



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Sandusky Register
OHD004465894
Erie County, NWDO
2nd NOV

January 21, 2010

Ms. Jane Righi, Business Office Manager
Sandusky Register
314 West Market Street
Sandusky, Ohio 44870

Dear Ms. Righi:

On September 15, 2009, I inspected the Sandusky Register's facility located at 314 West Market Street in Sandusky, Ohio. I inspected Sandusky Register to determine the facility's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). My inspection included a tour of the facility as well as a review of facility records. As a result of the September 15, 2009, inspection, Sandusky Register was issued a notice of violation (NOV) letter dated September 29, 2009. The September 29, 2009, NOV letter requested a response from Sandusky Register within 30 days of receipt of the NOV letter. On December 10, 2009, I scanned and e-mailed a copy of the September 29, 2009, NOV letter to you. As of the date of this letter, Sandusky Register has not responded to the September 29, 2009 NOV letter.

Wastes generated at the facility include parts washer solvent from one parts washer located in the production area, hydraulic oils from the production area, oils/inks from the press area, and fluorescent lighting from throughout the facility. Due to a failure to locate disposal records at the time of the inspection the facility generator status has not yet been determined.

During the September 15, 2009, inspection, Mr. Lippus, Sandusky Register Production Manager, indicated that the parts washer is filled with a biodegradable cleaning solution which is seldom used. To Mr. Lippus' recollection, waste has not been generated from the parts washer in several years. Mr. Lippus also indicated that the facility gives waste hydraulic oil to a local garage shop owner who burns the waste hydraulic oil in a used oil furnace. Mr. Lippus did not know the name of the local garage. Lastly, Mr. Lippus indicated that the facility disposes of the facility lighting fixtures in the solid waste compactor.

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Mr. Miller, Sandusky Register Press Operator, indicated that the facility regularly disposes of approximately 55 gallons of waste oils/ink from the printing area every few months. Mr. Miller indicated that the facility uses soy based inks in the printing process. Mr. Miller did not know the name of the disposal facility.

Sandusky Register remains in violation of the following hazardous waste laws. In order to correct these violations you must do the following and send me the required information **within 7 days** of your receipt of this letter:

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

- a. Sandusky Register has failed to evaluate the waste oils/ink from the printing area to determine if they are hazardous waste. Sandusky Register could not provide an analysis of the waste nor records for the disposal of the waste at the time of the inspection.

Sandusky Register must immediately determine if the waste oils/ink from the printing area are hazardous waste.

If the waste oils/ink from the printing area is hazardous waste, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

To abate this violation, Sandusky Register must analyze a representative sample of the waste oils/ink from the printing area for total volatile organic compounds (VOC's) total RCRA metals and flash point using methods as outlined in U.S. EPA's SW-846.

- b. Sandusky Register has failed to evaluate the spent fluorescent lamps used throughout the facility to determine if they are hazardous waste. Sandusky Register is currently disposing of these fluorescent lamps as solid waste.

Sandusky Register must immediately cease disposing of the spent fluorescent lamps as non-hazardous waste until a proper waste evaluation has been completed. The spent fluorescent lamps typically contain mercury and other heavy metals which could make them a hazardous waste.

Sandusky Register has the option of handling spent fluorescent lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent fluorescent lamps.

To abate this violation, Sandusky Register must choose one of the following options for the spent fluorescent lamps:

i. Disposal Option:

Sandusky Register may manage the lamps as a hazardous waste. Sandusky Register must sample each type and brand of lamp used at the facility for Resource Conservation and Recovery Act (RCRA) metals using a Toxicity Characteristic Leaching Procedure (TCLP) test. Sandusky Register must ensure that all spent fluorescent lamps that are determined to be hazardous waste are disposed of at a permitted hazardous waste disposal facility. Sandusky Register must submit all analytical results to Ohio EPA along with a description of how the spent lamps will be managed or,

ii. Recycling Option:

In lieu of evaluating and disposing of the spent fluorescent lamps, Sandusky Register may manage spent fluorescent lamps as universal waste. Universal waste spent fluorescent lamps must be stored in a closed and labeled container. This container must be properly labeled with the wording "Universal Waste Lamp(s)", "Waste Lamp(s)", or "Used Lamp(s)". Sandusky Register must also track the accumulation of the spent lamps to ensure spent lamps are not stored for greater than 365 days. This can be accomplished with recycling receipts or by marking the container with the accumulation start date (the day the first lamp is placed in the container).

Ohio EPA recommends that spent lamps be managed as a universal waste and recycled. If Sandusky Register should choose the recycling option, you should submit to me updated photos of the properly labeled and closed containers as well as the name of the recycling facility Sandusky Register intends to use.

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I have enclosed the following fact sheets on spent lamps: Universal Waste Rules for Handlers of Lamps, dated June 2005; Fluorescent Lamps: What You Should Know, dated January 2007; and Computer, Fluorescent Lamp and Ballast Recyclers, dated July 2009 for your use.

Sandusky Register must submit the results of the analysis of the waste oils/ink from the printing area to me. In addition, Sandusky Register must identify how the facility intends to properly manage the facility's spent fluorescent lamps. This information should be submitted to my attention within seven (7) days of receipt of this letter.

In addition to the above violations, Sandusky Register must address the following concerns:

1. At the time of the inspection, Sandusky Register could not locate any records for the disposal or recycling of the used hydraulic oil generated at the facility. In accordance with OAC Rule 3745-279-11, Sandusky Register may do one of the following with the used hydraulic oil generated at the facility:
 - a. **Analyze a representative sample of the used hydraulic oil for total Arsenic, Cadmium, Chromium and Lead, flash point and total Halogens using methods as outlined in U.S. EPA's SW-846. If the used oil meets the specifications listed in Table 1 of OAC Rule 3745-279-11 than the facility may market the used hydraulic oil to a used oil burner, or**
 - b. **Burn the used hydraulic oil in an on-site used oil space heater in accordance with OAC Rule 3745-279-23, or**
 - c. **Transport the used hydraulic oil to an approved used oil collection center in accordance with OAC Rule 3745-279-24.**

Sandusky Register must choose one of the above options. Sandusky Register should submit this information to my attention at the Ohio EPA within 7 days of receipt of this letter.

I have enclosed the following fact sheets on used oil: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, dated April 2006; Registered Used Oil Collection Centers, dated September 9, 2009; and Common Used Oil Management Standards, for your use.

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2. At the time of the inspection, Sandusky Register could not locate any records for the parts washer solvent used in the production area. Sandusky Register should locate a Material Safety Data Sheet (MSDS) and any disposal or recycling records for the parts washer solvent used in the production area.

Sandusky Register should submit this information to my attention at the Ohio EPA within 7 days of receipt of this letter.

Please be advised that failure to respond to this second NOV letter or Ohio EPA's September 29, 2009, NOV letter may result in escalated enforcement action by the Ohio EPA. Should you have any questions, please feel free to call me at (419-373-3056). You can find copies of the rules and other information on the division's web page at: <http://epa.ohio.gov/dhwm>.

Sincerely,



Gary S. Deutschman
Environmental Specialist III
Division of Hazardous Waste Management

/llr

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, Supervisor, DHWM, NWDO
DHWM; NWDO File - Erie County General

ec: Gary Deutschman, DHWM, NWDO

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.