



State of Ohio Environmental Protection Agency

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file

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

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

July 13, 2007

Mr. Tom Miller
President Dayton Metal Finishing
2221 Arbor Blvd.
Dayton, Ohio 45439

**Re: Dayton Metal Finishing/Compliance Evaluation Inspection/OHD981195100
Notice of Violation**

Dear Mr. Miller:

Thank you and Mr. Larry Cartwright for accompanying Paul Pardi and I during Ohio EPA's June 26, 2007 inspection of Dayton Metal Finishing in Dayton, Ohio. Our goal was to determine Dayton Metal Finishing 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) and to determine which Hazardous Waste ID number was correct.

The Inspection

During the inspection and paperwork review Ohio EPA observed the following violations:

OAC 3745-52-34(D)(4) Use and Management of Containers

Dayton Metal Finishing failed to mark each container (3) with the words "Hazardous Waste".

Dayton Metal Finishing must mark each container (3) with the words "Hazardous Waste".

OAC 3745-66-73(A) Management of Containers

Dayton Metal Finishing failed to close (3) containers.

Dayton Metal Finishing must close all containers except when adding or removing waste.

The violations cited during the inspection must be corrected within 30 days of receipt of this letter.

Mr. Tom Miller
President Dayton Metal Finishing
July 13, 2007
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The Hazardous Waste ID Number

Dayton Metal Finishing was using OHD500001086 as their disposal number. This number is incorrect and has been deactivated. The correct number is OHD981195100.

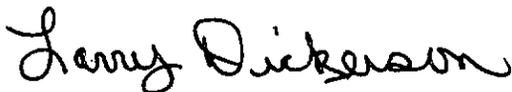
It appears the lab in the front of the building was issued the OHD981195100 number at 2221 Arbor Blvd. The ID number stays with the address even if the company decides to leave. Dayton Metal Finishing must apply for this ID number as long as the company is doing business at this address. All the required forms are attached to this letter and must be filled out and mailed to Tammy McConnell.

Please note that Dayton Metal Finishing was using OHD500001086 in the comment section of the form to prevent any more confusion.

Enclosed you will find a copy of the checklists that we completed during the inspection. Should you have any questions, please feel free to call me at (937) 285-6092. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp>.

If you have any questions or comments, please feel free to contact me at (937) 285-6092.

