



State of Ohio Environmental Protection Agency

003
TO
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, Lt. Governor
Chris Korleski, Director

March 30, 2007

Mr. Grant Hayne, General Manager
Sunnex, Inc.
85 South Pioneer Boulevard
Springboro, OH 45066

RE: **SUNNEX, INC- LQG (OHD175599638)**

Dear Mr. Hayne:

On March 15, 2007 I conducted an inspection of the Sunnex, Inc. plant in order to determine its compliance with Ohio's hazardous waste laws found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). Consistent with long-standing practice, the inspection was unannounced. You represented Sunnex and were assisted by Kelly Coleman who will be taking over the environmental responsibilities formerly performed by you. Paul Kirves assisted with my review of the manifests.

The inspection consisted of an introductory meeting during which we discussed process activities and pollution prevention opportunities followed by an inspection of the plant including production areas, waste storage areas, satellite accumulation areas, and the dumpster/compactor unit. We also inspected the satellite accumulation areas in both the R&D and Production labs. We concluded with a review of inspection logs, the contingency plan and manifest. I took a photocopy of a restricted waste disposal notification/certification form (commonly called an LDR form) with me to ascertain compliance with OAC 3745-270-07 at my office.

I found the following violations of Ohio's hazardous waste laws. Please take the necessary actions as described in the paragraphs marked with a **■**. I will contact Kelly Coleman 30 days after the date of this letter to schedule a return to compliance inspection to verify that the actions you have taken are appropriate.

A copy of the contingency plan shall be submitted to local authorities:

OAC 3745-65-53(B) requires that copies of the contingency plan be provided to all local entities that may be called upon to provide emergency services.

- 1) When we reviewed the contingency plan we could find no documentation that the Springboro Fire Department had been provided a copy of the Sunnex, Inc. contingency plan.

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- To correct this violation, mail a copy of the Contingency Plan to the Springboro Fire Department and provide me a copy of the cover letter which accompanies the mailing. Please provide this within two weeks of the date you received this letter.

Management of hazardous waste in closed containers: OAC 3745-52-34(C)(1)(a) requires that containers in satellite accumulation areas be managed in accordance with OAC 3745-66-73(A) which requires that the containers be closed except when adding or removing wastes.

2a) The 55-gallon satellite accumulation drum in the Epoxy Area is used to collect the condensate from the vacuum exhaust line (an air pollution control device). The condensate drains into the drum from two flexible hoses equipped with valves which allow the operator to drain the condensate. The bungs are routinely left off the drum and the ring around the top of the drum was not present.

- To correct this violation, Sunnex, Inc. must immediately manage the wastes in the Epoxy Area in drums which are kept closed except when adding or removing wastes. It will be acceptable to allow the condensate to accumulate within the vacuum exhaust system until it is periodically drained to the drum.

2b) Another violation of this rule occurred in the R&D satellite accumulation area. A nearly-full drum labeled 'waste flammable liquids' was fitted with a large, flapper lid. The lid is approximately the size of the drum and closed only by gravity. There were no springs, latches or other mechanisms to seal the lid. On inspection, we were not able to determine if the closing mechanism was broken or intentionally removed.

- To correct the violation of the R&D satellite drum, you should immediately take actions to ensure that the drum is kept closed with bungs and rings properly secured. I anticipate that you will decide to procure an alternate method of closing the drum to avoid having to use wrenches to remove bungs. Next to the waste flammable liquid drum was an empty drum which had been pre-labeled 'waste flammable solids'. Because this drum was empty, it is not being cited as a violation. However, the drum of the flammable solid wastes will need to be properly closed except when adding wastes.

Inspection of containers: OAC 3745-66-74 requires that operators of hazardous waste storage areas inspect the containers every seven days and record the inspections in a log or summary.

3) Sunnex, Inc. maintained a proper log and was performing the necessary inspections but no inspection was performed during the plant shut-down over the week of

Mr. Grant Hayne, General Manager
Sunnex, Inc.
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Thanksgiving, 2006. Notations in the log indicate that containers of wastes were being stored during that time.

- To prevent this violation from repeating, devise a strategy which would insure that all wastes in storage over long holidays are properly inspected. It would be acceptable to sub-contract these inspections to a night watchman, as long as he received the proper training. Of course, it is also permissible to schedule an employee to perform an inspection. If an employee is performing a hazardous waste inspection alone, note that OAC 3745-65-34(B) requires that a communication device be available to summon help in the event of an emergency. It may be simpler to schedule a shipment of wastes before the plant shuts down for a week. If that is your choice, be sure to note in the inspection log that all wastes were removed prior to shut down. Note also that there are no inspection requirements for drums that are managed according to the satellite accumulation rules.

