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State of Ohio Environmental Protection Agency

Northeast District Office

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

October 14, 2008

RE: PPC, INC.  
OHR 000 138 644  
STARK COUNTY  
EPISODIC LQG/RCRA  
SECOND NOTICE OF VIOLATION

Chris Paxos  
President  
1530 Raff Road  
Canton, OH 44710

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Dear Mr. Paxos:

On June 30, 2008 Ohio EPA's DHWM conducted a compliance evaluation inspection of PPC, Inc. facility (PPC) located at 1530 Raff Road, Canton, Ohio. The purpose of this inspection was to determine PPC's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ('ORC' and 'OAC' respectively). PPC was represented by you while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the PPC facility and a review of written documentation.

By letter dated August 6, 2008, Ohio EPA sent PPC a Notice of Violation (NOV) letter via certified mail which was signed for by the facility on August 7, 2008. On September 11, 2008, Ohio EPA received an extension request from the facility dated one day after PPC was to have submitted their response (September 8, 2008) asking for an additional 30 days to respond to Ohio EPA's NOV. Ohio EPA granted said request via telephone, instructing the facility to submit its entire response by October 8, 2008. As of October 10, 2008 Ohio EPA has not received PPC's response to Ohio EPA's NOV letter. Ohio EPA is therefore sending a second NOV letter.

Based on the June 30, 2008 inspection, Ohio EPA has determined that PPC is in violation of the following state hazardous waste regulations, which remain outstanding at this time:

1. **OAC Rule 3745-52-11 Hazardous waste determination:** *Any person who generates a waste in the state of Ohio, as defined in rule 3745-51-02 of the Administrative Code shall determine if that waste is a hazardous waste.*

PPC generates a shot blaster waste which is managed in a roll-off box along with the facility's scrap metal and shipped off-site as non-hazardous. At the time of this inspection, PPC could not provide to Ohio EPA documentation demonstrating the waste had been properly characterized.

To demonstrate abatement of this violation, PPC must submit to this office, documentation demonstrating that the facility has adequately characterized this waste to determine if it is a hazardous waste. A **representative** sample of the shot blaster waste must be collected and tested using the Toxicity Characteristic Leaching Procedure (TCLP), test Method 1311 in "Test Methods for Evaluating Solid Waste: Physical/Chemical Methods," U.S. EPA Publication SW-846. Note, this waste need only be tested for the eight RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver).

PPC must submit to this office documentation including, but not limited to:

- A brief narrative regarding how the waste is generated and managed.
- A brief narrative on how the sampling was performed and by whom.
- A copy of the analytical data report from the lab performing the analysis.
- A copy of the Chain of Custody (COC).

2. **OAC 3745-273-13(D)(1) Universal waste lamp management:** *A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages **must remain closed** and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*

PPC accumulates universal waste lamps generated at the facility prior to being shipped off site for recycling. At the time of the June 30, 2008 inspection, Ohio EPA observed one open container of Universal Waste lamps (UW lamps) being accumulated in the maintenance department.

To demonstrate abatement of this violation, please see Violation #3.

3. **OAC 3745-273-15(C) Accumulation time limits for universal waste:** *A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

PPC tracks universal waste lamps generated at the facility by labeling the container of UW lamps with an accumulation date. At the time of the June 30, 2008 inspection, Ohio EPA observed one open container of UW lamps in the maintenance department which was not labeled with a date nor did PPC have an alternate method for demonstrating how long the lamps had been on site.

To demonstrate abatement of violations #2 and #3, PPC must submit to this office documentation in the form of a photograph illustrating that the container of UW lamps has been closed and labeled with a date demonstrating how long the UW lamps have been on site.

4. **OAC Rule 279-22(D) Response to releases of used oil:** *Upon detection of a release of used oil to the environment that is not subject to the requirements of Chapter 1301:7-9 of the Administrative Code and which has occurred after October 20, 1998, a generator must perform the following cleanup steps:*
- (1) Stop the release;*
  - (2) Contain the released used oil;*
  - (3) Clean up and manage properly the released used oil and other materials;*  
*and*
  - (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.*

At the time of this inspection, Ohio EPA observed a release of used oil which occurred as a result of a recent compressor leak in the mezzanine above the tool crib in the maintenance department.

To demonstrate abatement of this violation PPC must submit documentation to this office demonstrating that the source of the release has been repaired, the area has been cleaned up and the used oil managed appropriately.

Ohio EPA has the following concerns which must be addressed:

1. PPC generates a shot blaster waste (see violation #1) which is managed in a roll-off box along with the facility's scrap metal and shipped off-site as non-hazardous. At the time of this inspection, Ohio EPA observed the mismanagement of this waste stream including, but not limited to:
  - A significant amount of the shot blaster waste was observed on the ground surrounding the roll-off box.
  - At least two drums full of shot blaster waste which had been "speared" by a tow motor and were spilling the contents onto the soil, with no apparent attempt by the facility to clean it up or replace the container.
  - Bag houses equipped with damaged drum lids allowing the waste to be blown out onto the ground.

PPC must submit to this office a discussion regarding what steps the facility plans to take on improving the management of the shot blaster waste while it is on site, including proper characterization of the waste stream.

Furthermore, a review of our records reveals that PPC does not have an industrial storm water permit and may need to apply to obtain one. I have enclosed Ohio EPA's fact sheet on the Storm Water Program. For additional information, please contact Dan Bogoevski at Ohio EPA's Division of Surface Water at: 330-963-1145.

2. PPC closed its facility at 1623 Raff Road and moved those operations to the new facility at 1530 Raff Road. By July 3, 2008, Ohio EPA received analytical data and shipping documents regarding the clean up and removal of the wastes at the 1623 Raff Road location. However, Ohio EPA has not received the narrative description of processes at the old location that was requested by this office via e-mail on March 13, 2008. Please submit said narrative to this office regarding the processes and waste management at the old PPC facility located at 1623 Raff Rd.

Please submit all requested documentation to my attention **within fifteen (15) days** of receipt of this letter demonstrating that all issues have been addressed.

Failure to list specific deficiencies in this communication does not relieve PPC from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve PPC from liability for any past or present violations of the state's hazardous waste laws.

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  
Dan Bogoevski, DSW, NEDO, OEPA  
ec: Frank Popotnik, DHWM, NEDO, OEPA  
Harry Sarvis, DHWM, CO, OEPA