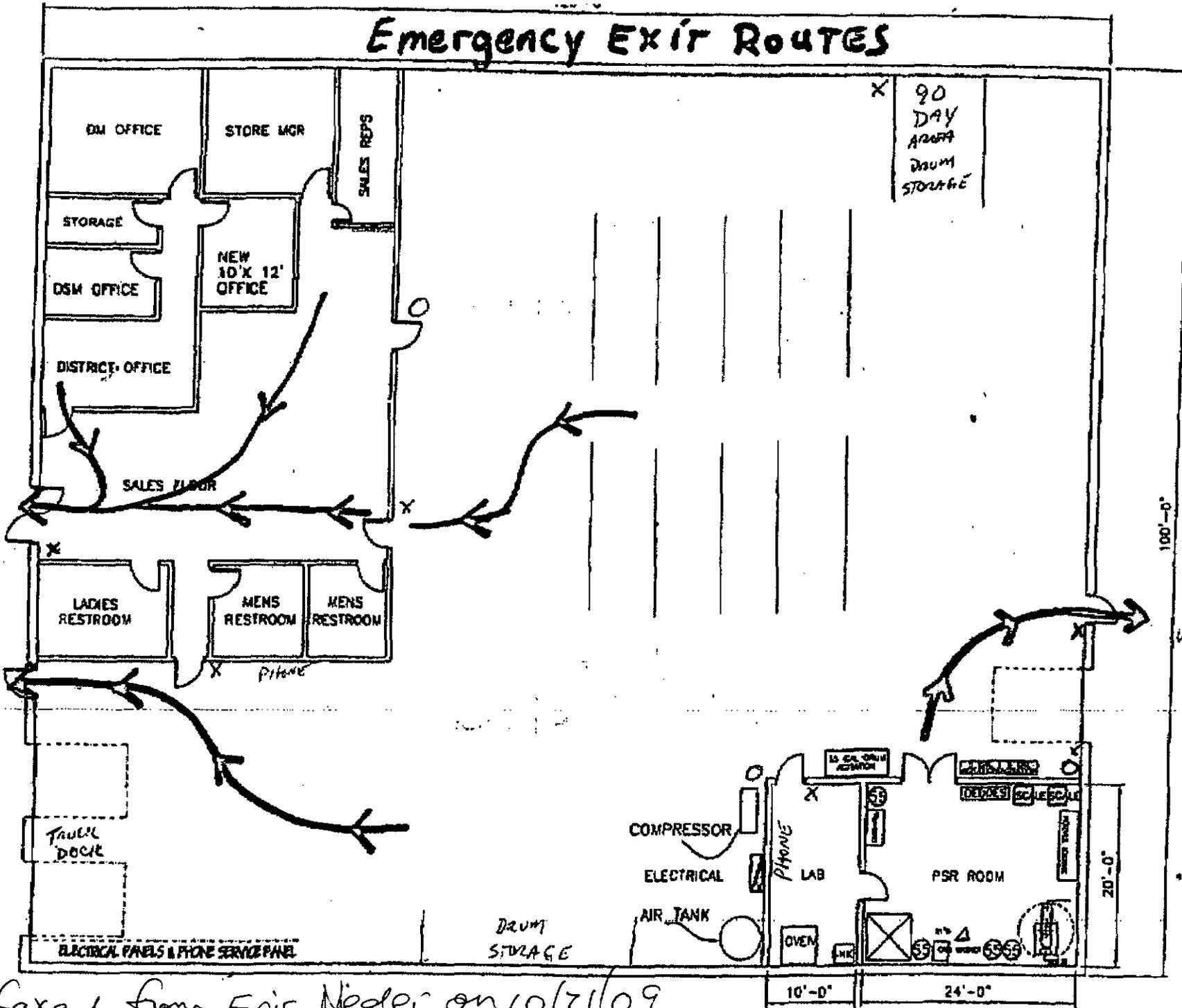
CINCINNATI
00-003650A

Route: CINCINNATI - ROUTE 1
CC Ws #: 61576-8



11-11-11

Emergency Exit Routes



faxed from Eric Nieder on 10/21/09
 Sherwin-Williams inspection - DRINNA+1

6/11/98

11 AQ 14311

