



State of Ohio Environmental Protection Agency

Northeast District Office

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

November 4, 2009

**RE: AMERICAN BRAZING COMPANY
OHD 003 982 386
OHD 085 242 915
NOTICE OF VIOLATION**

Steve Bizub
American Brazing Company
5711 W Park Ave.
St. Louis, MO 63110

Dear Mr. Bizub:

On October 28, 2009, I met with Bob Muto to conduct inspections of the American Brazing facilities at 4428 Hamann Parkway (OHD 003982386) and 4399 Hamann Parkway (OHD 085242915) both in Willoughby, Ohio. The purpose was to determine if American Brazing was in compliance with Ohio's hazardous waste and used oil laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). Please see the attached Process and Waste Summary chart for my understanding of the operations at 4428 Hamann Parkway. The facility at 4399 Hamann Parkway appears to be used only as a warehouse and not to generate hazardous waste or used oil.

This letter will document any violations and concerns found and outline what you need to do to correct them. A written response to these issues is required within 30 days.

The following violations were found:

1. OAC rule 3745-52-11 – Hazardous waste determination.
This rule requires that any person who generates a waste must determine if that waste is a hazardous waste. The following documents which give more information regarding this were given to Mr. Muto:

Identifying Your Hazardous Waste 2006

<http://www.epa.ohio.gov/portals/41/sb/publications/identifyingwaste.pdf>

OAC 3745-51-21 to 24 characteristic hazardous waste

OAC 3745-51-31 listed hazardous waste

http://www.epa.ohio.gov/dhwm/laws_regs.aspx

Waste Disposal and Recycling Companies in Northeast Ohio 2009

This document may also be helpful: Use of Generator Knowledge in Complying with OAC 3745-52-11, 2005.

<http://www.epa.ohio.gov/portals/32/pdf/GeneratorKnowledge6.pdf>

American Brazing violated this rule by disposing of waste lamps (including fluorescent lamps) with regular trash without determining whether or not they are a hazardous waste. As an alternative to determining whether your particular waste lamps are

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hazardous waste, you may wish to manage them as universal waste. The following document was given to Mr. Muto which contains more information regarding this: Universal Waste Rules for Handlers of Lamps 2005.

[http://www.epa.ohio.gov/portals/32/pdf/Universal Waste Rules for Handlers of Lamps.pdf](http://www.epa.ohio.gov/portals/32/pdf/Universal_Waste_Rules_for_Handlers_of_Lamps.pdf).

In general, this would involve saving the waste lamps in a labeled container (such as a cardboard box) and having them picked up by a lamp recycler. Please see the enclosed, blank universal waste checklist for more details. Local lamp recycling companies are listed on the list I gave Mr. Muto. **Please send me a description of how you will now manage waste lamps.**

American Brazing violated this rule by not determining whether or not the waste bricks taken out of a furnace are hazardous waste. These waste bricks were stored in an open roll off box which was outside at the 4399 Hamann Parkway facility. **Please send me this determination and its supporting documentation. Please also send me a description of your disposal plans for this material.**

American Brazing violated this rule by not determining whether or not the waste from the glass bead and aluminum oxide blasting operation is a hazardous waste. This system has a filter bag dust collection system and the blasting media is changed out once a year. **Please send me this determination and its supporting documentation. If a sample needs to be collected the next time this blasting media is changed out in order to make this determination then simply state that will be done.**

2. OAC rule 3745-279-22(C) - Used oil labels.

This rule requires containers and aboveground tanks for used oil to be labeled or marked clearly with the words Used Oil. The following document was given to Mr. Muto which contains more information regarding used oil rules: Overview for Ohio Businesses Who Generate Used Oil 2006.

<http://www.epa.ohio.gov/LinkClick.aspx?fileticket=XEg%2fu%2bpZGaM%3d&tabid=3923>.

American Brazing violated this rule by having one container of used oil that was not labeled as used oil. The full drums of used oil were labeled but, the container currently being filled was not labeled as used oil. Mr. Muto corrected this during the inspection.

Other information and suggestions:

- Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues (including sources of funding) related to air, land, and water. They can be contacted at

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(800) 329-7518, or <http://www.epa.ohio.gov/ocapp>. Their document, Sustainable/Green Business Toolkit, was given to Mr. Muto and can also be found at: <http://epa.ohio.gov/LinkClick.aspx?fileticket=6PhtW3qaSyk%3d&tabid=2668>.

- Entrepreneurs for Sustainability is a group that seeks to "build a sustainable regional economy in Northeast Ohio that will create prosperity and total community health." They offer workshops, conferences, a business to business directory and more. Their website is at <http://www.e4s.org/content/index.asp>.
- ENERGY STAR is a government-backed program helping businesses and individuals protect the environment through superior energy efficiency. Their website is at <http://www.energystar.gov/>.
- The Clean Air Resource Center offers help in understanding EPA air quality requirements. In addition, if your business is required to purchase new equipment, they can offer better-cost financing with special tax incentives. Their phone number is (800) 225-5051 and website is <http://www.ohioairquality.org/>.

You can find copies of the regulations and other information on the Division of Hazardous Waste Management web page at <http://epa.ohio.gov/dhwm>.

If you have any questions, please contact me at (330) 963-1217, or robert.almquist@epa.state.oh.us.

Sincerely,



Robert Almquist
Division of Hazardous Waste Management

RA:cl
Enclosures

ec: Frank Popotnik, DHWM, NEDO cc: Marlene Kinney, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO
Bob Muto, American Brazing

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from its obligation to comply with all applicable regulations.

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name	EPA ID Number: OHD003982386 Name: American Brazing Company		Website: (Optional)	
Site Location Information	Street Address: 4428 Hamann Prkwy City, Town, or Village: Willoughby County Name: Lake		State: OH Zip Code: 44094	
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	Private <input checked="" 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 <input type="checkbox"/>
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Steve Phone Number: 314-450-4361 E-Mail Address: sbizub@paulo.com Fax Number: Street or P.O. Box: 5711 W Park Ave. City, Town or Village: St. Louis State: MO		MI:	Last Name: Bizub Phone Number Extension: Fax Number Extension: Zip Code: 63110
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: Ben Rassieur Owner Private County District Type: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Date Became Owner (mm/dd/yyyy): Federal Indian Municipal State Other <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
	Street or P.O. Box: 5711 W Park Ave. City, Town or Village: St. Louis State: MO		Owner Phone #: Country: Zip Code: 63110	
	Name of Site's Operator: Operator Private County District Type: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Date Became Operator (mm/dd/yyyy): Federal Indian Municipal State Other <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
	Street or P.O. Box: City, Town or Village: State:		Operator Phone #: United States Zip Code:	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<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)

- Recycler of Hazardous Waste
- Underground Injection Control Facility
- Hazardous Waste Transporter
- Treater, Storer or Disposer of Hazardous Waste
- Exempt Boiler and/or Industrial Furnace
- Small Quantity On-Site Burner Exemption
- Smelting, Melting, Refining Furnace Exemption

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)

(CHECK ALL BOXES THAT APPLY)

- Small Quantity Handler of Universal Waste
- Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)
- Destination Facility for Universal Waste

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

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

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

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste found at the 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 RCRA Info source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D001 F003

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

Announced Yes No Additional Facility Representatives: **Bob Muto**
 Tanks Yes No Other Comments:
 Containers Yes No

Name of Inspector(s)

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
10/28/2009

Robert Almquist

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)

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>