Areas of Concern

The sheets in the training log maintained in the R&D Lab were printed with a footer referring to a one year document retention policy. At that time I told you that was wrong and that the Ohio EPA requires a three year retention policy. I was also wrong. OAC 3745-65-16(E) requires that training records of current employees be kept until the closure of the facility. Training records for ex-employees must be kept for three years from the last date of employment. The training records for other employees are kept separately from the R&D records. Those records contained a footer referring to the incorrect three year retention policy. I have not cited this as a violation because I only asked you to see current training records. That being said, it is my expectation that you will comply with the requirements and maintain copies of current employee training records until the closure of the plant.

I promised to provide clarification on the Ohio EPA policy on the regulatory status of rags sent out for laundering at a commercial cleaners. Rags that are laundered at a commercial cleaners and re-used do not have to be managed as a characteristic hazardous waste. You do not have to count the weight of recycled rags when you are determining whether you are a large or a small quantity generator of hazardous waste. Please refer to the guidance I e-mailed for the details.

Enclosed you will find a copy of the checklists completed to document the inspection and a process description summary form.

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Please feel free to call me at (937) 285-6090 if I can assist you at any time.

Sincerely,



Tom Ontko
Hazardous Waste Inspector
Southwest District Office

Enclosures

cc: Dinah/file
Captain Prass, Springboro Fire Department

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.

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM		For Ohio EPA use only																					
2. Site EPA ID No.	EPA ID Number: OHD175599638																							
3. Site Name	Name: Sunnex, Inc.		Website (optional):																					
4. Site Location Information	Street Address: 85 South Pioneer Boulevard																							
	City, Town, or Village: Springboro		State: OH																					
	County Name: Warren		Zip Code: 45066																					
5. Site Land Type (check only one)	<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><input type="checkbox"/></td> </tr> </table>				Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>											
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6. NAICS code(s) www.census.gov/epcd/www/naics.html	A.		B.																					
	C.		D.																					
7. Facility Representative: Additional names can be recorded in number 12. Only provide address information if it is different than the site address.	First Name: Kelly		MI:	Last Name: Coleman																				
	Phone Number: 937-746-8575			Phone Number Extension: 1272																				
	E-Mail Address: kcoleman@sunnexinc.com																							
	Fax Number: 937-746-9872			Fax Number Extension:																				
	Street or P.O. Box:																							
	City, Town or Village:																							
	State:		Country:		Zip Code:																			
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.	A. Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):																					
	Owner Type: Mark with an X	<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><input type="checkbox"/></td> </tr> </table>							Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>							
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	City, Town, or Village:		Owner Phone #:																					
	State:		Country:		Zip Code:																			
	B. Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):																					
	Operator Type: Mark with an X	<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><input type="checkbox"/></td> </tr> </table>							Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>							
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Street or P.O. Box:																								
City, Town, or Village:		Operator Phone #:																						
State:		Country:		Zip Code:																				
9. Violations Cited?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No																					
10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.) <input type="checkbox"/> Not Regulated																								



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

A. Hazardous Waste Activities	
(choose only one of the following categories)	<input type="checkbox"/> 3. Treater, Storer or Disposer of Hazardous Waste
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> 4. Recycler of Hazardous Waste
<input checked="" type="checkbox"/> a. Large Quantity Generator (LQG):	<input type="checkbox"/> 5. Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> b. Small Quantity Generator (SQG)	<input type="checkbox"/> a. Small Quantity On-site Burner Exemption
<input type="checkbox"/> c. Conditionally Exempt Small Quantity Generator	<input type="checkbox"/> b. Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> d. United States Importer of Hazardous Waste	<input type="checkbox"/> 6. Underground Injection Control Facility
<input type="checkbox"/> e. Mixed Waste (hazardous and radioactive) Generator	<input type="checkbox"/> 7. Hazardous Waste Transporter

B. Universal Waste Activities	C. Used Oil Activities															
<input checked="" type="checkbox"/> 1. Small Quantity Handler of Universal Waste (Indicate types of universal waste generated and/or accumulated (check all boxes that apply):	<input type="checkbox"/> 1. Used Oil Generator															
<input type="checkbox"/> 2. Large Quantity Handler of Universal Waste (accumulates 5,000 kg or more).	<input type="checkbox"/> 2. Used Oil Transporter Indicate Type(s) of Activity(ies) <input type="checkbox"/> Transporter <input type="checkbox"/> Transfer Facility															
<input type="checkbox"/> 3. Destination Facility for Universal Waste (Check all boxes below that apply for each of the three types of facilities above.)	<input type="checkbox"/> 3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies) <input type="checkbox"/> Processor <input type="checkbox"/> Re-refiner															
<table border="1"> <thead> <tr> <th></th> <th>Generated</th> <th>Accumulated</th> </tr> </thead> <tbody> <tr> <td>A. Batteries</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>B. Pesticides</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>C. Thermostats</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>D. Lamps</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>		Generated	Accumulated	A. Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	D. Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 4. Off-Specification Used Oil Burner
	Generated	Accumulated														
A. Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/>														
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>														
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>														
D. Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>														
	<input type="checkbox"/> 5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies) <input type="checkbox"/> a. Marketer Who Directs Shipment of Off-Specification Oil <input type="checkbox"/> 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.

