



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
Chris Korleski, Director

March 14, 2007

**MUSKINGUM COUNTY
GENERAL FILE
(FRANKLIN LOCAL SCHOOL DISTRICT)
DHWM/SEDO
OHR000028878**

Mr. Robert Walden
Assistant Superintendent
Franklin Local School District
360 Cedar Street, P.O. Box 428
Duncan Falls, Ohio 43734-0428

Dear Mr. Walden:

On March 5, 2007, Melody Stewart and I inspected Franklin Local School District, located at 360 Cedar Street in Duncan Falls, to determine 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). This letter will explain the violations we found and what you need to do to correct the violations, as well as other general concerns we have and what you need to do to respond to those concerns.

We 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) OAC Rule 3745-279-24, Off-site Shipments of Used Oil by Generators

A used oil generator must ensure that their used oil is transported only by transporters who have obtained a U.S.EPA identification number for the transport of used oil; unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements).

Currently, Franklin Local School District does not have their used oil hauled off-site by a registered transporter that has obtained U.S. EPA ID# for the transport of used oil, and the facility is not currently managing used oil in accordance with the requirements of OAC 3745-279-24 regarding self transportation or tolling agreements. Used oil generated at the facility is either picked up by Ron's Auto Parts in Zanesville or Sanders Garage in Duncan Falls, who burn the used oil in their used oil furnaces. Neither Ron's Auto Parts in Zanesville or Sanders Garage are registered used oil transporters or registered used oil collection centers.

Franklin Local School District must begin managing their used oil in the following manner:

- Arrange to have the used oil sent off-site to a used oil recycler. The used oil must be transported off-site by a registered transporter that has obtained a U.S. EPA ID# for the transport of used oil.

OR

- Self-transport no more than 55-gallons of used oil at a time to a used oil collection center or recycler that is registered to take used oil from businesses.

To demonstrate compliance with this rule, please respond in writing indicating which option Franklin Local School District has chosen, and include documentation that such arrangements have been made. I have enclosed a fact sheet on the management of used oil, a list of used oil transporters/ recyclers in Ohio, and a list of registered used oil collection centers for your reference.

GENERAL COMMENTS

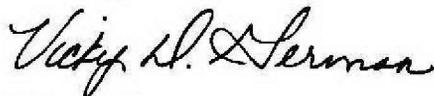
- a) Antifreeze
During the inspection, Franklin Local School District indicated that spent antifreeze was collected and taken to OU-Zanesville's Household Hazardous Waste Recycling Event. As a business and a Conditionally Exempt Small Quantity generator, Franklin Local School District cannot take their spent antifreeze to a household hazardous waste collection event. Your spent antifreeze can only be recycled on-site by a commercial antifreeze recycler, sent off-site to a commercial antifreeze recycler, or sent off-site to a permitted hazardous waste disposal facility. I have enclosed a fact sheet on management of antifreeze and a list of antifreeze recyclers.
- b) Fluorescent lamps
During the inspection, Franklin Local School District indicated that it was not known if all the schools in the district are collecting spent fluorescent lamps for recycling or proper disposal. As we discussed, most spent fluorescent lamps contain enough mercury to be a regulated hazardous waste when disposed. Since Franklin Local School District will have spent lamps from numerous buildings, probably the best option is for you to collect and manage all spent fluorescent lamps as universal waste. I have enclosed a fact sheet on management of fluorescent lamps, the universal waste requirements, and a list of fluorescent lamp recyclers.
- c) Floor drains
At the time of the inspection, Franklin Local School District indicated that the floor drains in the maintenance garage may lead to their on-site septic system. Franklin Local School District should investigate where the floor drains go, especially if wastewater or other fluids are allowed to enter floor drains, since this could lead to contamination of ground water, surface water, or drinking water. If you are using the floor drains to discharge industrial wastewater, Ohio EPA's water pollution control regulations apply to your discharge. Please contact Scott Foster in Ohio EPA's Division of Surface Water, at 740-380-5227, for more information. I have also enclosed a copy of Ohio EPA's publication entitled, *Do You Know Where Your Floor Drains Go?* for your reference.

Mr. Robert Walden
Franklin Local School District
March 14, 2007
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Enclosed, you will find a copy of the checklists that were completed during the inspection. You can find copies of the hazardous waste rules and other information on our division's web page at <http://www.epa.state.oh.us/dhwm>. Compliance assistance and pollution prevention information is available at <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Should you have any questions or require assistance, please feel free to call me at 740-380-5237.

