



State of Ohio Environmental Protection Agency

Southeast District Office

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

February 26, 2010

**MUSKINGUM COUNTY
GENERAL FILE
(MAR-ZANE MATERIALS, INC)
DHWM/SEDO
NON-NOTIFIER**

Mr. Anthony Ruggiero
Mar-Zane Materials, Inc.
1794 Moxahala Ave.
P.O. Box 1585
Zanesville, Ohio 43702-1585

Dear Mr. Ruggiero:

On February 18, 2010, Scott Bergreen and I performed a compliance inspection of Mar-Zane Materials, Inc.'s lab to determine its 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 our observations and the documentation reviewed from the inspection, your facility is in violation of the following regulation. Please provide the documentation requested below within **thirty days** of the date 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 using the following method...determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35, and then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

Powersolv is a non-chlorinated solvent your facility uses to extract liquid asphalt from pavement mixtures to demonstrate that it meets the required specifications for ODOT projects. Once used, the liquid mixture is collected and taken to the Mar-Zane plant on River Road, where it is placed on the asphalt recycle pile. Mar-Zane did not locate waste evaluation documentation for this waste during the inspection.

Please provide waste evaluation documentation for this waste and for the TCE distillation bottoms.

GENERAL COMMENTS

- (a) Please see the attached fact sheet regarding the disposal of spent fluorescent bulbs. Please provide documentation indicating how these lamps are handled. If you do not have receipts for the bulbs, provide the name and address of the company you plan to use in the future.
- (b) As we discussed during the inspection, the container of TCE distillation bottoms should be labeled "hazardous waste" to prevent accidental mishandling/disposal.

I have attached the checklists that I used to evaluate your facility for your information. Additional information on the hazardous waste rules 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.

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: Non-Not								
Site Name	Name: Mar-Zane Materials, Inc.				Website: (Optional)				
Site Location Information	Street Address: 1794 Moxahala Ave.								
	City, Town, or Village: Zanesville				State: OH				
	County Name: Muskingum				Zip Code: 43702-1585				
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: Anthony			MI:	Last Name: Ruggiero				
	Phone Number: 740-453-0127				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box: P.O. Box 1585								
	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:				Date Became Owner:				
	Same								
	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:				Date Became Operator (mm/dd/yyyy):				
	Same								
	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									

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))					
<input checked="" 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)			Used Oil Activities (Indicate Type(s) of Activity(ies))		
	Generated	Accumulated	<input type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner	
Batteries	<input checked="" type="checkbox"/>	<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"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	
Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor		
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner		
Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your 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.					
D001	D040	F002			
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	<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)	
Rich Stewart		Scott Bergreen		2/18/10 13:15	
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)	

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Mar-Zane Materials, Inc. Facility Type: LQG SQG CESQG TSD Date of Inspection: 2/21/10 EPA ID#: Non-Not

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1 Asphalt extraction	Non-chlorinated spent solvent, unknown.	varies	NA	Mar-Zane Plant #6 Zanesville, OH Added to the asphalt recycle pile	NA	
2 Asphalt extraction for discrepancies	Solvent still bottoms, D040, F002.	Infrequent, less than 1 quart/yr	Spent TCE is distilled/re-used on-site	NA – haven't disposed of in past year	Spent TCE, recycled.	
3 Lighting	Spent fluorescent bulbs-?	several/year	NA	Unknown	?	
4						
5						
6						

REMARKS - GENERAL INFORMATION

General Process Information:

This is the state-wide lab for asphalt testing for Mar-Zane Inc. and Shelly & Sands, Inc., mostly for ODOT projects. Operations include physical testing and asphalt extraction of pavement ample to determine liquid asphalt content.

Regulatory/Enforcement History (if applicable):

The last DHWM inspection was performed in 1995, no violations were cited at that time.

Additional P2 remarks and information:

Little hazardous or solid waste appears to be generated at this location.

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:

**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: ≥ 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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)] Unknown	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

- At the time of the inspection, the facility did not have records for waste evaluation for spent solvents and spent fluorescent bulbs.



