



State of Ohio Environmental Protection Agency

Southeast District Office

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

September 24, 2009

**TUSCARAWAS COUNTY
SEMCO CERAMICS
DHWM/SEDO
NON-NOTIFIER**

Mr. Frank Stroman
Stebbins Engineering
363 Eastern Boulevard
Watertown, NY 13601

Dear Mr. Stroman:

On September 9, 2009, I inspected Semco Ceramics, Inc.'s (Semco) facility in Uhrichsville, Ohio to determine Semco's compliance with Ohio's hazardous waste and used oil 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 found during the inspection and what you need to do to correct the violations. This letter also comments on the condition of your used oil storage containers and documents my review of your waste analysis data.

Violations

I 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 3745-279-22(C), Used Oil Storage Requirements for Generators:** Containers and above ground storage tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

At the time of the inspection, three 55-gallon drums, one 30-gallon drum, and three 16-gallon drums storing used oil were not labeled "Used Oil." During the inspection, the drums were labeled returning Semco to compliance with this rule.

- (2) **OAC Rule 3745-279-24, Off-Site Shipments Of Used Oil By Generators:** Used oil generators that self-transport their used oil must only transport the used oil to a collection center that is registered with Ohio EPA to manage used oil.

Semco self-transportes their used oil to Truck Sales and Service, which is not a registered used oil collection facility. Therefore, Semco failed to transport their used oil to a registered collection center, in violation of this rule.

In order to return to compliance with this rule, Semco must only self-transport their used oil to a registered used oil collection center. Semco may also comply with this rule by ceasing to self-transport their used oil and instead have it collected by a transporter with a US EPA identification number. Enclosed with this letter is a list of registered used oil collection centers and a list of used oil transporters with a US EPA identification number as well as a fact sheet about Ohio's used oil regulations.

Semco must demonstrate their compliance with this rule by submitting a written response which states how they will manage disposal of their used oil in the future. This response should specifically name the used oil collection center you plan to use or the used oil transporter that will collect your used oil.

Comments

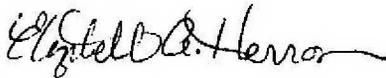
- (a) OAC Rule 3745-279-22 requires that used oil storage containers be in good condition (no severe rusting, apparent structural defects or deterioration). At the time of the inspection some of the used oil storage containers were very rusty. These containers may fail to meet the requirement of being "in good condition" in the near future. I recommend that Semco replace these containers with new ones to ensure that you continue to meet the rule requirement. Replacing the containers will also reduce the risk of used oil leaking from the containers as their condition continues to deteriorate.

- (b) On March 12, 2009 I visited the Semco facility but did not conduct a full compliance inspection. During this visit, I observed two pallets of 55-gallon drums and two pallets of 5-gallon pails. I discussed these containers with site personnel at the time of my visit. The containers were in poor condition and their contents were unknown to site personnel. On April 28, 2009, you had four samples collected from these containers and tested to determine whether or not they were hazardous wastes. On September 17, 2009, you e-mailed me the lab results, which indicated that the waste was non-hazardous. You reported that after confirming the waste was non-hazardous, it was disposed of at a sanitary landfill by J & J Refuse.

Mr. Frank Stroman
Stebbins Engineering
September 24, 2009
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Enclosed, you will find a copy of the checklist completed during the inspection. Should you have any questions, please feel free to call me at (740) 380-5248. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dhwm/>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp/>.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EAH/mlm

Enclosures

cc: Pete McPherson, Semco Ceramics Inc. (with 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.

