

Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

October 11, 2011

ROSS COUNTY
ROCAL INC.
DMWM/SEDO
OHD990780777
OHD981153601

Mr. Ferdinand Pranckh
Rocal, Inc.
3186 County Road 550
Frankfort, Ohio 45628

Dear Mr. Pranckh:

On September 21, 2011, Ohio EPA inspected Rocal's new and old facilities in Frankfort, 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), and the April 12, 2010 Director's Final Findings and Orders (DFFOs). This letter will explain the violations we found, what you need to do to correct the violations, other general concerns we have, what you need to do to respond to our general concerns, and any pollution prevention opportunities we may have identified.

We found the following violations of Ohio's hazardous waste laws. In order to correct these, you must do the following and send me the required information **within 21 days** of the date of this letter:

New Plant (OHD990780777):

- (1) **OAC Rule 3745-52-41, Annual Report:** (A) a generator who ships hazardous waste offsite must prepare and submit to Ohio EPA an Annual Hazardous Waste Report by March 1 of each year; (B) any generator who treats, stores or disposes of hazardous waste onsite must submit an annual report covering those wastes.

Rocal is a large quantity generator and thus is required to submit annual reports. Rocal failed to submit annual reports as required for A and B, above, for reporting years 2009 and 2010, in violation of this rule. While Rocal did submit a "Identification" form for 2009, it is not the required annual report. In order to abate this violation, Rocal must submit to all required annual report information pursuant to this rule for both years. Please see <http://epa.ohio.gov/Default.aspx?tabid=4101> for reporting instructions.

- (2) **OAC Rule 3745-65-52 (D), Content of Contingency Plan:** The contingency plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment), where this equipment is required. The list must be kept up to date and must include the location and physical description of each item and a brief outline of its capabilities.

Rocal's contingency plan fails to include all required information, in violation of this rule. Rocal has only listed their spill control equipment and does not adequately describe location, physical description and capabilities. Note that all equipment in both Rocal facilities must be included in the plan. In order to abate this violation, all required information as described above must be included in the contingency plan, pursuant to this rule. Rocal should revise the plan and submit revised pages to me for review. In addition, please revise page 3 of the plan to state that the new Rocal is a large quantity generator of hazardous waste and the old Rocal is an episodic large quantity generator of hazardous waste. Please note that once reviewed and approved, Rocal must then submit a copy of the revised plan to local authorities as required by OAC Rule 3745-65-53, and document to this office that this has been done.

- (3) **OAC Rule 3745-66-95 (A), Inspections (Tanks):** Each operating day, the owner or operator must inspect, and document inspections of, data from leak detection equipment; spill control equipment; the above-ground portion of each tank; and construction materials and the area immediately surrounding the tanks for signs of erosion or release of hazardous waste.

Rocal failed to document required inspections, in violation of this rule. On October 4, 2011, Rocal submitted a "Spray Line and Evaporator Inspection" log for the time period beginning September 22, 2011. The log failed to include all elements required above. In order to abate this violation, please submit two weeks' worth of inspection logs that include all required information.

- (4) **OAC Rule 3745-273-13 (D)(1), Waste Management Standards for Small Quantity Handlers of Universal Waste:** Universal waste lamps must be contained in containers that are structurally sound, adequate to prevent breakage, and compatible with their contents. Such containers must remain closed.

Rocal failed to close boxes containing spent universal waste lamps, in violation of this rule. On September 26, 2011, Rocal submitted photographs of properly contained spent lamps. Therefore, this violation has now been abated.

- (5) **OAC Rule 3745-273-14(E), Labeling/Marking Standards for Small Quantity Handlers of Universal Waste:** Each universal waste lamp or container of lamps must be labeled with one of the following phrases: "Universal Waste-Lamps" or "Waste Lamps" or "Used Lamps."

Rocal failed to label universal waste spent lamps. On September 26, 2011, Rocal submitted photographs of properly labeled spent lamps. Therefore, this violation has now been abated.

- (6) **OAC Rule 3745-273-15 (C), Accumulation Time Limits-Standards for Small Quantity Handlers of Universal Waste:** A small quantity handler must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste.

Rocal failed to demonstrate the length of time spent lamps had been accumulating. On September 26, 2011, Rocal submitted photographs of spent lamps that were labeled with the dates that they became spent. Therefore, this violation has now been abated. Please note that spent lamps may not accumulate onsite for longer than one year prior to recycling.

- (7) **OAC Rule 3745-273-16, Employee Training for Small Quantity Handlers of Universal Waste:** A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste of the proper handling and emergency procedures for the type of waste they are handling.

