

**Environmental
Protection Agency**

**Governor
Lt. Governor
Director**

September 15, 2011

Christine Jones
Environmental Assurance Engineer
The Lubrizol Corporation
155 Freedom Road
Painesville, OH 44077-1234

**RE: LUBRIZOL PAINESVILLE, TSDBLQG, OHD 004 172 623/02-43-178, LAKE COUNTY,
NOTICE OF VIOLATION/RETURN TO COMPLIANCE**

Dear Miss Jones:

On August 23, 2011, Ohio EPA, represented by Ed D'Amato conducted a compliance evaluation inspection of the Lubrizol Corporation's Painesville, Ohio facility. The purpose of the inspection was to determine Lubrizol's compliance with its hazardous waste permit and Ohio's hazardous waste laws and regulations found under the Ohio 'Revised Code (ORC) and the Ohio Administrative Code (OAC). Lubrizol was represented by you and Ken Frato.

This letter corrects a mistake in Ohio EPA's September 2, 2011 letter concerning violation #3.

The following violations were found:

**1. Satellite Containers
OAC 3745-52-34 (C)(1)**

A generator may accumulate as much as fifty-five gallons of hazardous waste...at or near any point of generation where waste initially accumulate which is under control of the operator...

Lubrizol had accumulated more than 55 gallons in its satellite accumulation area in Building 21. There were two drums containing the same waste stream, one of which was full. It appears the first drum became full on or about February 15, 2011.

**2. Management of Satellite Containers
OAC 3745-52-34 (C)(2)**

A generator may accumulate as much as fifty-five gallons (55) of hazardous waste in containers at or near any point of generation. A generator who accumulates in excess of fifty-five (55) gallons of hazardous waste at or near any point of generation shall, with respect to that amount of excess waste, comply within three (3) days with OAC rule 3745-52-34 (A).

Lubrizol failed to comply with this rule for the excess drum of waste in violation #1.

During the inspection Lubrizol moved the excess drum to the less-than-90-day accumulation pad near the incinerator.

On September 1, 2011, Ohio EPA received a letter explaining that key Lubrizol personnel have been reminded of the satellite accumulation rules, training logs will be updated to ensure satellite accumulation is covered, and plant-wide training is being planned to reinforce satellite accumulation rules.

Lubrizol's actions are sufficient to correct violations 1 and 2 above. No further action is required regarding these violations.

**3. Labeling/Marking Standards for Universal Waste
OAC 3745-273-14(E)**

Each universal waste lamp or a container or package in which such lamps are contained, must be labeled or marked clearly with one of the following phrases: "Universal Waste-Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)"

**4. Universal Waste Management Standards—Containers
OAC 3745-273-13(D)**

A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage...such containers must be kept closed and must lack evidence of leakage, spillage or damage.

Three of the boxes of lamps were not closed and one box was not adequate to prevent breakage.

On September 1, 2011, Ohio EPA received a postal letter and an e-mail with photographs showing that all lamps were in appropriate containers, closed, and were properly labeled. No further action is required regarding violations 3 and 4.

Enclosed are copies of the checklists used for the inspection.

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

Please feel free to contact me at (330) 963-1170 if you have any questions.

Sincerely,


Edward J. D'Amato
Environmental Specialist
Division of Materials and Waste Management

EJD:ddw
Enclosure

ec: Natalie Oryshkewych, DMWM, NEDO
Frank Popotnik, DMWM, NEDO
cc: John Nyers, DMWM, CO
Regional Offsite Administrator, DE-9J, USEPA, Region V