



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

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

May 19, 2008

**MORGAN COUNTY
GENERAL FILE
(ZEMAR)
DHWM/SEDO
NON NOTIFIER**

Mr. Joe Robb, Owner
Zemar
5225 State Route 60 North
McConnelsville, OH 43756

Dear Mr. Robb:

On May 6, 2008, Ohio EPA inspected Zemar located in McConnelsville, Ohio to determine your company'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). The company was represented by Jerry Ross, Manager.

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

- (1) **OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate it to determine if it is a hazardous waste in accordance with criteria set forth in OAC Chapter 3745-51. The waste must be evaluated to determine if it is a listed or characteristic hazardous waste using either process knowledge or analytical results.

Zemar failed to evaluate the following waste streams: spent paint thinner mixed with paint waste from cleanout of their paint gun, paint booth filters, filters from transformer oil reclamation unit, and spent transformer oil that is currently used as fuel in an onsite used oil furnace.

Based on MSDS information submitted for the paints used by Zemar and labeling on their Zylene-based paint thinner container, Ohio EPA has determined that the paint thinner mixed with paint waste is an F003 hazardous waste. We have also determined using MSDS information that the paint booth filters are not a hazardous waste. However, Zemar must evaluate the oil filters from their transformer oil reclamation process per the above regulation to determine if they are a hazardous waste. Please submit a waste evaluation for oil filters.

- (2) **Ohio Revised Code (ORC 3734.02(E)(F)), Prohibitions.** No person shall store, treat, or dispose of hazardous waste, or transport or cause to be transported any hazardous waste except to or at a permitted hazardous waste facility.

Zemar caused F003 hazardous waste spent paint thinner mixed with paint waste to be transported by Republic Waste and Waste Management to a solid waste landfill.

In order to abate this violation, Zemar must immediately cease disposal of F003 hazardous waste spent solvent as a solid waste. You must immediately containerize this waste and manifest it offsite to a permitted hazardous waste treatment, storage or disposal facility. As an alternative, because you are a conditionally exempt small quantity generator of hazardous waste, you may mix your hazardous waste with used oil per OAC Rule 3745-51-05(J), however, we do not recommend it be mixed with any used oil that is to be burned in your used oil furnace. You may wish to combine it with your used oil from vehicles, which is destined for recycling. Please submit a description of how you plan to manage your hazardous waste, based on the above regulations.

Since Zemar has violated ORC §3734.02(E) and (F), Zemar is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time, Ohio EPA may assert its right to have Zemar begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

- (3) **OAC Rule 3745-279-22 (A) , On-specification Used Oil Fuel:** The generator of shall determine if used oil that his to be burned for energy recovery meets the fuel specifications of OAC Rule 3745-279 11 by performing analysis or obtaining copies of analyses or other information documenting that used oil fuel meets the specifications.

Zemar has failed to determine if used transformer oil burned in an onsite used oil furnace, is on or off specification in accordance with OAC Rule 3745-279-11.

In order to abate this violation, Zemar must submit analytical results that document whether transformer oil is on or off specification in accordance with the aforementioned regulation. Note that copies of these analytical results must be maintained onsite for three years. In addition, please note that in accordance with OAC Rule 3745-279-10 (I), used oil containing any quantifiable level of PCB's is subject to 40 CFR 761.20(e). Therefore, you should also submit an analysis for PCBs has been conducted on transformer oil that is being managed by your company. During the inspection, Mr. Ross indicated that the company that sells Zemar transformers does conduct this type of testing.

- (4) **OAC Rule 3745-279-22 (C), Used Oil Storage Requirements for Generators:** Used oil must be stored in containers that are labeled with the words "used oil".

Two types of used oil stored at the facility (used oil from vehicle maintenance and used oil from transformers) were stored in containers that were unlabeled. Ten drums and one 250-gallon tote of used oil from transformers were not labeled. One drum of used oil from vehicle maintenance was not labeled.

Mr. Joe Robb
Zemar
May 19, 2008
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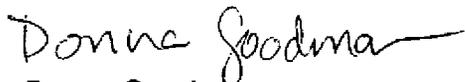
In order to abate this violation, please submit photographs of properly labeled containers. If containers of used oil have been recycled and are no longer onsite, please submit a receipt for recycling of this oil from a reputable recycler.

