



State of Ohio Environmental Protection Agency

**Northeast District Office**

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Lee Fisher, Lieutenant Governor  
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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

June 9, 2008

Mike Bell  
Technology Projects Manager  
Etna Products Inc.  
16824 Park Circle Drive  
Chagrin Falls, OH 44023

**RE: ETNA PRODUCTS INC., OHD004224036, GEAUGA COUNTY, RCRA/LQG,  
COMPLIANCE EVALUATION INSPECTION, PARTIAL RETURN TO  
COMPLIANCE**

Dear Mr. Bell:

Thank you for your March 26, 2008 response to Ohio EPA's Partial Return to Compliance (PRTC) letter dated February 19, 2008. Etna Products (Etna) submitted information and documentation including:

- Weekly inspection logs for inspections of the hazardous waste accumulation areas.
- A copy of the facility hazardous waste and used oil contingency plan dated March 5, 2008.
- A copy of the facility Emergency Action Plan dated June 13, 2007.
- A copy of the updated facility SPCC plan dated April 14, 2007.
- A copy the job titles and descriptions for four positions that manage hazardous waste on site.
- A statement from the facility stating that " The containment of a potential release of used oil is provided by sloped flooring and the subsequent flow as indicated in Figure 2 of the SPCC".
- A statement from Etna indicating that the facility is now using the Dexsil Clor-D-Tect test kit to test for total halogen content and data on incoming batches since implementing the change.

My review of this documentation reveals that Etna has adequately demonstrated abatement of the following violations observed during Ohio EPA's June 21, 2007 inspection:

**OAC 3745-65-33 Testing and Maintenance of Equipment**

**OAC Rule 3745-279-52 (B)(2)(b) Contingency Plan Requirements for  
Used Oil Processors**

**OAC 3745-279-54 (C) Secondary containment for containers**

1. **OAC Rule 3745-65-52 Content of Contingency Plan:**

*(A) The contingency plan must describe the actions facility personnel must take to comply with rules 3745-65-51 and 3745-65-56 of the Administrative Code in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.*

*(D) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see rule 3745-65-55 of the Administrative Code), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.*

Etna has a Spill Prevention, Control and Countermeasures (SPCC) Plan; however, the plan does not incorporate hazardous waste management provisions that are sufficient to comply with OAC 3745-65-52.

By letter dated March 28, 2008 Etna submitted a copy of a separate facility hazardous waste and used oil contingency plan dated March 5, 2008. Ohio EPA approves the contingency plan with the following modification:

- Etna must amend both the hazardous waste contingency plan to include the home phone numbers of all employees listed as emergency coordinators. Etna need only submit the amended pages to this office for review.

Etna must train employees involved in hazardous waste and used oil management in said plan and submit copies of the updated plan to all emergency authorities expected to respond in the event of an emergency. Etna must submit documentation to this office demonstrating that this has been done.

Ohio EPA also recommends that the facility remove the formatting comments from the document to avoid any confusion prior to finalizing them and sending them out to the emergency authorities.

2. **OAC 3745-65-16 (A)(B)(C) Personnel training:**

*(A) (1) Facility personnel /must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code. The owner or operator must ensure that this program includes all the elements described in the document required under paragraph (D)(3) of this rule.*

- (B) *Facility personnel must successfully complete the program required in paragraph (A) of this rule within six months after January 7, 1983 or six months after the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Employees hired after January 7, 1983 must not work in unsupervised positions until they have completed the training requirements of paragraph (A) of this rule.*
- (C) *Facility personnel must take part in an annual review of the initial training required in paragraph (A) of this rule.*

To demonstrate compliance, Etna will submit to this office documentation that all employees involved with hazardous waste management have been trained in the **revised and approved** hazardous waste contingency plan.

3. **OAC 3745-65-16 (D) Job Titles and Descriptions:**

*The owner or operator shall/must maintain the following documents and records at the facility:*

- (1) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;*
- (2) A written job description for each position listed under paragraph (D)(1) of this rule. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall/must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;*
- (3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (D)(1) of this rule; and*
- (4) Records that document that the training or job experience required under paragraph (A), (B), and (C) of this rule has been given to, and completed by, facility personnel.*

By letter dated March 28, 2008 Etna submitted job titles and descriptions for positions which manage hazardous waste. Upon review of this documentation, Ohio EPA found the following deficiencies which must be addressed:

- 1. The job descriptions do not include the type and amount of both introductory and continuing training that is required for each position that manages hazardous waste. This must include, at a minimum, hazardous waste training as it relates to the job position and an annual refresher of said training.

2. The submitted job titles and descriptions do not match the training documentation. Etna submitted job titles and descriptions for the position of Senior Technician and the position of Technician. However, none of the individuals whose training records were submitted are listed as holding either of these positions.

To demonstrate compliance, Etna must revise the job titles and descriptions as described above. The facility will submit to this office:

- Revised job titles and descriptions for each position involved in hazardous waste management, which meet the requirements of OAC 3745-65-16 (D) (1) through (4).

Example job titles and descriptions may be found on Ohio EPA's website at:

<http://www.epa.state.oh.us/dhwm/SamplePersonnelTraining.doc>

Please submit all of the requested documentation to my attention within thirty (30) days of receipt of this letter demonstrating that all issues have been addressed.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek  
Environmental Specialist  
Division of Hazardous Waste Management

SP:ddw

cc: Natalie Oryshkewych, DHWM, NEDO, OEPA  
Harry Sarvis, DHWM, CO, OEPA  
ec: Frank Popotnik, DHWM, NEDO, OEPA

**FAILURE TO LIST SPECIFIC DEFICIENCIES IN THIS COMMUNICATION DOES NOT RELIEVE ETNA FROM THE RESPONSIBILITY OF COMPLYING WITH ALL APPLICABLE HAZARDOUS WASTE REGULATIONS. THIS LETTER DOES NOT RELIEVE ETNA FROM LIABILITY FOR ANY PAST OR**