Sincerely,



Larry Dickerson
District Representative
Division of Hazardous Waste Management

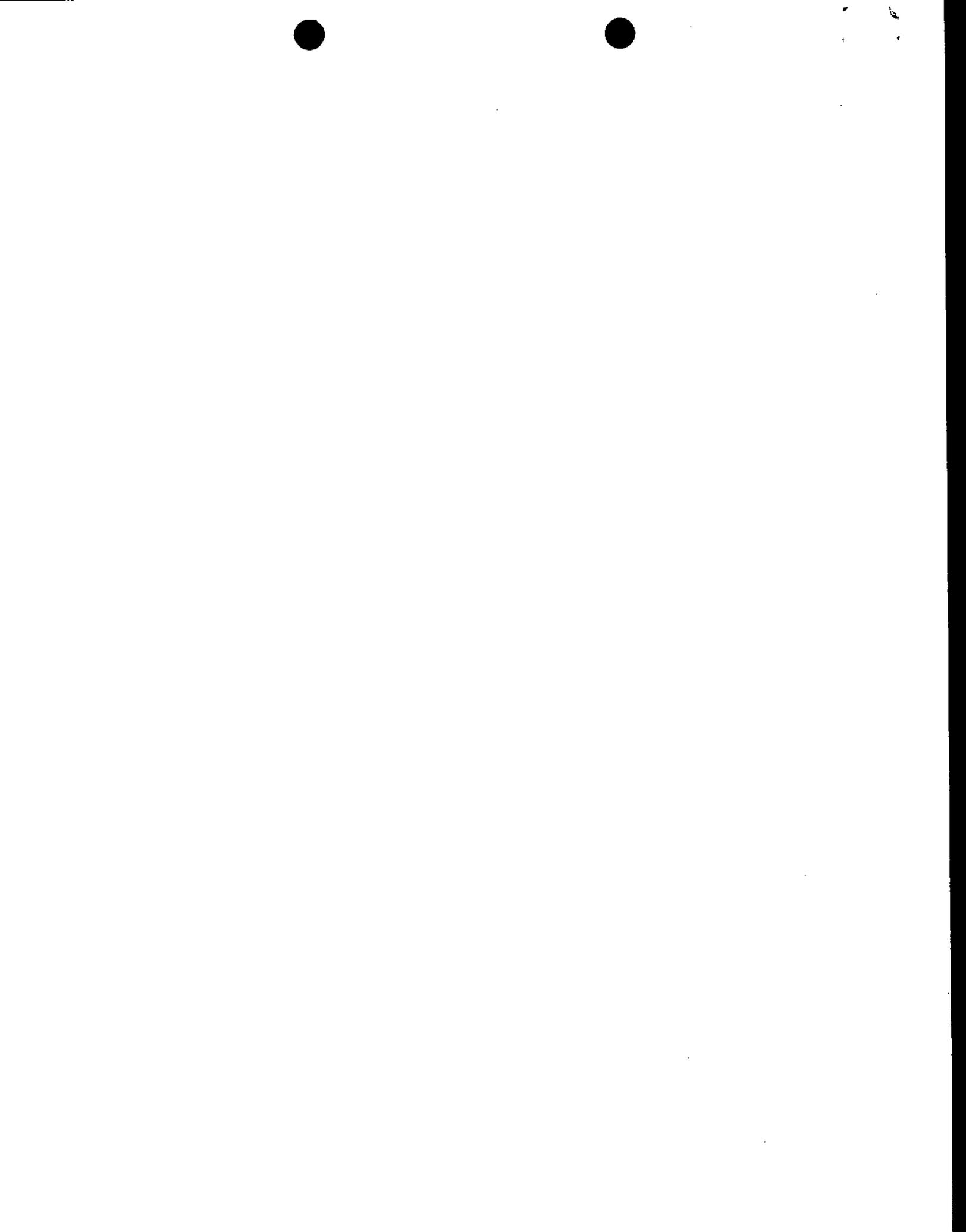
cc: Dinah Crawford, SWDO_DHWM /DHWM FILE

LD/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.

<p>E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office</p>	<p>Of Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM</p>		<p>For Ohio EPA use only</p>																		
<p>2. Site EPA ID No.</p>	<p>EPA ID Number: OHD981195100</p>																				
<p>3. Site Name</p>	<p>Name: Dayton Metal Finishing</p>		<p>Website (optional:)</p>																		
<p>4. Site Location Information</p>	<p>Street Address: 2221 Arbor Blvd.</p>																				
	<p>City, Town, or Village: Dayton</p>		<p>State: OH</p>																		
	<p>County Name: Warren</p>		<p>Zip Code: 45439</p>																		
<p>5. Site Land Type (check only one)</p>	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td>X</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>			Private	County	District	Federal	Indian	Municipal	State	Other	X									
Private	County	District	Federal	Indian	Municipal	State	Other														
X																					
<p>6. NAICS code(s) www.census.gov/epcd/www/naics.html</p>	<p>A.</p>		<p>B.</p>																		
	<p>C.</p>		<p>D.</p>																		
<p>7. Facility Representative:</p>	<p>First Name: Tom</p>		<p>MI:</p>																		
<p>Additional names can be recorded in number 12.</p>	<p>Last Name: Miller</p>		<p>Phone Number Extension:</p>																		
	<p>Phone Number: (937) 294-4133</p>																				
	<p>E-Mail Address:</p>																				
	<p>Fax Number:</p>		<p>Fax Number Extension:</p>																		
<p>Only provide address information if it is different than the site address.</p>	<p>Street or P.O. Box:</p>																				
	<p>City, Town or Village:</p>																				
	<p>State:</p>		<p>Country:</p>																		
			<p>Zip Code:</p>																		
<p>8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.</p>	<p>1. Name of Site's Legal Owner:</p>		<p>Date Became Owner (mm/dd/yyyy):</p>																		
	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Owner Type:</td> <td>Private</td> <td>District</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>			Owner Type:	Private	District	Municipal	State	Other												
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	<p>Street or P.O. Box:</p>																				
	<p>City, Town, or Village:</p>		<p>Owner Phone #:</p>																		
	<p>State:</p>		<p>Country:</p>																		
			<p>Zip Code:</p>																		
	<p>B. Name of Site's Operator:</p>		<p>Date Became Operator (mm/dd/yyyy):</p>																		
	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Operator Type: Mark with an X</td> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>			Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other									
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	<p>Street or P.O. Box:</p>																				