General Comments

- (a) During the inspection, I did not observe your two used oil furnaces. Note that such furnaces must be vented to ambient air and must not be designed to exceed a maximum capacity of 0.5 million BTU per hour. Please submit documentation that your furnaces meet these requirements.
- (b) During the inspection, I noted that Zemar had a 5-gallon bucket of paint onsite that was not useable. Ohio EPA recommends that you either contact the distributor to determine if the paint can be sent back to them, or recycle the paint to a reputable recycler, or dispose of the paint as a waste after conducting an evaluation per OAC Rule 3745-52-11 (cited above in #1).
- (c) Attached is a copy of information which was emailed to Jerry Ross. It was provided by our Office of Compliance Assistance and Pollution Prevention (OCAPP) in order to assist your company in minimizing or eliminating spent solvents from your transformer painting operation.

Should you have any questions, please feel free to call me at (740) 380-5293. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Donna Goodman
District Representative
Division of Hazardous Waste Management

DG/mlm

Enclosure

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.

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Zemar Facility Type: LQG SQG CESQG TSD Date of Inspection: 05/06/08 EPA ID#: Non notifier

Waste Generated

On- or Off-Site Management

P2 Activities

Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Replacement of transformer oil transformer oil Unevaluated	varies	burned in onsite oil burning furnace			
2	painting of transformers spent paint thinner and paint waste unevaluated but F003	Varies. Placed in bucket of oil dry and disposed of as solid waste in dumpster		Formerly Republic but now Waste Management collects solid waste which probably goes to a WV landfill.		Use of water based paint. Contacted OCAPP for tech assist.
3	painting of transformers paint booth filters unevaluated	Varies. Dsposed of as solid waste in dumpster.		same as above		
4	vehicle maint. used oil	varies		Heartland Oil, Zanesville, recycled.		
5	filtering of transformer oil spent filters unevaluated	Varies. Dsposed of as solid waste in dumpster.		Formerly Republic but now Waste Management collects solid waste which probably goes to a WV landfill.		

6							
7							
8							
9							

REMARKS/GENERAL INFORMATION

General Process Information:

Zemar repairs non-PCB transformers that it receives from customers such as the Royal Electric Cooperative. Transformers first undergo electrical testing and repair of electrical contacts. Next, transformer oil is filtered in an oil reclamation unit and tested for moisture using a high potential test. The transformer is then energized to determine if it is operating effectively. Then it is painted in a spray booth.

Regulatory/Enforcement History (if applicable):

NA

Additional P2 remarks and information:

Contacted OCAPP for tech assisto minimize or eliminate solvent waste stream from paint process.

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other:

NA

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: #100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: $\geq 1,000$ Kg. (~300 gallons) of waste in a calendar month or ≥ 1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

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

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

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"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

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

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

NOTE: Complete appropriate checklist for each unit.

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

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

REMARKS

USED OIL GENERATOR REQUIREMENTS

NOTE: (Short Version) - This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes No NA
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes No NA
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No NA
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes No NA

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 NA
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 NA
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No NA
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No NA
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)] Yes No NA
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 NA
- b. Contained the release? Yes No NA
- c. Cleaned up and properly managed the used oil and other materials? Yes No NA
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No NA

10. Does the generator burn used oil in used oil fired space heaters? [3745-279-23] If so: Yes No NA
- 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 NA
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No NA
- c. Are the combustion gases from heater vented to the ambient air? Yes No NA
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes No NA

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. 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 No NA
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No NA
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes No NA

WASTE EVALUATION

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

REMARKS

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

For Ohio EPA use only

E-mail this completed form to
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
 McConnell, Central Office

2. Site EPA ID No.	EPA ID Number:								
3. Site Name	Name: Zemar					Website: (Optional)			
4. Site Location Information	Street Address: 5225 State Route 60 N.								
	City, Town, or Village: McConnelsville					State: OH			
	County Name: Morgan					Zip Code: 43756			
5. 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"/>	
6. NAICS code(s) www.census.gov/epcd/www/naics.html									
7. Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Jerry			MI:	Last Name: Ross				
	Phone Number:				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:								
	State:			Country:		Zip Code:			
8. 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: Joe Robb								
	Date Became Owner (mm/dd/yyyy):								
	Owner Type:	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"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State:			Country:		Zip Code:			
	Name of Site's Operator: Zemar								
	Date Became Operator (mm/dd/yyyy):								
	Owner Type:	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"/>
	Street or P.O. Box:								
City, Town or Village:				Operator Phone #:					
State:			Country:		Zip Code:				
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<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)									
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility									

