



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
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Certified Mail: 7006 3450 0001 9055 9000

May 27, 2010

**JEFFERSON COUNTY
GENERAL FILE
(C&D DISPOSAL TECHNOLOGIES, INC.)
RCRA/UOG
NON-NOTIFIER**

Mr. Dennis Ippolito
C&D Disposal Technologies, Inc.
3250 County Road 26
P.O. Box 2219
Wintersville, Ohio 43953

Dear Mr. Ippolito:

On May 25, 2010, I conducted a compliance evaluation inspection of the C&D Disposal Technologies, Inc.'s facility in Wintersville, Ohio to determine compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC). The inspection included an inspection of facility operations. This letter will explain the violations I found and what you need to do to correct the violation.

I found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following and send me the required information **within 30 days** of your receipt of this letter:

- (1) **Used oil storage requirements for generators, OAC rule 375-279-22(C):**
Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly.

During the inspection, used oil containers inside and outside of the maintenance building were not labeled as required by this rule. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the containers have been labeled as required.

- (2) **Used oil storage requirements for generators, OAC rule 3745-279-22(D):**
Response to releases. Upon detection of a release of used oil to the environment that is not subject to the requirements of Chapter 1301:7-9 of the Administrative Code and which has occurred after October 20, 1998, a generator must perform the following cleanup steps: (1) Stop the release; (2) Contain the released used oil; (3) Clean up and manage properly the released used oil and other materials; and (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

During the inspection, used oil was observed on the ground inside and outside of the maintenance building in the areas where used oil containers are being stored or accumulated. I have attached photographs of these containers. As required by this rule, C&D Disposal Technologies, Inc. must clean-up the contaminated soils. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the contaminated soil has been removed and disposed of properly.

- (3) **Off-site shipments of used oil by generators, OAC rule 3745-279-24:** Except as provided in paragraphs (A) to (C) of this rule, generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers. (B) Self-transportation of small amounts to aggregation points owned by the generator. Generators may transport, without a U.S. EPA identification number, used oil that is generated at the generator's site to an aggregation point provided that: (1) The generator transports the used oil in a vehicle owned by the generator or owned by an employee of the generator; (2) The generator transports no more than fifty-five gallons of used oil at any time; and (3) The generator transports the used oil to an aggregation point that is owned and/or operated by the same generator.

During the inspection, you stated that used oil generated in the maintenance building is transported to another facility in Steubenville, Ohio that C&D Disposal Technologies owns in 220-gallon totes. As stated above, C&D Disposal Technologies can only self-transport 55 gallons at a time. To demonstrate compliance with this rule, please respond stating how used oil will be managed in the future.

I have attached a copy of the Used Oil fact sheet for your information. If you have any questions regarding this letter, please call me at (740) 380-5256.

Sincerely,



Melody Stewart
District Representative
Division of Hazardous Waste Management

MS/mlm

Enclosures

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 appropriate regulations.

Send to Central Office

**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 kristina.durnell@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: Non-notifier		
Site Name	Name: C&D Disposal Technologies, Inc.	Website: (Optional)	
Site Location Information	Street Address: 3250 county Road 26		
	City, Town, or Village: Wintersville	State: OH	
	County Name: Jefferson	Zip Code: 43953	
Site Land Type (check only one)	<input checked="" 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		
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: Dennis	MI: Last Name: Ippolito	
	Title:		
	Phone Number: 740-262-4725	Phone Number Extension:	
	E-Mail Address:		
	Fax Number:	Fax Number Extension:	
	Street or P.O. Box: P.O. Box 2219		
	City, Town or Village:		
	State:	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: Joseph		
	Date Became Owner (mm/dd/yyyy): Scugoza		
	Owner Type: <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		
	Street or P.O. Box:		
	City, Town or Village:		
	State:	Country: Zip Code:	
	Name of Site's Operator:		
	Date Became Operator (mm/dd/yyyy):		
	Operator Type: <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		
	Street or P.O. Box:		
City, Town or Village:			
State:	Country: Zip Code:		

VIOLATIONS CITED? Yes No**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input 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"/> 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	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input checked="" type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil	
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	

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.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Melody Stewart		5/25/2010 9:30

Comments:

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:			
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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]			
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: C&D Disposal Technologies, Inc. **Type:** UOG

EPA ID#: Non-notifier

Description of Waste

On-Site Management

Off-Site Management

Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)		Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	Average QTY Generated per Month	Type of Accumulation/ Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.
1	Maintenance	Used Oil	NA	Varies	Various containers	NA	Inside or behind maintenance building	Self-transportes to other facility in Steubenville, Ohio for energy recovery in used oil furnace.
2	Parts cleaning	parts cleaning fluid	NA	Varies	parts cleaning machine	NA	NA	Have not had to dispose of any waste from Safety Kleen parts washer.
3	Maintenance	Oil filters	NA	Varies	Dumpster	NA		Facility trash which goes to APEX Landfill
4	Maintenance	Used batteries	UW	Varies	Various containers	NA	Inside maintenance building	NAPA Steubenville, Ohio Recycling

REMARKS-GENERAL INFORMATION

General Process Information:

C&D Disposal is a construction demolition and debris landfill. Facility maintains and repairs heavy equipment which is used at the landfill.

