



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korteski, Director

December 23, 2010

Mr. Hunter Bruce Jones, Site Manager
Sun Chemical
12048 Centron Place
Cincinnati OH 45246

Re: NOV Sun Chemical OHD 004234811

Dear Mr. Jones:

On December 15, 2010, I attempted to perform an inspection of the Sun Chemical facility at the above address to determine its 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. In your absence, I conducted a partial inspection with the assistance of Kerry Corp, Production Manager. We looked at the satellite accumulation area (SAA) in the paste department, the SAA containers in the lab and Flexo room, and the hazardous waste storage area. I reviewed manifests and inspection records for calendar year 2010 and your contingency plan. I did not review employee training records or land disposal restriction notifications and I did not inspect the Typhoon cleaning system. Kerry and I did not see any used fluorescent lamps being accumulated for recycling and he told me that no used hydraulic oil or machine oil was being accumulated. I did not complete my inspection as we could not locate employee training records or land disposal restriction forms. I also had outstanding questions about your contingency plan. Before I left I told Kerry that I would need to return to complete my inspection but that my preliminary determination was that I had observed no violations of the hazardous waste rules. I returned to your facility on December 20 to review employee training records and to revisit your contingency plan. We also inspected the satellite areas, the < 90-day storage area, and the Typhoon system.

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

- 1) Inspection of areas where hazardous waste is stored: OAC 3745-65-16(C)** requires that facility personnel must take part in an annual review of the training that teaches them to perform their duties in such a way that ensures your facility's compliance with the hazardous waste rules. Your training records showed that all facility personnel were last trained on September 15, 2009.

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To return to compliance, provide your employees an update to their initial training within 30 days of your receipt of this letter. The training should include the topics listed in OAC 3745-65-16(A)(3). Be sure that the program is designed to teach employees to perform their duties in a way that ensures Sun's compliance with the hazardous waste rules of Ohio in Chapters 3749-65 through 3745-69 and Chapter 3745-256. Please provide me by e-mail a copy of an employee sign-in sheet or a similar record showing the names of the employees and the date when they received their annual refresher training. Enclosed you will find a copy of the LQG checklist, a process description summary, an LDR checklist and a copy of the sketch of your facility layout.

If you have any questions about this inspection or you want to discuss your annual refresher training, please call me at (937) 285-6090.

Sincerely,



•Tom Ontko
Hazardous Waste Inspector
Southwest District Office

Enclosures

cc: DHWM Data Entry/Facility File

TO/mab

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.

**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)] If not,	Yes	<input type="checkbox"/>
a.	Did the generator send the waste to a permitted HW TREATMENT facility? [3745-270-07(A)(1)]	Yes	<input type="checkbox"/>
<p><i>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).</i></p>			
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"/>
<p><i>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.</i></p>			
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"/>
<p>Remark--The first waste evaluated for this determination was the waste ink, manifested as D001. Relevant info from the Safety-Kleen form: D001, form liquid w/ > 10% TOC non-waste water treatability group and no waste constituent notification required. SK profile # 0040229276. I went thru this entire checklist and responded appropriately for this waste stream.</p> <p>The second waste evaluated was SafetyKleen profile #0040229262-caustic wash D002. This is a non-waste water with no waste constituent notification required.</p>			
<p><i>NOTE: Written documentation of this determination is not required.</i></p>			
7.	Did the generator treat his HW /soil on-site to meet the LDR treatment standard?	No	<input type="checkbox"/>
<p><i>NOTE: If "Yes" see question #16.</i></p>			
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"/>
a.	If the generator chose not to make the determination of whether his waste must be treated, did he send a notice to the TSD facility with each shipment? [3745-270-07(A)(2)] If so, did the notice include:	N/A	<input type="checkbox"/>
i.	Applicable HW codes?	N/A	<input type="checkbox"/>
ii.	Manifest number of the first shipment to the TSD?	N/A	<input type="checkbox"/>
iii.	A statement that conveys that the HW may or may not be subject to the LDR treatment standards and the TSD must make that determination.?"	N/A	<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/notice on file? [3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
a.	Is the form/notice 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
b.	Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]	N/A
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
d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)]	Yes
e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	Yes
<i>NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories</i>		
f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	N/A
<i>NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.</i>		
g.	If the HW is F001-F005 or F039, did the generator 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
<i>NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.</i>		
PROHIBITED DILUTION		
12.	Is the HW treated by burning? If "No" go to #15.	Yes
13.	Is the HW a metal-bearing HW?	No
<i>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.</i>		
14.	a. Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless one of the following conditions apply. [3745-270-03(c)]	
	i. Contains > 1% TOC?	N/A
	ii. Contains organic constituents or cyanide at levels greater than the UTS levels?	N/A
	iii. Is made up of combustible material e.g., paper, wood, plastic?	N/A
	iv. Has a reasonable heating value (e.g., > 5000 Btu)?	N/A
	v. Co-generated with a HW that must be combusted?	N/A
	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?	N/A
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)]	N/A
<i>NOTE: If "Yes", HW is improperly being treated by dilution.</i>		
b.	Does the waste carry the D001 code <u>and</u> 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
<i>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)].</i>		



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?	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 LDR treatment standard? [3745-270-07(A)(5)]	N/A
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)]	

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.	Prepare a one-time notification? [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. 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 3745-270-07(B)(4)?	N/A



PLANT: 7023
GENERATOR NAME: SUN CHEMICAL

SAFETY-KLEEN
LDR NOTIFICATION FORM

05/17/2010 PAGE:1
12:24:26

MANIFEST NO.: 13989
OR SALES SERVICE NO.:
CUST#: 3159291

SK Shipping #: 200951493
Pursuant to 40 CFR 268.7(a), I hereby notify that this shipment contains waste restricted under 40 CFR part 268 land disposal restrictions (LDR).

A. GENERAL WASTE NOTIFICATION

LDR FORM LINE NO.: 1 MANIFEST PAGE/LINE# 01/001 SK PRFL NO.: 0040229262
SKDOT#: 0404847

EPA WASTE CODES & LDR SUBCATEGORIES (IF ANY):
D002
Treatability group: NWW Non-Wastewater
Waste Constituent Notification: None

LDR FORM LINE NO.: 2 MANIFEST PAGE/LINE# 01/002 SK PRFL NO.: 0040229276
SKDOT#: 0415872

EPA WASTE CODES & LDR SUBCATEGORIES (IF ANY):
D001 LQ LIQUID >= 10% TOC
Treatability group: NNW Non-Waste Water
Waste Constituent Notification: None

*disposal tech
IRRC*

NOTES
EXP NOTICE: THIS LDR EXPIRES ON 12/31/2010

Terry Hamlin
GENERATOR'S AUTHORIZED SIGNATURE

Terry Hamlin
NAME & TITLE (PRINTED OR TYPED)

06/01/10
DATE

PLANT: 7023
TOP COPY: GENERATOR

CSB: REF#: MIDDLE COPY: FACILITY

SW: BOTTOM COPY: TRANSFER