Rocal failed to properly inform employees, as evidenced by improper management of universal waste lamps, in violation of this rule. In order to abate this violation, please submit documentation, in the form of signed training records, indicating that all affected employees have now been properly trained and that this information is now included in Rocal's annual employee training program.

GENERAL COMMENTS - New Plant.

- (a) During the inspection, we observed that Rocal's training program was adequate but Rocal did not provide employee training records for our review. Please submit documentation for the years 2008 until the present that shows that initial and annual training has been provided to all employees who handle hazardous waste. Documentation should consist of training records signed by each trained employee.
- (b) Because Rocal conducts generator treatment of a reactive waste (D007/D002/D003) rinsewater generated by the chromate conversion process, Rocal must submit documentation that Rocal is in compliance with OAC rule 3745-66-98 (A), which is a regulation addressing tanks which contain a reactive waste. Alternatively, Rocal may provide documentation that the waste is not reactive.
- (c) As discussed on our October 6, 2011 telephone call with Jeff Mayhugh of DMWM in our central office, the F019 waste code applies to wastewater treatment sludge from the chemical conversion coating of aluminum conversion coating. In other words, this waste code applies to your evaporator sludge. From now on, please substitute the F019 for the D003/D007 waste codes used for evaporator sludge, and notify Heritage Environmental of this change so the correct waste code will appear on all evaporator sludge manifests and LDR forms from now on. Also, please note that you will need to complete, sign, send to Heritage, and place in your files a copy of the new LDR form for the waste containing this code.
- (d) During the inspection, Rocal was unable to locate emergency equipment inspection checklists for our review. Please submit emergency equipment inspection logs, per OAC rule 3745-65-33, for the year 2011.

- (e) Please submit Rocal's weekly inspection checklists for the year 2011 for hazardous waste drums that were accumulated onsite for ninety days or less prior to sending offsite for disposal, if any. If no checklists exist because waste was never accumulated onsite for a week or more, please provide documentation of this.
- (f) During the inspection, Rocal was provided with a copy of the generator treatment guidance. This guidance can also be found online at:

[http://epa.ohio.gov/portals/32/pdf/Generator Treatment Guidance.pdf](http://epa.ohio.gov/portals/32/pdf/Generator_Treatment_Guidance.pdf)
- (g) Please describe the waste code used for "skim oil" from the chromate conversion process, and how this waste is contained and disposed of.

GENERAL COMMENTS - Old Plant (OHD981153601).

- (h) Rocal's old plant is an episodic large quantity generator of hazardous waste. This means that most months, no waste is generated, as in the month of our September, 2011 inspection. However, during months when waste is generated (which appears to be once every year or two), large quantities are generated. During those those months, the old Rocal facility is regulated as large quantity generator (LQG) and must comply with all applicable LQG rules.
- (i) During the inspection, we observed what appeared to be a spill of chromic acid that had dried into green crystals on the concrete floor of the building which houses the chromate conversion tanks. The spill appeared to have been caused by drag-out which occurred when equipment exiting the one of the tanks was suspended over the floor to dry. As discussed during the inspection, please submit documentation that this spill has been cleaned up. Also, please submit a description of when this spill occurred, how it was cleaned up, how the waste and cleanup materials were contained and disposed of, what procedures are used by Rocal to determine when a spill is to be cleaned up, the frequency of inspections that occur in the building, and how quickly spills such as this are addressed once observed.
- (j) The Office of Compliance Assistance and Pollution Prevention can be a good source of information on methods to minimize drag-out and to replace any hazardous raw materials used by your company with less hazardous materials. I have asked OCAPP to contact you to discuss your needs. Also, they can also be reached at 614-644-3469. Note that some waste minimization assistance regarding spent inks was provided to Rocal by OCAPP in 2007.
- (k) During the inspection, we observed white stains on the floor which leads to drain #2, indicating that liquids from the chromate conversion process had entered this drain. According to photographs submitted by Rocal on September 26, 2011, the drain has now been plugged. Also, in accordance with your September 26, 2011 email, this drain leads to the Frankfort public sewer system. Please take action to

prevent any future releases to the sewer system by eliminating drag-out or other releases to the floor (see comment j above). Please also describe how and when drain #1 in this building was sealed.