D001	D035	F003	F005			
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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 Facility Representatives:	Grant Hayne
N	Tanks?	Other comments:	
Y	Containers?		

13.	Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
	Tom Ontko, Ohio EPA, SWDO		(03-15-2007)(13:20)

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.

Signature of owner, operator, or an authorized representative	Name and Title (Print)	Date (mm-dd-yyyy)



telephone record

site name

Sunnex, Inc OHD 175599638 SQG

date

3/13/07

Conversation with

Captain Prass, Springboro Fire Department 748-2766

SWDO staff

Tom Ontko

Captain Prass said that the Springboro Fire department has responded to 2 or 3 dumpster fires over the last 4 years. Sunnex has an outside dumpster (Waste Management) that was connected to a trash compactor after the first fire. The dumpster is enclosed to an extent but water can still enter during unusually heavy rains.

The first fire was blamed on empty bags of lime that retained enough residual product to generate enough heat to lead to a fire in the dumpster. Sunnex started a procedure to seal the empty lime bags (50 pound paper bags with a plastic liner) in a closed garbage bag before discarding to the dumpster/trash compactor. The compactor also helps to prevent water contact with the lime by enclosing the bags inside a tight bundle. The last time Captain Prass responded, there was talk about enclosing the dumpster/compactor. Based on his description that the lime generates heat when wet, the chemical form sounds like quicklime (CaO) and not slaked lime, Ca(OH)_2 .



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

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: $\geq 1,000$ 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, Sunnex, Inc. inspection date 3/15/07

safety glasses w/ side shields

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No N/A
2. Are records of waste determination being kept for at least 3 years? [3745-52-40(C)] Yes No N/A
3. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes No N/A
4. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)] Yes No N/A
5. Are annual reports kept on file for at least 3 years? [3745-52-40(B)] Yes No N/A
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)] Yes No N/A
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)] Yes No N/A
8. Does the generator accumulate hazardous waste? Yes No N/A

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)? Yes No N/A

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 No N/A
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? Yes No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

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: Yes No N/A
 - a. Has the generator notified U.S. EPA of export activity? [3745-52-53(A)] Yes No N/A
 - b. Has the generator complied with special manifest requirements? [3745-52-54] Yes No N/A
 - c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] Yes No N/A
 - d. Has an annual report been submitted to U.S. EPA? [3745-52-56] Yes No N/A
 - e. Are export related documents being maintained on-site? [3745-52-57(A)] Yes No 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)] Yes No N/A
13. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes No N/A
14. 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 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)] Yes No N/A

[Sunnex, Inc./March 15, 2007]

[OHD175599638]

LQG/February 2007

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16. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (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 a program in place to reduce the volume and toxicity waste they generate.

17. 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)] Yes No N/A

18. 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)] Yes No N/A

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

Remark- Manifests were reviewed from the present back to January, 2005.

PERSONNEL TRAINING

20. 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 No N/A

21. 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 No N/A

22. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No N/A

23. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes No N/A

24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes No N/A

25. Does the generator keep records and documentation of:

a. Job titles [3745-65-16D(1)]? Yes No N/A

b. Job descriptions [3745-65-16D(2)]? Yes No N/A

c. Type and amount of training given to each person [3745-65-16D(3)]? Yes No N/A

d. Completed training or job experience required [3745-65-16D(4)]? Yes No N/A

26. 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 No N/A

Remark-The employee training log maintained in the lab referred to a 1 year retention policy for training records. This was cited as an AOC in the letter as the records maintained for the rest of the employees referred to the correct 3 year retention schedule.

Remark-Sunnex, Inc. cross-trains virtually all production employees to handle hazardous wastes. An all-staff safety meeting is held weekly and hazardous waste topics are discussed as appropriate.

