

**Environmental
Protection Agency**

Commissioner, Governor
Deputy Commissioner, Lt. Governor
District Director

July 29, 2011

**RE: PROCEX, LTD.
OHR000115352
PORTAGE COUNTY
LQG CEI NOV #2/ PRTC**

CERTIFIED MAIL

Earl Hamlin, Owner
Procex, Ltd.
880 Cherry St.
Kent, Ohio 44240

Dear Mr. Hamlin:

Thank you for your letter dated May 12, 2011, received in our office on May 16, 2011, responding to our April 15, 2011 notice of violation letter. With your letter you submitted a contingency plan and an emergency equipment inspection log. You stated that the bag-house dust is not managed as hazardous waste, the burn-off oven operates at 800 degrees F, the stack operates at 1400 degrees F, and a small amount (~10 gallons) of paint sludge has been generated from the chemical removal of paint, and you will have this sludge analyzed to determine if it is hazardous waste.

The following is the status of each of the previously cited violations.

1. Personnel Training Program - OAC 3745-65-16(A)(2)&(3), (B), (C), (D)(1) through(4), and (E)

Your response indicated you and Sam Jefferies would be receiving hazardous waste management training on June 24th and then would be training all your required employees. To return to compliance please submit a description or outline of the training you and Mr. Jefferies attended with documentation of attendance. Also submit a description of your personnel training program to be given to your employees. Submit the list of all employees involved in hazardous waste management, with their date of hire, their job title, their job description which includes the required qualifications for the job, and a description of the type and amount of training given to each. Also submit records such as sign-in sheets that document each of these employees has completed the required training. Include a written commitment that these documents will be retained as required.

2. Emergency Coordinator List - OAC 3745-65-52(D)

Your response included a contingency plan with the list of emergency coordinators updated. No further action is needed to respond to this citation.

3. **Evacuation Plan** - OAC 3745-65-52(F)

Your response included an evacuation plan. No further action is needed to respond to this citation.

4. **Updated Contingency Plan** - OAC 3745-65-54

Your response included an updated contingency plan. No further action is needed to respond to this citation.

5. **Contingency Plan to Emergency Authorities** - OAC 3745-65-53(A) & (B)

Your response stated you will be submitting your updated contingency plan to the local police department, fire department and hospital. Please submit copies of cover letters or mail receipts that demonstrate this has been accomplished.

6. **Emergency Equipment Inspection Logs** - OAC 3745-65-33

All emergency equipment listed in the contingency plan needs to be inspected as necessary to insure its proper operation and those inspections need to be recorded in a log. Your updated contingency plan lists emergency exit lighting, protective equipment including sleeves, jacket, hard hat with full face shield, shovel and broom in addition to fire extinguishers and telephone. The telephone and fire extinguishers are listed on the submitted inspection log, however, "emergency response equipment consistent with the contingency plan" is marked as "N/A". All of the other emergency equipment listed in your contingency plan should be added to the inspection log.

Also the second column of the log should specify the inspection frequency for each item being inspected. (Do they need to be inspected daily, weekly, monthly?) The information currently hand written in the second column could be added to the first column.

Please add the other equipment to the first column of the log, revise the second column and submit a copy of a completed emergency equipment inspection log.

7. **Satellite Accumulation** - OAC 3745-52-34(C)

a. **Open Container** - OAC 3745-52-34(C)(1)(a)

Your response affirmed that keeping all containers of hazardous waste closed will be your standard operating procedure. No further action is needed to respond to this citation at this time.

b. **>55 Gallons and Incorrect Date** - OAC 3745-52-34 (C)(1)&(2)

No more than 55 gallons of hazardous waste can be accumulated at or near the point of generation which is under the control of the operator of the

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process that is generating the waste, unless the full container is dated with the date the excess amount began accumulating and the provisions of OAC 3745-52-34(A)(1)-(4) are met within 3 days. Alternatively, the generation area could be managed as a second hazardous waste storage area similar to the one you have already established along the side wall. This would require that it be inspected weekly with the inspections logged and this area would need to be included in your contingency plan as well.

Your response states, "All hazardous waste will be kept on North wall and less than full containers will reside there also ...and moved to generation point completing full barrel. No ½ drums will be stored by generating point at all." Does that mean when you generate salt bath sludge you will retrieve an empty or partially full drum from the <90 day hazardous waste accumulation area along the north wall, place the salt bath sludge waste in it, and return this drum immediately to the accumulation area along the north wall? Please confirm my understanding is correct or explain further. How do you plan to label and date these containers?

Please further explain your management, labeling, and dating procedures for containers accumulating hazardous waste.

8. **Incomplete LDR Form - OAC 3745-270-07(A)(2)**

The land disposal restriction form for the salt bath sludge going to Chemtron appeared to be missing a second page that would show which underlying hazardous waste constituents would be present. No response to this violation was received. Please submit a copy of the second page and maintain the original in your file with page one.

An additional violation has been identified based on your response.

9. **Waste Evaluation - OAC 3745-52-11**

Upon generation, all wastes need to be evaluated to determine if they are a hazardous waste. Your response indicates a sludge waste has been generated from the chemical removal of paint and you will have it analyzed. If not already done so, please have it evaluated immediately. Please submit a copy of the analysis with your determination of whether this waste is hazardous.

One concern was noted from this inspection. Our file information refers to the location of the <90 day hazardous waste storage area as being by the back dock door. It appears its location may have moved as it is now located midway along the inside north wall. No response was received regarding this concern. Please identify any previous locations for hazardous waste storage that are different than where it is now.

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Please address each of the above violations and the one concern immediately and submit the requested responses and documentation within 20 days of the date of this letter. Copies of the cited rules can be found at: http://www.epa.ohio.gov/dhwm/laws_regs.aspx.

Should you have any questions related to this letter, please feel free to call me at (330) 963-1226.

Sincerely,



Sherry K. Slone, PE
District Engineer
Division of Materials and Waste Management

SKS/cl

ec: Natalie Oryshkewych, DMWM, NEDO
Niyall McKenna, DMWM, NEDO
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cc: Marlene Kinney, DMWM, NEDO

Notice:

The absence of a specific deficiency or violation in this letter does not relieve your facility from the obligation to comply with all applicable regulations.