



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Tenneco
OHD 005 044 490
Henry County
Hazardous Waste
Return To Compliance

May 20, 2008

Ms. Tracy Boros, EH&S Engineer
Tenneco
11800 State Route 424
Napoleon, Ohio 43545

Dear Ms. Boros:

Thank you for your May 5, 2008, response to Ohio EPA's April 2, 2008, Notice of Violation letter. My review of this documentation reveals that Tenneco has adequately demonstrated abatement of all of the violations discovered during the March 11, 2008, compliance evaluation inspection.

The following is a summary of the violations cited and your compliance with respect to each:

1. **ORC Section 3734.02(E)&(F): Unpermitted Hazardous Waste Treatment, Storage or Disposal:**

No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter; (2) A facility in another state operating under a license or permit issued in accordance with the "Resource Conservation and Recovery Act of 1976" 90 Stat. 2806, 42 U.S.C.A. 6921, as amended.

Tenneco stored hazardous waste for greater than 90-days. Specifically, Tenneco had one drum of hazardous waste that was stored on-site from March 21, 2007 until June 20, 2007, for a total of 92 days.

Tenneco properly shipped the hazardous waste drum to Petro-Chem Processing Group on June 20, 2007. The manifest accompanying the waste was reviewed by Ohio EPA at the time of inspection. The bond room storage area did not show evidence that there had been any release of hazardous waste. Additionally, Tenneco has provided a specific drum log showing the date the drum went into storage, what the contents were, as well as weight of the drum.

This violation was previously abated.

2. **OAC Rule 3745-52-11: Waste Evaluation:** Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste. At the time of the inspection, Tenneco did not have waste evaluation documentation for the spent toluene and MEK paint filters. You currently consider them hazardous for ignitability due to the use of solvents. You are using the waste codes F005/D001 for the spent toluene filters and D035/F005 for the spent MEK filters. If the filters are dry and do not spontaneously combust, they would not be considered hazardous for ignitability. If the filters are not dry, a flashpoint below 140 degrees fahrenheit would render them ignitable. You must consider all of the paints you utilize when determining if filters are hazardous waste. If the paints contain constituents such as methyl ethyl ketone, trichloroethane, chromium, etc. the filters may carry characteristic hazardous waste codes.

On May 5, 2008, Tenneco submitted information to document how generator knowledge was used in characterizing the spent paint booth filters. This information included: a written narrative that describes the process which generates the waste bonding filters; copies of material safety data sheets (MSDS) for the chemicals used in the process; and photographs of the actual filters. The photographs showed the build-up on the filters and how it appears dry until you disturb the outer surface. When you disturb the outer surface you expose the wet adhesive underneath. Tenneco has adequately demonstrated their knowledge of the waste being generated in the bond room and that they are applying the correct hazardous waste codes prior to disposal.

With this information, this violation is considered abated.

3. **OAC Rule 3745-65-16(C): Annual Refresher Training for Personnel:** A generator shall provide annual refresher training for all personnel involved in the handling and management of hazardous waste at the facility. Ohio EPA defines annually as at least once every 365 days.

Tenneco failed to provide annual refresher training for all employees involved in the handling or management of hazardous waste. Specifically, Todd Harris and Gary Myers are listed in the contingency plan as alternate emergency coordinator's but have not received annual hazardous waste refresher training.

To abate this violation, Tenneco must conduct the required training and shall submit signed class rosters to Ohio EPA, NWDO, to demonstrate that all employees have received the required training. In addition, Tenneco shall immediately establish a written procedure to provide annual refresher training and shall submit a copy of this procedure to Ohio EPA, NWDO.

On May 5, 2008, Tenneco submitted a copy of the training roster and quizzes for Todd Harris and Gary Myers who missed the annual refresher training in 2007. In addition, a copy of the Hazardous Waste Management Plan was submitted. This plan outlines the frequency and job titles of employees required to be trained in the management of hazardous waste.

With this information, this violation is considered abated.

4. **OAC Rule 3745-52-34(C)(1)(a): Satellite Accumulation: Container Management:** Tenneco must keep containers holding hazardous waste closed during storage except when it is necessary to add or remove waste.

Tenneco had one 55-gallon satellite drum of liquid solvent/paint waste in the painting area that was not closed. In addition, Tenneco had one 55-gallon satellite drum of aerosol cans in the maintenance area that was not closed.

Tenneco closed the satellite container located in the painting area during the inspection. On March 12, 2008, Tenneco submitted via electronic mail a written procedure for managing the aerosol can waste stream and photographic documentation showing the satellite drum properly closed.

This violation was previously abated.

5. **OAC Rule 3745-52-34(C)(1)(b): Satellite Accumulation: Labeling:** A generator may accumulate as much as fifty-five gallons of hazardous waste at or near any point of generation provided that the waste is placed in containers that are labeled or marked clearly with the words "Hazardous Waste" or with other words that identify the contents of the containers, while being accumulated on-site.