City, Town, or Village:	Operator Phone #:	
State:	County:	Zip Code:

9. Violations Cited? Yes No

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

Not Regulated

A. Hazardous Waste Activities

(choose only one of the following categories)

UNKNOWN: Cited for violation of 3745-52-11

- a. Large Quantity Generator (LQG):
- b. Small Quantity Generator (SQG)
- c. Conditionally Exempt Small Quantity Generator
- d. United States Importer of Hazardous Waste
- e. Mixed Waste (hazardous and radioactive) Generator

- 3. Treater, Storer or Disposer of Hazardous Waste
- 4. Recycler of Hazardous Waste
- 5. Exempt Boiler and/or Industrial Furnace

- a. Small Quantity On-site Burner Exemption
- b. Smelting, Melting, Refining Furnace Exemption

- 6. Underground Injection Control Facility
- 7. Hazardous Waste Transporter

B. Universal Waste Activities

1. Small Quantity Handler of Universal Waste
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):

2. Large Quantity Handler of Universal Waste
(accumulates 5,000 kg or more).

3. Destination Facility for Universal Waste
(Check all boxes below that apply for each of the three types of facilities above.)

- C. Used Oil Activities**
- 1. Used Oil Generator
- 2. Used Oil Transporter Indicate Type(s) of Activity(ies)

Transporter

Transfer Facility

- 3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)
- Processor
- Re-refiner

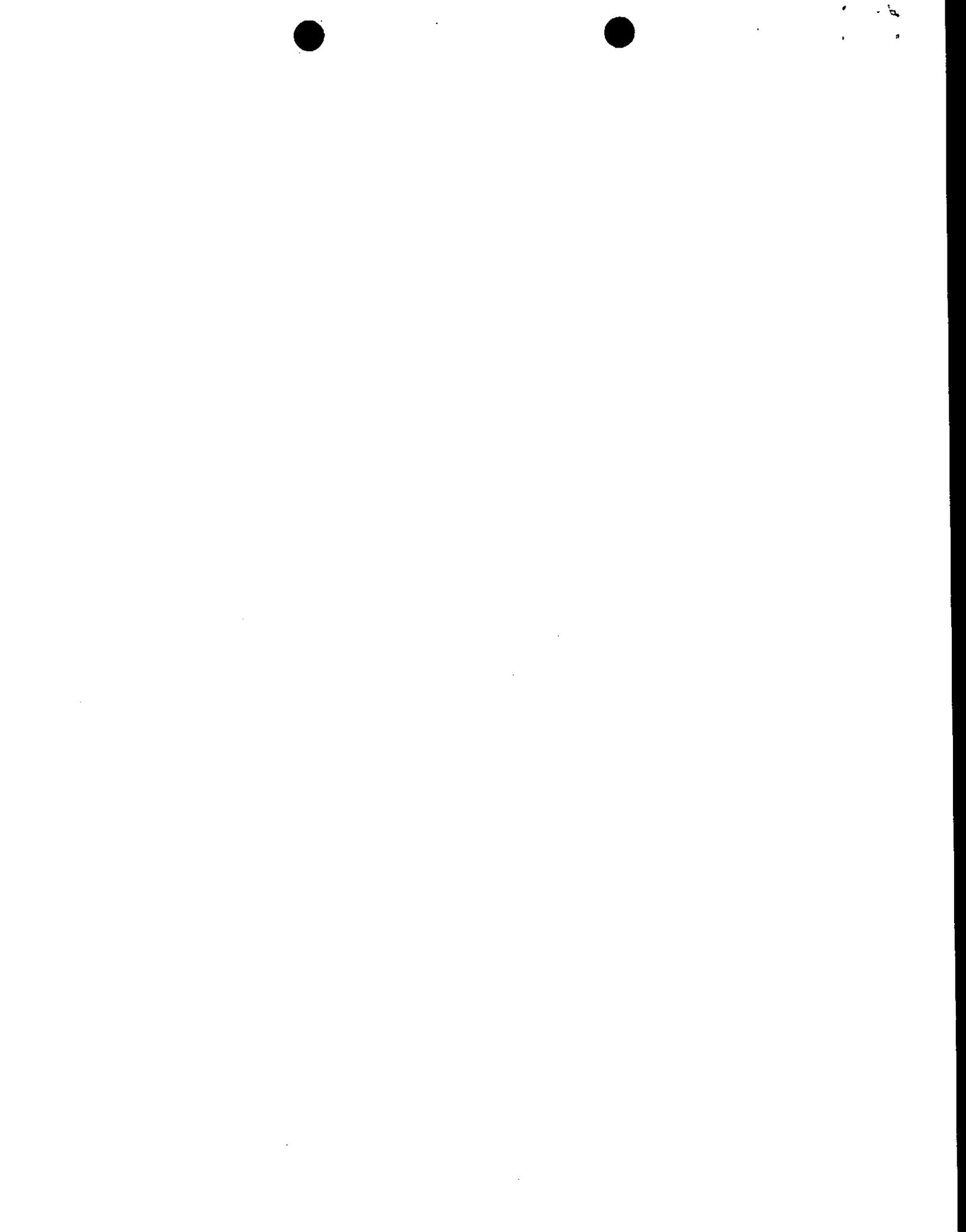
	Generated	Accumulated
A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input type="checkbox"/>	<input type="checkbox"/>