<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date Trained</u>
Epoxy area operator	Bill Werner	
	Mike Hall	

CONTINGENCY PLAN

27. 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 No N/A

28. 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 No N/A

b. Arrangements with emergency authorities [3745-65-52(C)]. Yes No N/A

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 No N/A

d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] Yes No N/A



- e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes No N/A

NOTE: If the facility already has a "Spill Prevention, Control and Counter measures 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)]

29. 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 No N/A
30. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes No N/A
31. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes No N/A

See letter

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

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

Remark: Springboro FD has responded to 2 or 3 dumpster fires over the last 4 years. Since RCRA-empty bags of CaO were implicated as the cause of the fire, there was no requirement for Sunnex to invoke the contingency plan. See "other" section of process summary for more info on fire.

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

33. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes No N/A
34. 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)] 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

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

35. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A
36. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes No N/A
- Remark-See AOC section of letter for discussion of inspection records of emergency equipment.**

37. 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)] Yes No N/A
38. 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
39. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A



40. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes No N/A
Remark- Springboro FD responded to a dumpster fires discussed further in the "Other" section of the process description sheet. SFD has worked with Sunnex in identifying the causes and methods to prevent future fires. Sunnex has nothing on file to indicated that the Springboro FD was ever provided a copy of the contingency plan, however.
41. 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

42. 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 words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No N/A
43. 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
 - 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)] 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 IN <90 DAY ACCUMULATION AREAS

44. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] Yes No N/A
45. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes No N/A
46. Are hazardous wastes stored in containers which are:
- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes No N/A
Remark-See letter for violation.
 - 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, photograph the area, and record on facility map.

47. Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days. Yes No N/A
Inspections were not conducted the week of Thanksgiving, 2006 because the facility was closed. See letter for violation.
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes No N/A
48. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes No N/A
49. 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
50. 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
51. 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 waste incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.

52. 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)] Yes No N/A

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

53. 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 No N/A

54. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A

55. 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



SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS

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

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

Sunnex, Inc March 15, 2007

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 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] No

WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES

3. Are battery(ies) 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)] Yes
 5. Does the SQUWH conduct any of the following activities:
 - a. Sort batteries by type? No
 - b. Mix battery types in one container? No
 - c. Discharge batteries to remove the electric charge? No
 - d. Regenerated used batteries? No
 - e. Disassemble them into individual batteries or cells? No
 - f. Remove batteries from consumer products? No
 - g. Remove the electrolyte from the battery? No
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] N/A



6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] N/A
- a. If the electrolyte or other waste is characteristic, is it managed in compliance with 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 battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)] Yes

UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are 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
9. 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
10. 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

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 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

ACCUMULATION TIME

11. Is the waste accumulated for less than one year? Yes
[3745-273-15(A)] If not:
- a. Was 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

NOTE: *Accumulation is defined as date generated or date received from another handler.*

12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)] Yes
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] N/A
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] N/A
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] N/A
- d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] N/A
- e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] N/A
- f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] Yes **Remark #1**

EMPLOYEE TRAINING



13. 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

RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] N/A
15. Is the material released characterized? [3745-273-17(B)] N/A
16. If the material released is a hazardous waste, is 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 Chapter 3745-52) [3745-273-17 (B)] N/A **Remark #2**

OFF-SITE SHIPMENTS

NOTE: *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] Yes

NOTE: *SQUWHs are prohibited to send waste to any other facility.*

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes
20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)] N/A
- b. Agree to where the shipment will be sent? [3745-273-18(E)(2)] N/A



21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following: N/A
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] N/A
 - b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] N/A
22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] N/A
23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)] N/A

EXPORTS

24. Is waste being sent to a foreign destination? If so: No
- a. Does the small quantity handler comply with primary exporter requirements in OAC 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 U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)] N/A
 - c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)] N/A

REMARKS

Remark #1 Used lamps are picked up at regularly scheduled runs to insure that lamps are shipped several times a year.

Remark #2 No lamps were broken.



LDR CHECKLIST Sunnex, Inc. OHD175599638

GENERAL LDR REQUIREMENTS date of inspection 3/15/07

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so: Yes No N/A RMK# _____
- a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)] Yes No N/A RMK# _____
- b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)] Yes No N/A RMK# _____
2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1] Yes No N/A RMK# _____
3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] Yes No N/A RMK# _____
4. Does the generator generate a characteristic hazardous waste? If so: Yes No N/A RMK# _____
- a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)] Yes No N/A RMK# _____

NOTE: If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so: Yes No N/A RMK# _____
- a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes No N/A RMK# _____

NOTE: The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g., a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See OAC Rule 3745-270-09(B)]

6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)] Yes No N/A RMK# _____



NOTE: Wastes with EPA hazardous waste numbers K174 and K175 (chlorinated aliphatic wastes) have specific requirements in rule 3745-270-33. Waste with EPA hazardous waste numbers K176, K177 and K178 (inorganic chemical wastes) have specific requirements in rule 3745-270-36.

