



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

September 16, 2010

**ROSS COUNTY
GENERAL FILE
(ART TECH)
DHWM/SEDO
NON NOTIFIER**

Randy Drewyor, Owner
Art Tech
1338 Delano Road
Chillicothe, Ohio 43601

Lana Corcoran, Owner
Art Tech
1338 Delano Road
Chillicothe, Ohio 43601

Dear Mr. Drewyor and Ms. Corcoran:

On July 13, 2010, Ohio EPA inspected Art Tech of Chillicothe, Ohio 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). Art Tech was represented by Barbara Wilson, Graphic Designer. On July 21, 2010, I sent a Notice of Violation letter to Randy Drewyor specifying the violations observed during the inspection. To date, Art Tech has failed to respond to the July 21, 2010 Notice of Violation letter and remains in violation of the following:

- (1) **OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate the waste to determine if it is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

Art Tech failed to evaluate the contents of five 5-gallon containers that were stored for at least four years inside the company's production building. According to company officials, these containers were left onsite by the previous building occupant when Art Tech purchased the building four years ago. Art Tech has said that based on a conversation with employees of the previous owner, the containers hold "Paint Mask", however, because Art Tech cannot be certain, these wastes have not been adequately evaluated per the above rule.

In order to abate this violation, please chemically evaluate the contents of these containers per the above regulation or provide documentation that the contents of the containers accurately reflect their labels, submit documentation or analytical results to me at this office. Should the wastes be hazardous, they must be managed as such in accordance with all applicable Ohio laws and regulations.

GENERAL COMMENTS

- (a) During the inspection, Ohio EPA observed several half-gallon containers of spent solvent cleaning fluids generated by a self-cleaning electronic printer. Barbara Wilson stated during the inspection that these were a hazardous waste. After the inspection, Ohio EPA was informed by you that the company would be filing for bankruptcy in the near future. On September 15, 2010, I drove by your facility and noted that you are still in operation. I also phoned your company on September 16, 2010 and spoke with Barbara Wilson, who ascertained that your company remains in business. Please note that prior to filing for bankruptcy Art Tech must manifest this hazardous waste offsite, as well as any others remaining onsite, to a permitted hazardous waste treatment, storage or disposal facility per ORC 3734.02. Also, note that any used or unused paints or solvents must also be evaluated per the rule cited in #1 above and if hazardous, sent offsite for recycling, treatment or disposal prior to the company closing and/or filing for bankruptcy. Art Tech will remain liable for properly managing all hazardous wastes left onsite.

Please submit all requested information **within 15 days** of the date of this letter. **Please note that failure to respond to this letter could lead to escalated enforcement action, including fines and penalties for each day your company remains in violation of rules.** Should you have any questions, please feel free to call me at (740) 380-5293.

Sincerely,



Donna Goodman
District Representative
Division of Hazardous Waste Management

DG/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.