- 4. Off-Specification Used Oil Burner
- 5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)
 - a. Marketer Who Directs Shipment of Off- Specification Oil
 - b. Used Oil to Off-Specification Used Oil Burner

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.



N	Announced ?	Additional Facilities	Representatives:	Larry Cartwright
N	Tanks?	Other comments:		
Y	Containers?			
13.	Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)	
	Larry Dickerson	Paul Pardi	June 26, 2007 @ 9:30	
<p>14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.</p>				
Signature of owner, operator, or an authorized representative		Name and Title (Print)	Date (mm-dd-yyyy)	



**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 checked="" type="checkbox"/> | No | <input 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 type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|----|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

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 type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|----|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

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 checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| | b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| | c. Drip pads that meet 3745-69-40 to 3745-69-45? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input 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: [3745-52-20(E)] | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |

[Facility Name/Inspection Date]
 [ID number]
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- a. Does the contractual agreement specify the type of waste and frequency of shipment? Yes No N/A
- b. Is the transport vehicle owned and operated by the reclaimer? Yes No N/A
- c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement? Yes No N/A

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 No N/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 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 No N/A

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 No N/A

14. Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)] Yes No N/A

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 No N/A

16. Are signed copies of all manifests being retained for at least three years? [3745-52-40] Yes No N/A

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 No N/A

18. Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]

- a. Name and telephone number of emergency coordinator? Yes No N/A
- b. Location of fire and spill control equipment, and, if present, fire alarm(s) Yes No N/A
- c. Telephone number of local fire department? Yes No N/A

19. Are employees familiar with waste handling and emergency procedures [3745-52-34(D)(5)(c)] Yes No N/A

20. Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)] Yes No N/A

[Facility Name/Inspection Date]

[ID number]

SQG/February 2007

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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 No N/A
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 No N/A
- b. Emergency communication device? [3745-65-32(B)] Yes No N/A
- c. Portable fire control, spill control and decon equipment? [3745-65-32(C)]? Yes No N/A
- d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Yes No N/A
23. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A
- a. Are inspections recorded in a log or summary? [3745-65-33]? Yes No N/A
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 No N/A
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 3745-65-32?) [3745-65-34(B)] Yes No N/A
26. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A
27. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Yes No N/A
28. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes No N/A

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 No N/A
- b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes No N/A
- c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes No N/A
- d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] Yes No N/A
- e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]. Yes No N/A
- f. Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No N/A
30. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: Yes No N/A
- 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 No N/A



1-1-1

- 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 No N/A

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.

USE AND MANAGEMENT OF CONTAINERS

31. Has the generator marked containers with the words "Hazardous Waste"[3745-52-34(D)(4)] Yes No N/A
32. Is the accumulation date on each container? [3745-52-34(D)(4)] Yes No N/A
33. Are hazardous wastes stored in containers which are:
- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes No N/A
- b. In good condition? [3745-66-71] Yes No N/A
- c. Compatible with wastes stored in them? [3745-66-72] Yes No N/A
- d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes No N/A

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 No N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes No N/A
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 No N/A
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 No N/A
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 No N/A

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 No N/A
39. Does each container ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A
40. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes No N/A



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