

**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

April 27, 2011

**RE: RT VANDERBILT
OHR 000 040 592
SUMMIT COUNTY
LQG>>CESQG/CEI/NOV**

CERTIFIED MAIL

Mr. Donna Duessel
Corporate Environmental Manager
RT Vanderbilt Company, Inc.
30 Winfield St.
PO Box 5150
Norwalk, CT 06856-5150

Dear Ms. Duessel:

On April 18, 2011, Ohio EPA conducted a compliance evaluation inspection of RT Vanderbilt facility located at 3875 Mogadore Industrial Parkway, Mogadore facility to determine RT Vandebilt's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and the Ohio Administrative Code ("ORC" and "OAC" respectively). RT Vandebilt was represented by Jane McCutcheon of Northcoast Logistics. The Ohio EPA was represented by me. The Ohio EPA's compliance inspection included an inspection of the facility operations and a review of written documentation.

Northcoast Logistics operates a shipping warehouse at this location. At least 95% of the product going through this facility is for RT Vanderbilt. If any of the RT Vanderbilt product becomes damaged or exceeds its shelf life, it is added to an inventory database maintained by Northcoast and is shared with RT Vanderbilt. RT Vanderbilt actively looks for customers who can use this material and whenever possible sells the material as a commercial chemical product. If a customer cannot be found for the product, RT Vanderbilt contacts a hazardous waste treatment, storage and/or disposal facility (TSD) to arrange for the waste to be shipped off site. Until the determination is made that a customer does not exist for the material or that it cannot be returned to the original manufacturer to be re-packaged or reworked, it is not a waste. Therefore, it is only in the months in which waste is generated is the facility a generator of hazardous waste (see violation 1).

During the April 18, 2011 inspection, there was no hazardous waste on site. The last shipment of hazardous waste was on December 13, 2010. Ohio EPA evaluated the site as a conditionally exempt small quantity generator of hazardous waste (generating between 0 and 100 kg (220 pounds) of hazardous waste in a calendar month).

Mr. Donna Duessel
RT Vanderbilt Company, Inc.
April 27, 2011
Page 2

Based on this inspection and an e-mail received from you on April 25, 2011, Ohio EPA has determined that RT Vanderbilt has violated at least the following state hazardous waste regulation:

Violation:

1. ***Retention of Land Disposal Restriction Forms, OAC rule 3745-270-07(A)(8):***
The generator must retain on site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site.

During the months RT Vanderbilt generates and ships hazardous waste, they are either a small or large quantity generator of hazardous waste. A small quantity generator (SQG) generates between 100 and 1000 kg (220 and 2200 pounds) of hazardous waste in a given calendar month. A large quantity generator (LQG) generates greater than 1000 kg (2200 pounds) in a calendar month. With either scenario, the land disposal restrict rules apply to the waste generated.

At the time of the inspection, the land disposal restriction forms were not "on-site" in Mogadore as required by this rule.

On April 25, 2011, you e-mailed these forms to Jane McCutcheon and me. Ms. McCutcheon has been instructed to print these forms and maintain them on-site.

Since Ms. McCutcheon signed each of the land disposal restriction forms, please instruct her to make copies of these for future shipments and retain them on-site.

No further action is required by the facility.

As indicated in the September 29, 2006 letter to you from Ohio EPA, in those months when RT Vanderbilt is an SQG or LQG, the facility must comply with the applicable standards for the generator status. For more information, please refer to the Ohio EPA's guidance document entitled "Generator Handbook," available on the internet at http://www.epa.ohio.gov/portals/32/pdf/gen_handbook.pdf.

The Division of Hazardous Waste Management has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link: <http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage>.

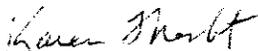
Mr. Donna Duessel
RT Vanderbilt Company, Inc.
April 27, 2011
Page 3

You can find copies of the rules and other information on the division's web page at:
<http://www.epa.ohio.gov/DHWM/>.

If you would like a free, non-regulatory on-site pollution prevention assessment, or if you would like more information about pollution prevention, please contact Adrienne LaFavre at (330) 963-1250. Ohio EPA has helpful information about this at the following web address:
<http://www.epa.state.oh.us/ocapp/ocapp/>.