- (l) The F019 waste code is incorrectly used on manifests to describe wastes generated in the old facility. This waste code only applies to wastewater treatment sludge from the chemical conversion coating of aluminum conversion coating, as in the treatment process at the new Rocal. Unlike the new facility, there is no treatment process in the old facility that generates F019 wastewater sludge. As discussed in NOV letters in past years, and as discussed during the inspection, Rocal should stop using the F019 waste code for these wastes and inform Heritage Environmental to revise the waste codes on manifests and LDR forms for waste from the old Rocal. The waste codes that should be used for liquid wastes from tanks at the old Rocal are D002 and D007.
- (m) Because Rocal will be subject to closure of the hazardous waste tank at its old plant, Rocal is subject to the applicable financial assurance and liability requirements of OAC Rule 3745-66-42 through -47. Documentation of compliance with these requirements can be submitted to the Compliance Assurance Section of the Division of Materials and Waste Management at Ohio EPA, with a copy sent to Donna Goodman at the Southeast District Office of Ohio EPA.

Enclosed, you will find a copy of the checklists that were completed during the inspection. Should you have any questions, feel free to contact 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>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp>.

Sincerely,



Donna Goodman
District Representative
Division of Materials and Waste Management

DG/mlm

Enclosures

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.

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHD981531601							
Site Name	Name: Rocal, Inc.					Website: (Optional)		
Site Location Information	Street Address: 60 North Fork Lane							
	City, Town, or Village: Frankfort					State: OH		
	County Name: Ross							
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	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"/>
	33995							

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address.	First Name: Ferdinand		MI: R	Last Name: Pranckh				
	Title: Chief Operating Officer							
	Phone Number: 740-998-2122				Phone Number Extension:			
	E-Mail Address:							
	Fax Number:				Fax Number Extension:			
	Street or P.O. Box:							
	City, Town or Village:							
State:				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: Robert Leitle					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:					Date Became Operator (mm/dd/yyyy):			
	Operator 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?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE:

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input checked="" type="checkbox"/> Large Quantity Generator (LQG) EPSODIC <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
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TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

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"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D002 D007

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Additional Facility Representatives:	Dustin Daugherty, Plant Manager
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Containers	<input type="checkbox"/> Yes	<input type="checkbox"/> No		

Name of Inspector(s) Donna Goodman	Name of Inspector(s) Richard Stewart	Date of Inspection/Time (mm/dd/yyyy) (hh:mm) 09/21/11 11:30 AM
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Comments:
This company is an episodic LQG of hazardous waste every several years when solutions in tank become spent. Last waste generation of D002/D007 occurred in 2010.

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Rocal (old) Facility Type: episodic LQG Date of Inspection: 9/21/11

EPA ID#: OHD981531601

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 Chromate Conversion	Phosphoric Acid cleaning bath (tank #1) D002	Varies; 55 gallons per cleaning in drums. Last generated in 2009. Unclear if this will continue to be generated.		Heritage Environmental, Indianapolis		
2 Chromate Coating	Rinsewater from tanks #4 and 5 D002/D007	Episodic generation of 4500 – 5000 gallons. Last generated in 2010.		Heritage Environmental, Indianapolis		Minimize drag-out by draining dipped steel over the tank rather than over the floor.
3						
4						
5						
6						

7							
8							
9							

REMARKS**GENERAL INFORMATION**

General Process Information:

Rocal operates a chromate conversion process line in the old (first) Rocal plant in downtown Frankfort. Despite the fact that the rest of this old plant has been shut down, and a new plant opened on CR 550, this chromate conversion line, which consists of 6 open tanks, has remained open for treatment of aluminum 48" or larger. Rocal's new plant located on County Road 550 is able to treat smaller sizes of aluminum. Eventually the company will close this process and CRO the old plant. LQG waste is episodically generated from the old plant. Last generation was 2009.

The chromate conversion process consists of tank #1: a heated phosphoric acid cleaner (5%); tank #2: a cold H2O rinse which is not in use now due to leakage ; tank #3:a chromate coating tank; tank #4: a cold water rinse; and tank #5: another cold rinse tank. Tank #6was originally installed to be used as a "spare tank made of steel that was used only during maintenance of other tanks and during emergencies". (see telephone note of 6/28/06 with Rocal). Tank #6 is now used as a rinse tank which takes the place of tank #2.

Regulatory/Enforcement History (if applicable):

The company's past activities were the subject of April 12, 2010 DFFOs. The enforcement case involved both the new and old plants, and the Fed Ex Corporation.

Additional P2 remarks and information:

Rocal would like assistance with minimizing their waste streams. They were provided information on how to contact OCAPP.

Would this facility be interested in a P2 assessment? "Yes" *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

**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 checked="" type="checkbox"/> No <input 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)] Company is an episodic generator of large quantities of hazardous waste. Last generation was several years ago.	Yes <input checked="" 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 type="checkbox"/> N/A <input checked="" 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"/>