Tenneco did not properly label the 55-gallon satellite drum of aerosol cans in the maintenance area with the words "Hazardous Waste"

On March 12, 2008, Tenneco submitted via electronic mail a written procedure for managing the aerosol can waste stream and photographic documentation showing the satellite drum properly labeled.

This violation was previously abated.

6. **OAC Rule 3745-66-74: Container Storage Area Inspections:** Container storage areas shall be inspected on a weekly basis looking for leaks and for deterioration. These inspections shall be recorded in an inspection log which includes at a minimum the date and time of inspection, name of the inspector, a notation of observations made, and the date/nature of any repairs. Ohio EPA interprets weekly to mean once within the seven day period following the previous inspection.

Tenneco failed to complete weekly inspections of the container storage area. Tenneco exceeded the weekly time period on multiple occasions: (1/17/07-1/31/07, 2/7/07-2/21/07, 5/16/07-5/30/07, 6/13/07-6/27/07 and 6/27/07-7/11/07).

On May 5, 2008, Tenneco submitted five weeks of completed inspection logs: April 2, 2008; April 9, 2008; April 16, 2008; April 23, 2008; and April 30, 2008.

With this information, this violation is considered abated.

7. **OAC Rule 3745-273-13(A)(1): Universal Waste: Batteries:** All spent batteries being managed as a universal waste must be stored in packages that are structurally sound and adequate to prevent breakage. The packages/containers must be closed.

Tenneco did not store the spent batteries in containers that were closed.

On March 12, 2008, Tenneco submitted via electronic mail a written procedure for battery disposal and handling and photographic documentation showing the satellite drum properly closed.

This violation was previously abated.

8. **OAC Rule 3745-273-13(D)(1): Universal Waste: Fluorescent Lamp Management:** All lamps/bulbs being managed as a universal waste must be stored in packages that are structurally sound and adequate to prevent breakage. The packages/containers must be closed.

Tenneco did not store the spent fluorescent lamps in containers that were closed or structurally sound.

On May 5, 2008, Tenneco submitted photographic documentation showing the spent fluorescent bulbs that are now stored in boxes that are structurally sound and properly closed.

With this information this violation is considered abated.

9. **OAC Rule 3745-273-13(D)(2): Universal Waste: Fluorescent Lamp Management:** A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken. Containers must be closed, structurally sound, and compatible with the contents of the lamps.

Tenneco had a bucket designated for broken bulbs in the universal waste storage area. The bucket had a hole cut in the lid and therefore was not properly kept closed. In addition, there were several broken bulbs located in the fluorescent bulb storage boxes. Tenneco failed to properly clean up the broken lamps and place them in a suitable container.

On May 5, 2008, Tenneco submitted photographic documentation showing the universal waste storage area free of broken glass and the appropriate storage containers now located in this area.

With this information this violation is considered abated.

10. **OAC Rule 3745-273-14(A): Universal Waste: Battery Labeling:** All packages and containers holding spent batteries are to be labeled with the words "Universal Waste - Battery(ies)", "Waste Battery(ies)" or "Used Battery(ies)".

Tenneco did not have the satellite drum of spent batteries properly labeled.

On March 12, 2008, Tenneco submitted via electronic mail a written procedure for battery disposal and handling and photographic documentation showing the satellite drum properly labeled "Universal Waste - Batteries".

This violation was previously abated.

11. **OAC Rule 3745-273-14(E): Universal Waste: Fluorescent Lamp Labeling:** All packages and containers holding spent fluorescent lamps/bulbs are to be labeled with the words "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps".

Tenneco did not have their spent fluorescent bulbs properly labeled.

On May 5, 2008, Tenneco submitted photographic documentation showing the universal waste storage containers now properly labeled.

With this information this violation is considered abated.

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12. OAC Rule 3745-279-22(C)(1): Labeling:

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "used oil."

Two of the used oil storage tanks located in the loading dock area next to the maintenance shop were not properly labeled.

On May 5, 2008, Tenneco submitted photographic documentation showing the two used oil tanks now properly labeled "used oil". In addition, Tenneco labeled the piping in-between the tanks.

With this information this violation is considered abated.

13. OAC Rule 3745-279-22(D)(3): Storage:

Upon detection of a release of used oil, a generator shall clean up and manage properly the released used oil and other materials.

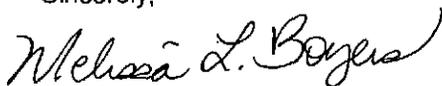
The area surrounding the three used oil tanks located in the loading dock area next to the maintenance shop had evidence of spilled used oil.

On May 5, 2008, Tenneco submitted photographic documentation showing that the used oil was cleaned up in the area surrounding the three used oil tanks. Tenneco also reported that the scrap dock's concrete floor is sealed with an epoxy sealant and is mopped and/or scrubbed on a regular basis.

With this information this violation is considered abated.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

/csi

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM; NWDO Tenneco File;

ec: Melissa Boyers, 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.