7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03] Yes No N/A RMK#

NOTE: A generator may dilute a waste (that is hazardous only because it exhibits a characteristic) in a treatment system that discharges to waters of the State pursuant to an NPDES permit (§402 of CWA), that treats waste in a CWA equivalent treatment system, or that treats waste for the purposes of pre-treatment requirements under §307 of CWA, unless a method other than DEACT is specified or the waste is a D003 reactive cyanide wastewater or non-wastewater.[3745-270-03(B)]

8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)] Yes No N/A RMK#

NOTE: In other words, is combustion a legitimate treatment method.

9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)] Yes No N/A RMK#

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so: Yes No N/A RMK#

- a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] Yes No N/A RMK#

11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: Yes No N/A RMK#

- a. The facility can land dispose of the waste. [3745-270-06] Yes No N/A RMK#



12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? Yes ___ No N/A ___ RMK# ___
If so:

a. Has the facility complied with 3745-270-04? Yes ___ No N/A RMK# ___

NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes ___ No N/A RMK# ___

14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes No N/A ___ RMK# ___

15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes ___ No N/A RMK# ___

16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes ___ No N/A RMK# ___

17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: Yes ___ No N/A ___ RMK# ___

a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes ___ No N/A RMK# ___

NOTE: Examples include hazardous wastes discharged to a POTW or to a surface water under a NPDES permit.(See 270-07(A)(7))

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes No N/A ___ RMK# ___



PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility name: **Sunnex Inc.** Facility ID #**OHD175599638** LQG date of inspection **3/15/07**

Description of Waste				On-Site Management			Off-Site Management	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities
1	customer returns of penguin cement not suitable for re-work	D001	see letter dated 3/23/07	container			Chemtron fuels blending	see letter describing re-work procedure
2	factory filter solvent cleaning	pourable liquid solvent	F003, F005	container			waste streams 2 and 3 are combined and manifested to Chemtron for fuels blending	
3	R&D solvent/spent toluene	pourable liquid solvent	F003, F005	container				
4	used lamps and batteries	universal waste					RDA Recycling Services	
5	oil leaks soaked into sorbents	non-hazardous					Chemtron	



REMARKS-GENERAL INFORMATION

General Process Information: Sunnex, Inc. formulates and blends heat-cured plastisols for automotive manufacturers. The plastisol is formulated from resins, plasticizers, calcium carbonate and calcium oxide (AKA quick lime). The calcium oxide scavenges traces of moisture to prevent bubbles from marring the final product. Neither the raw materials or the final product is hazardous when discarded. This major product is shipped in 4000 gallon tanks.

Sunnex also formulates 'penguin cement', which is low flash and regulated as D001 waste when discarded. Customers returns cause Sunnex to become an episodic LQG. Sunnex, Inc. is able to recycle off-spec penguin cement in many instances by 'working away' the off-spec material with good material. See letter dated 3/23/2007 from Grant Hale to Tom Ontko. Sunnex manages the returned products properly; they are inventoried, stored and labeled as though they are useable products.

Regulatory/Enforcement History (if applicable):

Other: Sunnex, Inc. has had two or three dumpster fires over the last four years. Heat generated when rain water blown into the dumpster reacts with the remaining lime (CaO, commonly called quicklime) can ignite the paper bags in which the lime is shipped. Only the right amount of rain causes a fire; too much rain extinguishes the fire and too little doesn't generate enough heat. The lime bags had already been emptied on the day of the inspection. I did observe the empty bags which had been enclosed in a sealed garbage bag. The bags meet the definition of 'RCRA-empty'; they contained only a dusting of residual lime. The manner in which the bags are open and emptied (double slitting with a knife and shaking contents out) satisfies OAC 3745-51-07-(B)(1)(a), i.e. "...all wastes have been removed that can be removed using the practices commonly employed..." This requirement 'trumps' OAC 3745-51-07-(B)(1)(b) and (c) which allow an inch of material and 3% of the original contents to remain. I explained that current operating practices were compliant with the hazardous waste rules.

Sunnex has taken steps to reduce the likelihood of fires. The dumpster used is completely enclosed and equipped with a compactor. The only rain that can enter would be wind-driven rain that could enter thru gaps. The lime bags are enclosed in a garbage bag and when the bags are compacted, they are somewhat protected from water. Special handling arrangements have been made with Rumke LF to prevent their workers from contacting air-borne lime dusts which is an eye irritant.

