



**Environmental
Protection Agency**

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

August 24, 2010

RE: DIAMOND POLYMERS, INC.
SUMMIT COUNTY
OHR 000 009 712
COMPLAINT # 7348
NOV/RTC

Ms. Lynn M. Rossmeissl
Diamond Polymers, Inc.
1353 Exeter Rd.
Akron, OH 44306

Dear Ms. Rossmeissl:

On July 28, 2010, Kris Coder and I, of the Ohio EPA's Division of Hazardous Waste Management (DHW), conducted a complaint investigation at Diamond Polymers, Inc. located at 1353 Exeter Rd. in Akron. The complaint alleged chronic dumping of waste to storm sewers and surface water. From the investigation the allegation appeared to be unfounded. The purpose of the investigation was also to determine compliance with Ohio's hazardous waste laws and regulations, as found in the Ohio Revised Code and the Ohio Administrative Code ("ORC" and "OAC" respectively).

Diamond Polymers is a custom compounder of plastic pellets. DHW reviewed facility operations and waste streams and performed a walkthrough inspection of indoor and outdoor areas. Disposal records indicate your facility to be a small quantity generator (SQG) of hazardous waste. It was reported that all floor wash water, process and equipment wash water is directed to a containment pit. According to facility personnel and a building blue-print, overflow from this pit goes to the sanitary sewer. The pit contents are pumped semi-annually and disposed as a solid waste. Extruder concentrate generated from the air pollution control system is collected and managed as D001 hazardous waste due to its styrene content. Several violations pertaining to weekly inspection of containers, emergency equipment inspections and posting of emergency contact information were identified during the inspection.

On July 29 and August 11, 2010 you provided responses to the inspection that included a completed Identification Form, a completed weekly container and emergency equipment inspection checklist, an Emergency Contact Information sheet, a photo of universal waste and an Emergency Evacuation Plan showing the location of hazardous waste storage in the facility.

The following violations of Ohio's hazardous waste rules and regulations were identified during the inspection and subsequently abated with your August 11, 2010 submittal:

1. **OAC rule 3745-66-74 – Inspections of container storage areas:** Weekly inspections and a log of inspections of hazardous waste containers were not being kept in violation of this rule.

A blank inspection log and a completed facility log were submitted to abate this violation.

2. **OAC rule 3745-52-34(D)(5)(b) – Information posted by the telephone:** Required emergency information was not posted by the telephone.

The required information was compiled and provided and understood posted by a phone that is near the hazardous waste storage area abating this violation.

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

3. **OAC rule 3745-65-33 – Testing and maintenance of equipment:** all facility communications or alarm systems, fire protection equipment, *spill control equipment*, and *decontamination equipment*, where required, were not tested and maintained to assure its proper operation in time of emergency and recorded in a log.

The inspection of emergency spill equipment is now being maintained weekly with the container inspection records abating this violation.

Concerns/Recommendations

1. OAC rule 3745-52-34(D)(5)(c): requires that employees be familiar with waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies. Please be aware that training regarding weekly container and emergency equipment inspections should be added to your routine hazard communication training per this rule.
2. OAC rule 3745-52-34(C)(1)(b): requires that each container of hazardous waste be labeled with the words "Hazardous Waste" or other words that identify the contents. There were two buckets under the condenser unit that were empty, but used for collecting hazardous waste. These buckets should be labeled per the rule.
3. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues related to air, land, and water. If desired, this can include an onsite assessment of your operations with a resulting report containing waste minimization and energy conservation suggestions. OCAPP can be contacted at 800-329-7518 or <http://www.epa.ohio.gov/ocapp>. You may also contact Adrienne Lafavre at (330) 963-1250 for compliance assistance.

The Division of Hazardous Waste Management (DHWM) has copies of the rules and other information on the DHWM's web page at: <http://www.epa.ohio.gov/dhwm/>. Enclosed you will find a copy of the checklists (SQG, Used Oil and Universal Waste) completed for the inspection. No further response to this letter is required. Should you have any questions or require additional information you may contact me at (330) 963-1146 or at: ron.shadrach@epa.state.oh.us.

Sincerely,



Ronald J. Shadrach
District Representative
Division of Hazardous Waste Management

RJS:ddw
Enclosures

ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Kris Coder, DHWM, NEDO

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.