I have attached the checksheets used during the inspection. Should you have any questions or require additional information, please contact Frank Popotnik, my supervisor, or me at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Materials and Waste Management

KLN/cl
Enclosure

ec: Jeff Mayhugh, DMWM, CO
Frank Popotnik, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO

cc: Marlene Kinney, DMWM, NEDO
Jane McCutcheon, Northcoast Logistics

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.

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
---	---	-----------------------

Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHR 000 040 592 Name: RT VANDERBILT CO INC Website: (Optional) Street Address: 3875 MOGADORRE INDUSTRILA PKWY City, Town, or Village: MOGADORE State: OH County Name: SUMMIT Zip Code: <table style="width:100%; border: none;"> <tr> <td style="text-align: center;">Private <input type="checkbox"/></td> <td style="text-align: center;">County <input type="checkbox"/></td> <td style="text-align: center;">District <input type="checkbox"/></td> <td style="text-align: center;">Federal <input type="checkbox"/></td> <td style="text-align: center;">Indian <input type="checkbox"/></td> <td style="text-align: center;">Municipal <input type="checkbox"/></td> <td style="text-align: center;">State <input type="checkbox"/></td> <td style="text-align: center;">Other <input type="checkbox"/></td> </tr> </table>	Private <input 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"/>
Private <input 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"/>		
	49319								

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: DONNA MI: R Last Name: DUESSEL Title: CORP ENV MGR Phone Number: 2038531400 Phone Number Extension: 274 E-Mail Address: DDUESSEL@RTVANDERBILT.COM Fax Number: 2038531452 Fax Number Extension: Street or P.O. Box: 30 WINFIELD ST; PO BOX 5150 City, Town or Village: NORWALK State: CONNECTICUT Zip Code: 06856
--	---

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: TELL INVESTMENTS Date Became Owner (mm/dd/yyyy): 3/1/1995 <table style="width:100%; border: none;"> <tr> <td style="text-align: center;">Owner Type:</td> <td style="text-align: center;">Private <input checked="" type="checkbox"/></td> <td style="text-align: center;">County <input type="checkbox"/></td> <td style="text-align: center;">District <input type="checkbox"/></td> <td style="text-align: center;">Federal <input type="checkbox"/></td> <td style="text-align: center;">Indian <input type="checkbox"/></td> <td style="text-align: center;">Municipal <input type="checkbox"/></td> <td style="text-align: center;">State <input type="checkbox"/></td> <td style="text-align: center;">Other <input type="checkbox"/></td> </tr> </table> Street or P.O. Box: 500 SILVER OAKS DR City, Town or Village: KENT Owner Phone #: State: OHIO Country: USA Zip Code: 44240 Name of Site's Operator: RT VANDERBILT CO INC Date Became Operator (mm/dd/yyyy): 7/1/1995 <table style="width:100%; border: none;"> <tr> <td style="text-align: center;">Operator Type:</td> <td style="text-align: center;">Private <input checked="" type="checkbox"/></td> <td style="text-align: center;">County <input type="checkbox"/></td> <td style="text-align: center;">District <input type="checkbox"/></td> <td style="text-align: center;">Federal <input type="checkbox"/></td> <td style="text-align: center;">Indian <input type="checkbox"/></td> <td style="text-align: center;">Municipal <input type="checkbox"/></td> <td style="text-align: center;">State <input type="checkbox"/></td> <td style="text-align: center;">Other <input type="checkbox"/></td> </tr> </table> Street or P.O. Box: 30 WINFIELD ST City, Town or Village: NORWALK Operator Phone #: State: CT Country: USA Zip Code: 06855	Owner Type:	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"/>	Operator Type:	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"/>
Owner Type:	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"/>											
Operator Type:	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"/>											

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE		
<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

- | | |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

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 Used Oil
- Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
- Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
- Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D001 D002 D003

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: **Jane McCutcheon, Northcoast Logistics**

Tanks Yes No
Containers Yes No

Name of Inspector(s)
KAREN L NESBIT

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
04/18/11 10:10

Comments:
Episodic LQG

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used: *NONE*

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	---	--

GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <i>though may be episodic LQG</i>
----	---	---

NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	---	--

TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>