



State of Ohio Environmental Protection Agency

Southeast District Office

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

June 4, 2008

**COSHOCTON COUNTY
SMURFIT-STONE
CONTAINER CORPORATION
DHWM/SEDO
OHD004294872**

Mr. Joe Bulzan
Smurfit-Stone Container Corporation
500 North Fourth Street
Coshocton, Ohio 43812

Dear Mr. Bulzan:

On May 28, 2008, I performed a compliance inspection to determine your facility's compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on the observations and review of facility documentation during this inspection, the following violations of the hazardous waste regulations were found. Please provide the requested information within thirty days of the date of this letter:

- (1) **OAC rule 3745-273-13(D)(1) Waste Management – standards for small quantity handlers of universal waste:** A small quantity handler of universal waste must contain any lamps in containers or packages that are structurally sound, adequate to prevent breakage, ... Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage...

Your May 29, 2008 email includes photographs indicating that all lamps are now properly placed into containers and are closed. Based on these photographs, this violation has been abated and no further action is required.

- (2) **OAC rule 3745-273-14 (E), Labeling/marketing standards for small quantity handlers of universal waste:** Each 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 -Lamps" or "Waste Lamps" or "Used Lamps."

The May 29, 2008 email includes photographs which demonstrate that the containers have been properly labeled. Based on these photographs, this violation has been abated and no further action is required.

Mr. Joe Bulzan
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Your facility has abated all violations found during the May 28, 2008 inspection.

I have provided a copy of the checklists used to evaluate your facility's compliance. Additional information on the hazardous waste rules, pollution prevention assessments and other useful information is available on Ohio EPA's website at www.epa.state.oh.us. If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278. If you have any pollution prevention questions or would be interested in a pollution prevention assessment, please call Donna Goodman at (740) 380-5293.

Sincerely,



Richard Stewart
District Representative
Division of Hazardous Waste Management

RS/mlm

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.

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number: OHD 004294872									
Site Name	Name: Smurfit Stone Container Corp.				Website: (Optional)					
Site Location Information	Street Address: 500 N. Fourth St.									
	City, Town, or Village: Coshocton				State: OH					
	County Name: Coshocton				Zip Code: 43812					
Site Land Type (check only one)	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"/>		
NAICS code(s) www.census.gov/epcd/www/naics.html										
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Joe			MI:	Last Name: Bulzan					
	Phone Number: 740-622-6543				Phone Number Extension:					
	E-Mail Address: jbulzan@smurfit.com					Fax Number:				Fax Number Extension:
	Street or P.O. Box:									
	City, Town or Village:									
	State:			Country:			Zip Code:			
	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: Same				Date Became Owner (mm/dd/yyyy):				
Owner Type:		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"/>	
Street or P.O. Box:										
City, Town or Village:				Owner Phone #:						
State: OH				Country:			Zip Code:			
Name of Site's Operator: Same				Date Became Operator (mm/dd/yyyy):						
Owner Type:		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"/>	
Street or P.O. Box:										
City, Town or Village:				Operator Phone #:						
State:				Country:			Zip Code:			
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
Type of Generator										
<input type="checkbox"/> Not Regulated					<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11					<input type="checkbox"/> United States Importer of Hazardous Waste					
<input type="checkbox"/> Large Quantity Generator (LQG)					<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input type="checkbox"/> Small Quantity Generator (SQG)										
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)										
<input type="checkbox"/> Recycler of Hazardous Waste					<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Underground Injection Control Facility					<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Hazardous Waste Transporter					<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste										

WASTE ACTIVITIES SUMMARY

Facility Name: Smurfit-Stone Container

Facility Type: SQUWH/UOG

EPA ID#: OHD004294872

Waste Generated				On-Site and Off-Site Management			Pollution Prevention Activities	
Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the off-site Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities
1	equipment maintenance	Used oil	NA	~150 gal/mo	400 gal tote in maintenance garage	NA	Enviro Kleen Heath, Ohio recycling	
2	Electronic equipment replacement	e-scrap	NA	varies	?	NA	United Recycling recycling	
3	Vehicle Maintenance	batteries	NA	~400lbs/yr	garage	NA	Coshocton Tire Coshocton recycling	
4	lighting	Spent lamps	UW	~600 lbs/yr	south plant entrance	NA	Environmental Recycling Bowling Green, OH recycling	
5	Waste water treatment	sludge	NA	1.7 tons/mo	On-site WWTP/lagoon	dried	On-site disposal	

If yes, refer to Ohio EPA Southeast District Office Pollution Prevention Coordinator
or to Ohio EPA's Office of Compliance Assistance and Pollution Prevention, at 1-800-329-7518,
p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html.

CONDITIONALLY EXEMPT SMALL QUANTITY (CESQG) GENERATOR REQUIREMENTS

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

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.

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No NA

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? Yes No NA
[conditionally exempt small quantity generator (ACESQG@)]

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).

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? Yes No NA
[3734.02(F)]

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 No NA
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C) Yes No NA
 - c. Drip pad that meets 3745-69-40 to 3745-69-45? Yes No NA
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No NA

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

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

REMARKS

USED OIL CHECKLIST

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No X N/A ___ RMK# ___
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-12(A)] Yes ___ No ___ N/A X RMK# ___
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes ___ No X N/A ___ RMK# ___
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No ___ N/A X RMK# ___

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No ___ N/A X RMK# ___
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes ___ No ___ N/A X RMK# ___
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-22(A)] Yes ___ No ___ N/A X RMK# ___
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes X No ___ N/A ___ RMK# ___
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes X No ___ N/A ___ RMK# ___
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes ___ No ___ N/A X RMK# ___
- b. Contained the release? Yes ___ No ___ N/A X RMK# ___
- c. Cleaned up and properly managed the used oil and other materials? Yes ___ No ___ N/A X RMK# ___
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes ___ No ___ N/A X RMK# ___
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes ___ No X N/A ___ RMK# ___
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes ___ No ___ N/A X RMK# ___

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more

Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

PROHIBITIONS

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] Yes ___ No X N/A ___ RMK#
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes ___ No X N/A ___ RMK#

WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes X No ___ N/A ___ RMK#
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes X No ___ N/A ___ RMK#
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes ___ No ___ N/A X RMK#
 - b. Mix battery types in one container? Yes ___ No ___ N/A X RMK#
 - c. Discharge batteries to remove the electric charge? Yes ___ No ___ N/A X RMK#
 - d. Regenerated used batteries? Yes ___ No ___ N/A X RMK#
 - e. Disassemble them into individual batteries or cells? Yes ___ No ___ N/A X RMK#
 - f. Remove batteries from consumer products? Yes ___ No ___ N/A X RMK#
 - g. Remove the electrolyte from the battery? Yes ___ No ___ N/A X RMK#

NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

ACCUMULATION TIME

11. Is the waste accumulated for less than one year? Yes No ___ N/A ___ RMK#
[3745-273-15(A)] If not:
- a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] Yes ___ No ___ N/A RMK#

NOTE: Accumulation is defined as date generated or date received from another handler.

REMARKS

#1 Bulbs were being stored in containers which were not closed and some were in unlabeled containers during the inspection.

RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] Yes No N/A RMK#
15. Is the material released characterized? [3745-273-17(B)] Yes No N/A RMK#
16. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)] Yes No N/A RMK#

OFF-SITE SHIPMENTS

NOTE: *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] Yes No N/A RMK#

NOTE: *SQUWHs are prohibited to send waste to any other facility.*

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes No N/A RMK#
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes No N/A RMK#
20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)] Yes No N/A RMK#