



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

March 17, 2009

**MUSKINGUM COUNTY  
GENERAL FILE  
(KESSLER SIGN COMPANY)  
DHWM/SEDO  
NON NOTIFIER**

Mr. Jeff Ball  
Kessler Sign Company  
P.O. Box 785  
Zanesville, Ohio 43702-0785

Dear Mr. Ball:

On March 9, 2009, Melody Stewart and I performed a compliance inspection of Kessler Sign Company 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, Ohio EPA has determined your facility is in violation of the following hazardous waste regulations. Please provide the requested information 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.

Your company generates spent fluorescent bulbs which have not been evaluated to determine whether they are hazardous waste. You can manage them as a universal waste (a factsheet was provided during the inspection and is available on our website) if you collect them and recycle them intact (accidentally broken bulbs can also be managed this way). If you continue to crush spent bulbs, you will have to determine if they are hazardous waste. This can be determined either through testing of the waste or by generator knowledge (i.e., most fluorescent bulbs exhibit the characteristic of toxicity based on mercury levels, therefore, the crushed bulb

Mr. Jeff Ball  
Kessler Sign Company  
March 17, 2009  
Page 2

waste is hazardous, waste-code D009). To demonstrate compliance with this rule, please state which way you intend to manage these bulbs. If you choose to continue to crush the bulbs and they are hazardous waste, you may be generating more than 220 pounds per month for all your hazardous wastes combined (including the paint waste and solvent distillation waste) and additional regulations would apply to your company.

**Other compliance issues:**

I have attached a chart that shows disposal options for various types of PCB-containing capacitors. These are federal regulations; if you have additional questions concerning these regulations, please consult U.S.EPA's website at <http://www.epa.gov/epawaste/hazard/tsd/pcbs/index.htm>.

I have attached the checklist I used to evaluate your facility. Please be aware, as we discussed during the inspection with Paul Davis, that if Kessler Sign Company generates over 220 pounds of hazardous waste in a month, your facility will be considered a "small quantity hazardous waste generator" and will be subject to additional requirements as outlined in the checklist we provided during the inspection.

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](http://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

Attachments

**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](mailto:kristina.durnell@epa.state.oh.us)  
or mail it to Kristina Durnell, Central Office

Site EPA ID No.	<b>EPA ID Number: Non-Notifier</b>	
Site Name	Name: Kessler Sign Company	Website: (Optional)
Site Location Information	Street Address: 2669 National Road	
	City, Town, or Village: Zanesville	State: OH
	County Name: Muskingum	Zip Code: 43702
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) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>		
Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Paul	MI:
	Last Name: Davis	
	Phone Number: 800-686-1870	Phone Number Extension:
	E-Mail Address:	
	Fax Number:	Fax Number Extension:
	Street or P.O. Box: PO Box 785	
	City, Town or Village: Zanesville	
	State: OH	Country:                      Zip Code: 43702-0785
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: Bob Kessler	
	Date Became Owner (mm/dd/yyyy):	
	Owner Type:	<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
	Street or P.O. Box:	
	City, Town or Village:	Owner Phone #:
	State:	Country:                      Zip Code:
	Name of Site's Operator: Same	
	Date Became Operator (mm/dd/yyyy):	
	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:	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 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.					
F003	F005	D001	D009	D035	
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		Melody Stewart		3/9/09 10:30	
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)

## CONDITIONAL EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS

CESQG: < 100 Kg. (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

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

### POLLUTION PREVENTION

1. Has the company undertaken any P2 activities to reduce the amount of waste generated?  X Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- a. If so, what has the company done to minimize waste generation?
- A change in the process resulting in less waste.
  - A change in the product resulting in less waste.
  - Use of fewer and less toxic hazardous raw materials.
  - Better operations/improved housekeeping.
  - On-site recycling/reuse of hazardous materials.
  - Sending waste off-site for recycling/reuse.
  - Other activities (specify):
- b. *If so*, what wastes have been addressed?
- Solvents
  - Paint related wastes
  - Industrial process wastes (sludges, slags, contaminated wastes waters, etc.)
  - Contaminated oils/hydraulic fluids
  - Off-spec chemicals
  - Shop rags
  - Other (specify): spent fluor. bulbs & electronic waste
- c. If they haven't minimized waste are there barriers that are preventing them from doing it? .
- Lack of information about practical alternatives.
  - Lack of capital to make process changes.
  - Lack of internal management support.
  - The company does not generate enough waste to consider P2.
  - Other reason given (specify):
2. Does the company plan to do P2 activities in the future?  X Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
3. Would the company be interested in receiving additional information from Ohio EPA about P2?  X Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_

4. Did you give the company information about P2 during the inspection?  Yes  No  N/A RMK#    

5. Would the company like a P2 assessment?  ? Yes  No  N/A RMK# 1

A. If yes, provide information that makes the company a good candidate for an assessment (i.e., known specific P2 opportunities exist, the company is willing to cooperate and commit resources to the assessment, the company fully understands DHWM's P2 assessment process, etc.)

B. If no, list the reasons the facility representative gave for not wanting an assessment.

*If the company would like a P2 assessment done at their facility, the inspector must give the company representative a copy of the Pollution Prevention for Hazardous Waste Generators document and discuss it with them.*

#### REMARKS

#1 Facility will contact OEPA if they have questions.

#### CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS

##### WASTE EVALUATION

1. Have all wastes generated at the facility been evaluated?  Yes  No  N/A  RMK# 2  
[3745-52-11]

##### GENERATOR CLASSIFICATION

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

**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? [3745-51-05(G)(3)]

Yes  No  N/A  RMK#

**REMARKS**

2. Facility may be a small quantity generated based on waste determination of crushed fluorescent bulbs and the amount of this waste generated per month.

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Kessler Sign Company Facility Type: LQG SQG CESQG TSD Date of Inspection: 3/9/09  
 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	lighting	fluorescent bulbs/unknown 200-400#/s/mo	crushed in bulbeater	HTR-Group Lake Ozark, MO	recycled	
2	painting	paint waste/ D001/D008/ D018/D035/ F003/F005	varies	NA Safety Kleen Dolton, Ill	energy recovery	
3	paint gun cleaning	solvent distillation bottoms/F003/F005	less than 10#/s/mo	NA Safety Kleen Dolton, Ill	disposal	
4	painting	paint booth filters/non-haz	varies	NA local solid waste facility	disposal	
5	sign maintenance	light ballasts	varies	NA Polk Iron and Metal Zanesville, OH	?	
6						
7						

8							
9							

**REMARKS-GENERAL INFORMATION**

**General Process Information:**

Kessler Sign manufactures and services all types of outdoor comercial signs. Operations include metal fabrication and painting.

**Regulatory/Enforcement History** (if applicable):

This facility was last inspected in 1997. Violations were cited and an resulting enforcement case was settled through a consent order signed December 14, 1999. Among other violations was waste determination and several small quantity generator requirements.

**Additional P2 remarks and information:**

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](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**