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. Site Name	EPA ID Number: non-notifier Name: Semco Ceramics Inc.		Website: (Optional)					
Site Location Information	Street Address: 4778 Belden Drive SE City, Town, or Village: Uhrichsville County Name: Tuscarawas		State: OH Zip Code: 44683					
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"/>
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Ike Phone Number: E-Mail Address: Fax Number: Street or P.O. Box: P.O. Box 90 City, Town or Village: Uhrichsville State: OH		MI: Zip Code: 44683	Last Name: Yoder Phone Number Extension: Fax Number Extension:				
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: Stebbins Engineering Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Street or P.O. Box: 363 Eastern Boulevard City, Town or Village: Watertown State: NY Name of Site's Operator: Operator Type: <input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State:		Date Became Owner (mm/dd/yyyy): Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Owner Phone #: 315 782 3000 x2666 Country: USA Zip Code: 13601 Date Became Operator (mm/dd/yyyy): Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Operator Phone #: United States Zip Code:					

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG) <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"/> 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 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. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

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 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.

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

Announced Yes No Additional Facility Representatives: **Roy Milburn**
 Tanks Yes No Other Comments: **Stebbins Engineering contact is Frank Stroman**
 Containers Yes No

Name of Inspector(s)
Elizabeth Herron

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
9/9/2009 11:15 AM - 12:30 PM

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 DESCRIPTION SECTION

Semco Ceramics Inc. manufactures refractory tile and brick for applications in the mining, pulp and paper, and power plant industries. They currently have 19 employees and operate one shift.

WASTE ACTIVITIES SECTION

Semco makes their tile and brick with two formulations. The first is raw clay with no additives. This tile and brick is manufactured in a building they refer to as the Semco brick plant. Tile and brick from this plant are fired in two bell kilns inside the building. The second formulation is raw clay mixed with barium carbonate (Aqua-Flo). Tile and bricks made with the barium carbonate are made in the operation Semco refers to as the SCI tile and brick plant. The SCI uses 9 beehive kilns to fire their product.

The MSDS sheet for Aqua-Flo states that "Waste containing more than 0.2% soluble barium is hazardous under the RCRA criteria. If disposed of in its purchased form, this product would be hazardous waste..." Semco's current practice is to grind and return all off- specification green brick from the SCI operation back into the process so that no waste green brick is generated. In the past Semco had a practice of disposing of waste green brick in an onsite disposal area.

At the time of the inspection Semco was not generating any hazardous waste.

Semco generates used oil from the servicing of their five forklifts and one luger truck. Some of the used oil is mixed with kerosene and reused as a lubricant in the SCI operation's tile cutter. The rest of the used oil is collected in drums and taken by Semco to Truck Sales and Service in Midville, Ohio. As documented in a 1995 letter from Truck Sales and Service to Semco, it is Semco's understanding that the used oil subsequently collected by Safety-Kleen for disposal. Semco estimated that three or four 55-gallon drums of used oil is taken to Truck Sales and Service every one and a half to two years.

REGULATORY/ENFORCEMENT HISTORY

On March 12, 2009, the Division of Hazardous Waste Management accompanied the Division of Solid and Infectious Waste Management on a site visit to Semco. The September 9, 2009 inspection was Semco's first hazardous waste inspection.

The Division of Solid and Infectious Waste Management is currently working with Semco to address their onsite disposal area.

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at:

https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes No N/A

a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes No N/A

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes No N/A

3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes No N/A

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil? If so, Yes No N/A

a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes No N/A

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

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 N/A

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes No N/A

7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A

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 N/A

At the time of the inspection three 55-gallon drums, one 30-gallon drum, and three 16-gallon drums storing used oil were not labeled "Used Oil." During the inspection the drums were labeled returning Semco to compliance with this rule.

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] Yes No N/A

a. Stopped the release? Yes No N/A

b. Contained the release? Yes No N/A

c. Cleaned up and properly managed the used oil and other materials? Yes No N/A

d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A

ON-SITE BURNING IN SPACE HEATERS		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
GENERATOR TRANSPORTATION		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>Semco self-transport their used oil to Truck Sales and Service which is not an approved collection site.</i>		
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Semco reported that they transport three or four 55-gallon drums at a time every one and a half to two years.</i>		
<i>NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).</i>		
COLLECTION CENTERS AND AGGREGATION POINTS		
13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.</i>		