10B. 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"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. 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 if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.			
Foo3			
12. 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	Other Comments: Containers of used oil. One small container of spent solvent mixed with oil dry.
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Donna Goodman			05/06/08 1:00 PM
14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.			
Signature of Owner, Operator, or an Authorized Representative		Name and Title (Print)	Date (mm/dd/yyyy)

From: Donna Goodman
To: jross@zemar.com
CC: Ron Smith
Date: 5/13/2008 3:13 PM
Subject: Water reducible formulations for painting transformers

Jerry,

Here is information from our Office of Compliance Assistance and Pollution Prevention (OCAPP) on alternative coatings for transformers which are painted at Zemar. If you have any questions, feel free to contact Ron Smith of OCAPP. His name and contact number are at the bottom of this email.

Donna Goodman
Division of Hazardous Waste Management
Ohio EPA

The traditional coating for transformers has been a silicone alkyd formulation. Newer paints are now available from vendors in a water reducible formulation that can be thinned and cleaned up with soap and water.

Vendors and resources-

http://corporateportal.ppg.com/NA/PAF/PMC/Brands/HPC/200_Product/waterbornecoatings.htm

<http://www.rustoleumibg.com/product.asp?lvl=P&pnv=2&snv=3&pid=155>

http://www.sherwin-williams.com/oem/us/eng/products/polane_700t_water_reducible_enamel/

<http://www.pruett-schaffer.com/serieslist.htm>

http://www.sherwin-williams.com/oem/us/eng/products/kem_aqua_280_water_reducible_enamel/

Papers & Case Studies-

Abstract: Evaluates the use of water-based coating systems for industrial construction maintenance, as compared to the traditional, but more environmentally hazardous, solvent-based systems. Concludes that, when an appropriate system is chosen, the performance of water-based systems stands up to comparison with that of their conventional solvent-based equivalents.

<http://www.emeraldinsight.com/10.1108/03699420010339344>

<http://www.emeraldinsight.com/Insight/viewContentItem.do;jsessionid=A29E933AEAFD502206DC671E38A40481?contentType=Article&hdAction=lnkhtml&contentId=876876>

Waterborne silicone-organic hybrid coatings for exterior applications <http://www.springerlink.com/content/lm74301p3107154j/>

SUBSTITUTION CASE STUDY: ALTERNATIVES TO SOLVENT-BASED PAINTS

"Another metal coater, Emerson Electric Company, has reported environmental and economic

benefits from switching from solvent-based paints to a water-based electrostatic immersion

painting system. Emerson, a producer of power tools, was concerned with the paint wastes

generated at the facility. Replacing the solvent-based painting system with a water-based

electrostatic immersion system has reduced waste solvent and waste paint solids generation

by more than 95 percent. As well, the electrostatic painting system reduced paint costs by

\$600,000 per year. "

<http://www.p2pays.org/ref%5C05/04842.pdf>

PPG Waterborne Industrial

Coatings<http://corporateportal.ppg.com/NR/rdonlyres/65E9C452-7056-4ECA-A001-5BBB426B6FC3/0/hpcsid.pdf>

PPG Waterborne Making a Splash Highly acclaimed by users across Europe, PPG's new waterborne basecoat systems; Envirobase High Performance and Aquabase Plus are the waterborne solutions for North America.

These PPG waterborne basecoat systems are as easy to use as solventborne systems.

They require no special additives, and feature non-stir toners that make mixing colors fast and easy. PPG waterborne systems provide consistent color match and metallic

control. PPG also offers a world-class conversion process that helps customers convert to waterborne basecoat systems with

confidence.<http://corporateportal.ppg.com/PPG/FeaturedContent/20070403.htm>

Ron Smith

Ohio EPA, Office of Compliance Assistance & Pollution Prevention

614-644-2813

614-644-2807 fax

ron.smith@epa.state.oh.us

<http://www.epa.state.oh.us/ocapp/ocapp.html>

"We exist temporarily by what we take, we exist forever by what we give."

-Will Rogers, Jr.