Sincerely,



Vicky D. German
Environmental Specialist
Division of Hazardous Waste Management
Ohio EPA, Southeast District Office

VDG/mlm

cc: Mike Arnett, Transportation Supervisor, Franklin Local Schools
Scott Foster, Ohio EPA, DSW-SEDO

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
tammy.mcconnell@epa.state.oh.us or mail it to
Tammy McConnell, Central Office

Site EPA ID No.	EPA ID Number: OHR000028878								
Site Name	Name: Franklin Local School District					Website: (Optional)			
Site Location Information	Street Address: 360 Cedar Street								
	City, Town, or Village: Duncan Falls				State: OH				
	County Name: Muskingum				Zip Code: 43734				
Site Land Type (check only one)	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 checked="" type="checkbox"/>	Other <input type="checkbox"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html									
Facility Representative Additional names can be recorded in "Comments" below Only provide address information if it is different than the site address	First Name: Robert			MI:	Last Name: Walden				
	Phone Number: 740-674-5203				Phone Number Extension:				
	E-Mail Address: fr_bob@omeres.net								
	Fax Number: 740-674-5214				Fax Number Extension:				
	Street or P.O. Box: P.O. Box 428								
	City, Town or Village: Duncan Falls				State: OH		Country: USA		Zip Code: 43734
	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: Franklin Local School District				Date Became Owner (mm/dd/yyyy):			
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 checked="" type="checkbox"/>	Other <input type="checkbox"/>	
Street or P.O. Box: P.O. Box 428									
City, Town or Village: Duncan Falls				Owner Phone #: 740-674-5203					
State: OH				Country: USA		Zip Code: 43734			
Name of Site's Operator: Franklin Local School District				Date Became Operator (mm/dd/yyyy):					
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 checked="" type="checkbox"/>	Other <input type="checkbox"/>	
Street or P.O. Box: P.O. Box 428									
City, Town or Village: Duncan Falls				Operator Phone #: 740-674-5203					
State: OH				Country: USA		Zip Code: 43734			
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 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 checked="" 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 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 RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.				
D001				
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:	Mike Arnett, Transportation Supervisor
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments: outside above ground used oil storage tank	
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Name of Inspector(s):		Name of Inspector(s):		Date of Inspection/Time: (mm/dd/yyyy) (hh:mm)
Vicky German, DHWM-SEDO		Melody Stewart, DHWM-SEDO		3/5/2007
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)

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

See Remarks Section

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month?
[conditionally exempt small quantity generator ("CESQG")]

Yes No NA

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?
[3734.02(F)]

Yes No NA

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

During the inspection we observed one rusty 55-gallon drum located behind the maintenance building that was not labeled. Franklin Local School District later determined the drum contained used athletic paint marker (dried used paint). Franklin Local School District must evaluate the contents of the drum to determine if it is a hazardous waste prior to its disposal.

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
See Remarks Section
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 fired space heaters? [3745-279-20]
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
See Remarks Section

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

REMARKS

Currently, Franklin Local Schools does not have their used oil hauled off-site by a registered transporter that has obtained U.S. EPA ID# for the transport of used oil, and the facility is not currently managing used oil in accordance with the requirements of OAC 3745-279-24 regarding self transportation or tolling agreements. Used oil generated at the facility is either picked up by Ron's Auto Parts in Zanesville or Sanders Garage in Duncan Falls, who burn the used oil in their used oil furnaces. Neither Ron's Auto Parts in Zanesville or Sanders Garage are registered used oil transporters or registered used oil collection centers.

WASTE ACTIVITIES SUMMARY

Facility Name: Franklin Local Schools

Facility Type: CESQG

EPA ID#: OHR000028878

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	Off-Site - Name, State, and Type of Activity Occurring at the Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities	
1	Bus maintenance	Spent parts cleaner solvent from one parts washer	D001	NA	Added to used oil in used oil tank	NA	Managed along with used oil - Picked up by Ron's Auto Parts or Sanders Garage Burned in used oil	NA	NA
2	Bus maintenance	Used oil	NA	NA	Above ground used oil tank	NA	Picked up by Ron's Auto Parts (Zanesville) or Sanders Garage (Duncan Falls) - Burned in used oil	NA	NA
3	Bus maintenance	Used oil filters	NA	Varies	NA	Drained, then disposed as solid waste	NA - solid waste	NA	NA
4	Bus maintenance	Spent antifreeze	NA	Varies	55-G drum	NA	Taken to OU-Zanesville Household Hazardous Waste Recycling Event	NA	NA
5	Bus maintenance	Spent batteries	NA if recycled	Varies	On concrete floor inside maintenance building	NA	Interstate Batteries Core exchange	Recycled through core exchange program	NA

GENERAL FACILITY INFORMATION

Process Information:

Franklin Local School District was formed from the consolidation of several schools. The district now encompasses approximately 190 square miles including the townships of Salt Creek, Rich Hill, Meigs, Blue Rock, Brush Creek, Clay, Wayne, and Harrison, and serves the communities of Chandlersville, Duncan Falls, Philo, and Roseville. Franklin Local School District includes five school buildings; Duncan Falls Elementary, Roseville Elementary, Philo Junior High, Roseville Middle School, and Philo High School which recently moved to Duncan Falls. The administrative office building and transportation/maintenance garage are located at 360 Cedar Street in Duncan Falls.

Regulatory/Enforcement History:

Franklin Local School District notified Ohio EPA of their waste generation activities on 4/6/1998 as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. The facility has not previously been inspected for compliance with Ohio's hazardous waste laws.

Pollution Prevention Remarks and/or Other Information:

Would this facility be interested in a P2 assessment?

Yes No NA

REMARKS

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.