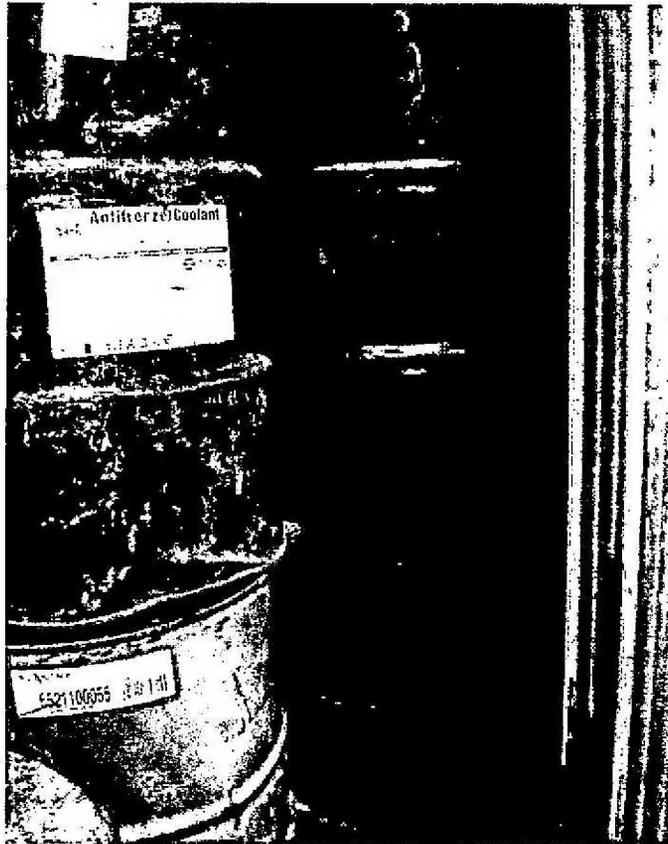
Regulatory/Enforcement History (if applicable):

This was the first inspection for this facility.

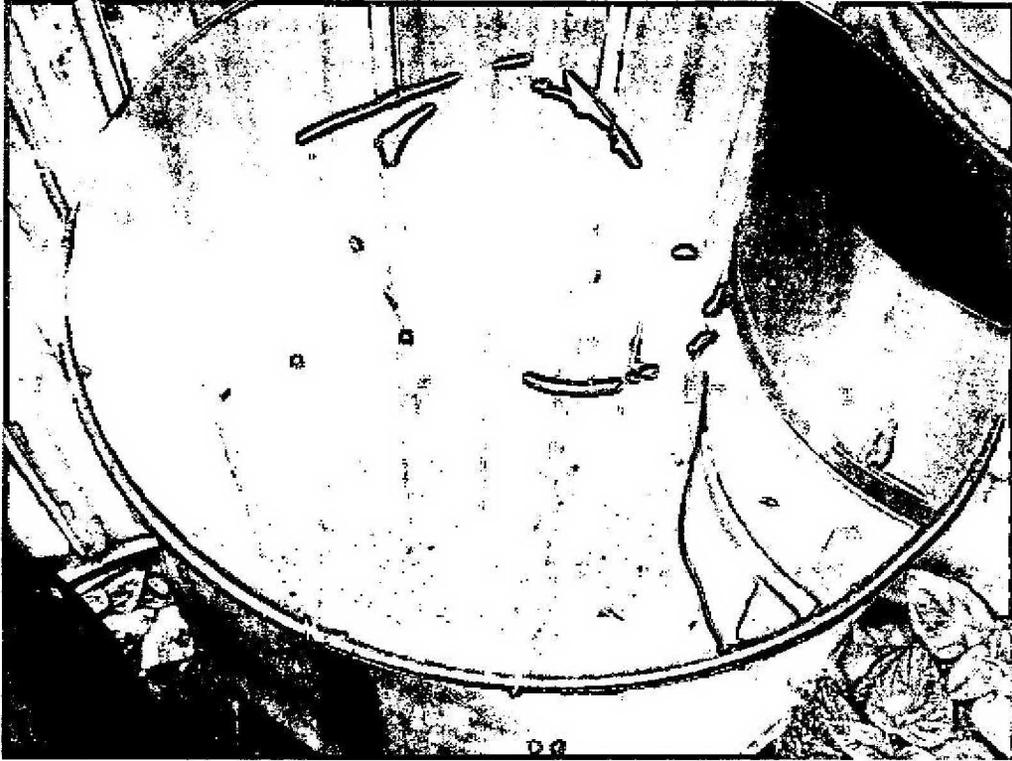
Other:

JEFFERSON COUNTY
C&D DISPOSAL TECHNOLOGIES, INC.
5/25/10 - MELODY STEWART

Leaking Used Oil drums behind maintenance garage.