Material Safety Data Sheet

Section 1-General Information

Product Name: Powersolv (Cleaner & Degreaser)

Chemical Family: NA

Formula: Proprietary

MSDS Effective Date: 2/23/05

Manufacturer's Name & Address: Astec Corporation, 7750-650 Zionsville Road, Indianapolis, Indiana 46268

Manufacturer's Tele. No.: 317-872-7550

Chemtrec's Tele. No.: 800-424-9300 (Only for spill, leak, fire or accident.)

Section 2-Components

Ingredients	CAS#	%	ACGIH TLV
Aliphatic hydrocarbon mixture	64742-88-7	80-90	100 ppm
Citrus terpenes	5989-27-5	10-20	NE

Section 3-Physical Data

Boiling Point: 310°F

Vapor Pressure: NE

Vapor Density (Air=1): >1

Evaporation Rate (BuAc=): <1

Solubility In Water: None

Specific Gravity: .78

Percent Volatile: Appr. 100

pH: Appr. 7.0

Appearance and Odor: Clear, water white colored liquid with slight citrus odor.

Section 4-Fire And Explosion Hazard Data

Flash Point: 115°F **Flammable Limits:** Low-.6%,High- 7% **Extinguish Media:** Water fog,dry chemical, foam,carbon dioxide.

Special Fire Fighting Procedure: Self-contained positive pressure breathing apparatus and protective clothing.

Unusual Fire and Explosion Hazards: Combustible. Keep away from heat, sparks, open flames and sources of auto-ignition.

Section 5-Reactivity Data

Stability: Stable

Stability Conditions to Avoid: NA

Incompatibility (Materials to Avoid): Strong oxidizers.

Hazardous Decomposition Products: None Known.

Hazardous Polymerization: Will not occur.

Section 6-Health Hazard Data

Threshold Limit Value: NE

OSHA Threshold Limit Value: NA

ACGIH Threshold Limit Value: NE

Carcinogen Under NTP Program: No

Carcinogen Under IARC Program: No

Signs and Symptoms of Exposure:

Eye Contact: Moderate irritation or burning. **Skin Contact:** Possible irritation. **Inhalation:** Possible irritation to nasal passages.

Chronic Effects of Overexposure: Skin defatting. Inhalation-central nervous system depression evidenced by dizziness,headaches, and nausea. Excessive ingestion may be fatal. **Medical Conditions Aggravated by Exposure:** None known.

Emergency First Aid:

Eye Contact: Immediately irrigate eyes with cool flowing water for 15 minutes while blinking eyelids. Get medical attention.

Skin: Remove contaminated clothing. Wash contact area with mild soap and water. Rinse thoroughly.

Inhalation: Remove victim to fresh air. If breathing has stopped, give artificial respiration. Get medical attention immediately.

Ingestion: Do not induce vomiting. For a conscious victim, drink one or two cups of milk or water. Never give anything to an unconscious person. Get medical attention immediately.

Section 7-Spill or Leak Procedures

Spill Response: Wear all protective equipment set forth in Section 8. Provide ventilation. Contain spill. Absorb on inert material or salvage material. Rinse residue with plenty of water.

Waste Disposal Method: Neutralization may be required. Follow all federal, state and local regulations.

Section 8-Special Protection Information

Eye Protection: Safety glasses or goggles.

Skin Protection: Impervious gloves and protective clothing.

Respiratory Protection: If vapor concentration becomes high, use NIOSH/MSHA approved respiratory protection.

Ventilation: Mechanical ventilation if vapor concentration becomes high. **Other Protection:** Eyewash stations and safety showers.

Section 9-Special Precautions

Storage and Handling: KEEP OUT OF REACH OF CHILDREN. Follow directions on label. Keep containers closed and upright.

Store in dry area between temperatures of 40-90°F. Dispose of empty container in accordance with legal regulations.

Section 10-Regulatory Information

EPA (TSCA): All ingredients are on the TSCA inventory. **EPA (SARA):** NA **DOT (Dept. of Trans.) Shipping Name:** NA **DOT**

Hazard Class: NA **Hazardous Material Identification System:** Health 1,Flammability 2,Reactivity 0, Personal Protection B

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Note: NA=Not Applicable NE=Not Established Appr.=Approximately

Received by A. Stewart
dually CEI