

**Environmental
Protection Agency**

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

EV: ØØØ
EM: ØØØ

August 3, 2010

Mr. Paul Stebel
Las-Stik Manufacturing Company
P.O. Box 941
Dayton, OH 45401

OHD ØØØ4245Ø98

RE: Compliant Investigation

Dear Mr. Stebel:

On June 29, 2010, Ohio EPA's Division of Hazardous Waste Management (DHWM) conducted an investigation at Las-Stik Manufacturing Company (Las-Stik) in Dayton, Ohio. This investigation was conducted in response to a compliant received at our office concerning numerous drums and containers stored outside the facility. The purpose of the investigation was to determine whether violations of Ohio's hazardous waste laws exist at this property.

Ohio EPA verified the existence of these containers. During the investigation it was determined that most of the (all poly) containers were empty. However, there were five (5) 55-gallon metal drums, which were full of unknown contents. Las-Stik stated they did not know the contents of the containers and thought it was rainwater. Based on these observations Las-Stik is in violation of the following hazardous waste rule:

1. **Ohio Administrative Code (OAC) 3745-52-11**: "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste using the following method:

(A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code.

(B) He must then determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code.

(C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either:

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(1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or

(2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the process used.

To return to compliance, the wastes in these drums must be characterized to determine whether they are hazardous or non-hazardous. Any waste determined to be hazardous must be managed and disposed of according to OAC 3745-52. **Please respond in writing with supporting documentation no later than 14 days from receipt of this letter.**

Until such time that compliance can be fully assessed, Ohio EPA DHWM requests that the containers not be removed. Feel free to call me at (937) 285-6070 if you have any questions.

Sincerely,



Jeff Smith
District Representative
Division of Hazardous Waste Management

JS/ka

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHD004245098	
Site Name	Name: Las-Stik Manufacturing Company	Website: www.las-stik.com (Optional)
Site Location Information	Street Address: 1441 Milburn Ave	
	City, Town, or Village: Dayton	State: OH
	County Name:	Zip Code:
Site Land Type (check only one)	<input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
NAICS code(s) www.census.gov/epcd/www/naics.html		

Facility Representative Additional names can be recorded in number 12. Only provide address information if it is different than the site address.	First Name: Paul	MI:	Last Name: Stebel
	Title: President		
	Phone Number: 937-239-6686		Phone Number Extension:
	E-Mail Address: paul@las-stik.com		
	Fax Number: 937-236-6123		Fax Number Extension:
	Street or P.O. Box: P.O. Box 941		
	City, Town or Village: Dayton		
	State: Ohio	Zip Code: 45401	

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.	Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):		
	Owner Type:	<input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other			
	Street or P.O. Box:				
	City, Town or Village:		Owner Phone #:		
	State:		Country:	Zip Code:	
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):		
	Operator Type:	<input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other			
	Street or P.O. Box:				
	City, Town or Village:		Operator Phone #:		
	State:		Country:	Zip Code:	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
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TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

<input type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:	Paul Stebel
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Jeff Smith	George Strobel	06/29/2010
Comments:		

From: Paula Canter
To: Jeff Smith
CC: George Strobel; Robyn Fox
Date: 2/14/2011 10:40 AM
Subject: Re: Site ID form

FYI because "Yes" is marked for violation(s), the form will be processed and "Las-Stik" will be associated with the ID in RCRAInfo even though they haven't notified.

If no violations had been cited and they weren't required to notify, instead I would have inactivated the number and included notes that said Las-Stik is the current occupant.

>>> Jeff Smith 2/14/2011 10:14 AM >>>

Paula

Please find attached a site ID form from a complaint back in June. A 52-11 was cited. The company did not have an ID number but the site does have an old one which I put on the attached site ID form. I have been holding Robyn up from entering this into RCRA info. Let me know if you need anything else. Thanks

Jeff