JEFFERSON COUNTY
C&D DISPOSAL TECHNOLOGIES, INC.
5/25/10 - MELODY STEWART

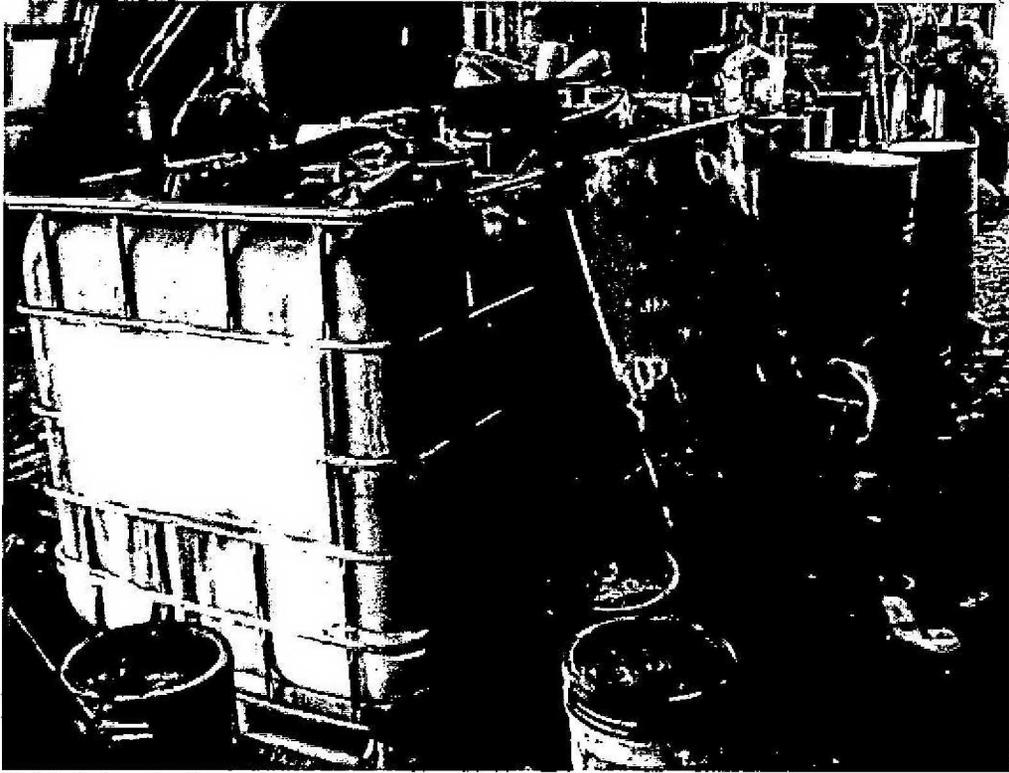


Used oil on top of drum.

Used oil leaking from drum on ground.



JEFFERSON COUNTY
C&D DISPOSAL TECHNOLOGIES, INC.
5/25/10 - MELODY STEWART



Unlabeled used oil containers



Used oil on ground beneath heavy equipment in front of maintenance garage.



State of Ohio Environmental Protection Agency
Southeast District Office

2195 Front St.
 Logan, OH 43138-9031

CERTIFIED MAIL™



7006 3450 0001 9055 9000



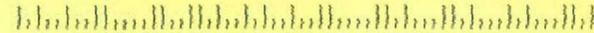
Mr. Dennis Ippolito
 C&D Disposal Technologies, Inc.
 3250 County Road 26
 P.O. Box 2219
 Wintersville, OH 43953

S-29
 1st NOTICE
 2nd NOTICE
 RETURNED

NIXIE 444 10 1 01 06/15/10
 RETURN TO SENDER
 UNCLAIMED
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BC: 43138863795 *2573-03838-15-29

431388637



7006 3450 0001 9055 9000

Sent To: Dennis Ippolito, C&D Disposal Technologies
 Street, Apt. No., or PO Box No.: P.O. Box 2219
 City, State, ZIP+4: Wintersville OH 43953

Postage	\$ 5.88
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.88



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PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Dennis Ippolito
 C&D Disposal Technologies
 3250 County Road 26
 P.O. Box 2219
 Wintersville, OH 43953

2. Article Number

(Transfer from service label)

7006 3450 0001 9055 9000

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes