



State of Ohio Environmental Protection Agency

Southeast District Office

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

May 10, 2007

**WASHINGTON COUNTY
EVEREADY BATTERY CO.
DHWM/SEDO
OHD981538473**

Ms. Katherine Kispert
Human Resources Manager
Safety, Health & Environmental Manager
Eveready Battery Co.
P.O. Box 300
Marietta, OH 45750

Dear Ms. Kispert:

On May 2, 2007, Ohio EPA inspected Eveready Battery Company's Marietta facility 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). During the inspection, I also helped you identify ways to prevent pollution by reducing waste. This letter will explain the violation I found, what you need to do to correct the violation, other general concerns I have, and what you need to do to respond to the general concerns.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation, 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)(1), Used Oil Storage Requirements for Generators:** Containers, aboveground tanks, and fill pipes used for underground tanks must be labeled or marked "Used Oil."

55-gallon drums of used oil were labeled "waste oil" instead of "used oil", in violation of this rule. Eveready Battery must make sure all drums of used oil are properly labeled, and submit documentation in the form of photographs to this office for review.

GENERAL COMMENTS

- a) Eveready Battery had several receipts from Veolia for used oil/grease that were not signed by the receiving facility. Receipts complete with Veolia's signature should be maintained in Eveready Battery's files to prove that the material made it to its' final destination.
- b) During the inspection, we discussed the topic of fluorescent light bulbs. Fluorescent bulbs contain mercury and the lamps can potentially exhibit the characteristic of toxicity for mercury or other metals when disposed, rendering them a hazardous waste. As the bulbs need to be changed in the future, Ohio EPA recommends that Eveready set up a recycling program, in lieu of disposing of them as a hazardous waste. The bulbs should not be crushed; rather, spent bulbs should be placed in a box or other suitable container before being recycled. Enclosed is a fact sheet concerning fluorescent bulbs, along with a listing of fluorescent bulb recyclers for your information.

- c) Eveready's TCLP results on Jarosite sand revealed a level of 4.11 ug/l for trichloroethylene (TCE). As we discussed during the inspection, Eveready Battery should investigate the source of the contaminant, as TCE is not normally used at the plant.
- d) During the inspection, we discussed the satellite drum of aerosol liquids generated during crushing of aerosol cans. Before Eveready Battery sends this waste off-site, it will need to be evaluated to determine which hazardous waste codes apply.

As discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates, you may be able to reduce treatment and disposal costs, and you may possibly reduce your regulatory requirements. The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You may benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. You can find more information about pollution prevention, including fact sheets, at the following web address: <http://www.epa.state.oh.us/ocapp/recycle.html>. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me.

Enclosed, you will find a copy of the checklists that were completed during the inspection. Should you have any questions, please feel free to contact me at (740) 380-5288. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Scott N. Bergreen
Environmental Specialist
Division of Hazardous Waste Management

SNB/mlm

cc: Joe Shaw, Plant Manager, Eveready Battery Co.

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.

E-mail this completed form to tammy.mcconnell@pa.state.oh.us or mail it to Tammy McConnell, Central Office

**Ohio Environmental Protection Agency
RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

2. Site EPA ID No. **EPA ID Number:** OHD981538473

3. Site Name **Name:** Energizer Battery Manufacturing, Inc. **Website (optional):**

4. Site Location Information
Street Address: County Road 10
City, Town, or Village: Marietta **State:** OH
County Name: Washington **Zip Code:** 45750

5. Site Land Type (check only one)

Private	County	District	Federal	Indian	Municipal	State	Other
<input checked="" type="checkbox"/>							

6. NAICS code(s) www.census.gov/epcd/www/naics.html

A.	B.
C.	D.

7. Facility Representative:
 Additional names can be recorded in number 12.
 Only provide address information if it is different than the site address.

First Name: Katherine **MI:** B. **Last Name:** Kispert
Phone Number: (740) 374-6552 **Phone Number Extension:**
E-Mail Address: katherineb.kispert@energizer.com
Fax Number: (740) 374-1906 **Fax Number Extension:**
Street or P.O. Box: P.O. Box 300
City, Town or Village: Marietta
State: OH **Country:** USA **Zip Code:** 45750

8. 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.

A. Name of Site's Legal Owner: Energizer Holdings Co. **Date Became Owner (mm/dd/yyyy):**

Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
	<input checked="" type="checkbox"/>							

Street or P.O. Box: 533 Maryville University Drive
City, Town, or Village: St. Louis **Owner Phone #:**
State: MO **Country:** USA **Zip Code:** 63164

B. Name of Site's Operator: Energizer Battery Manufacturing, Inc. **Date Became Operator (mm/dd/yyyy):**

Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
	<input checked="" type="checkbox"/>							

Street or P.O. Box: P.O. Box 300
City, Town, or Village: Marietta **Operator Phone #:** (740) 374-6552
State: OH **Country:** USA **Zip Code:** 45750

9. Violations Cited? Yes No

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

<input type="checkbox"/> Not Regulated
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10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

A. Hazardous Waste Activities

(choose only one of the following categories)

- UNKNOWN: Cited for violation of 3745-52-11
- a. Large Quantity Generator (LQG):
- b. Small Quantity Generator (SQG)
- c. Conditionally Exempt Small Quantity Generator
- d. United States Importer of Hazardous Waste
- e. Mixed Waste (hazardous and radioactive) Generator

- 3. Treater, Storer or Disposer of Hazardous Waste
- 4. Recycler of Hazardous Waste
- 5. Exempt Boiler and/or Industrial Furnace
 - a. Small Quantity On-site Burner Exemption
 - b. Smelting, Melting, Refining Furnace Exemption
- 6. Underground Injection Control Facility
- 7. Hazardous Waste Transporter

B. Universal Waste Activities

- 1. Small Quantity Handler of Universal Waste
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):
- 2. Large Quantity Handler of Universal Waste
(accumulates 5,000 kg or more).
- 3. Destination Facility for Universal Waste
(Check all boxes below that apply for each of the three types of facilities above.)

	Generated	Accumulated
A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C. Used Oil Activities

- 1. Used Oil Generator
- 2. Used Oil Transporter Indicate Type(s) of Activity(ies)
 - Transporter
 - Transfer Facility
- 3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)
 - Processor
 - Re-refiner
- 4. Off-Specification Used Oil Burner
- 5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)
 - a. Marketer Who Directs Shipment of Off-Specification Oil
 - b. Used Oil to Off-Specification Used Oil Burner

11. 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.

D001						
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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

N	Announced ?	Additional Facility Representatives:	Mr. Bernie Huck, Mr. Tim Mackey, Mr. Joe Shaw
Y	Tanks?	Other comments:	
Y	Containers?		

13. (Name of Inspector(s)) Name of Inspector(s) Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)

Scott Bergreen		5/2/07 10:00 am - 12:30 pm
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14. 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)

REMARKS-GENERAL INFORMATION

General Process Information:

Eveready Battery Company, located on County Road 10 south of Marietta, produces electrolytic manganese dioxide for use in the Energizer D cell battery. The process involves electrolytic plating of manganese dioxide in a series of 98 cells in the plating room. Eveready now buys calcined ore, instead of performing this process on-site. Sulfuric acid is added to the ore in the leach tank room as a beginning step of the process. Any wastewater that is generated in Eveready's operations is sent to Eramet's UNOX wastewater treatment system. The facility has an on-site maintenance shop where various maintenance activities are performed. In the maintenance shop, aerosol cans are punctured in an Aerosolv unit that collects the liquid remains; the spent cans are then disposed of in the general trash. Used oil and spent parts washer solvent are generated at the plant.

Regulatory/Enforcement History:

Eveready Battery Co. is a Conditionally Exempt Small Quantity Generator.

The last compliance evaluation inspection was conducted at Eveready Battery Co. on November 13, 2002.

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Eveready Battery Co.

Facility Type: CESQG

EPA ID#: OHD981538473

Description of Waste				On-Site Management			Off-Site Management		
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities	
1	Equipment Maintenance	Used Oil	N/A	Varies	55-gallon drum	N/A	Drums located in Oil Storage Building	Veolia West Carrollton, OH	
2	Equipment Maintenance	Used Grease	N/A	Varies	55-gallon drum	N/A	Drums located in Oil Storage Building	Veolia West Carrollton, OH	Calciners gone; used grease generation reduced
3	Maintenance	Parts Washer Solvent	N/A Non - Haz.	Varies	Container	N/A	Maintenance Building	Heritage Crystal Clean Charleston, WV	
4	Maintenance	Leach Tank Sand	N/A Non - Haz.	Varies	Roll off box	N/A	Concrete storage pad	Athens Hocking Reclamation Nelsonville, OH	
5	Maintenance	Plating Tank Cell bottoms	N/A Non - Haz.	Varies	Roll off box	N/A	Concrete storage pad	Athens Hocking Reclamation	
6	Maintenance	Aerosol Can Remains	D001	< 1 gallon	Container	N/A	Maintenance Building	Has not been sent off-site yet	Cans are punctured to remove remaining liquids

**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 No N/A

GENERATOR CLASSIFICATION

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

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)] Yes No N/A

TREATMENT OF HAZARDOUS WASTE

- a. Container that meets 3745-66-70 to 3745-66-77? Yes No N/A
- b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes No N/A
- c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
- d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

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.

REMARKS

USED OIL INSPECTION CHECKLIST (Short Version)

NOTE: 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 N/A ___ RMK# ___
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 N/A RMK# ___
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No N/A ___ RMK# ___
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A RMK# ___

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [3745-279-21(A)] Yes ___ No N/A RMK# ___
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 RMK# ___
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 N/A ___ RMK# ___
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 ___ RMK# ___
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 ___ RMK# 1
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 N/A ___ RMK# ___
- b. Contained the release? Yes No N/A ___ RMK# ___

- c. Cleaned up and properly managed the used oil and other materials? Yes No N/A RMK#
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A RMK#
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes No N/A RMK#
- 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 N/A RMK#
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No N/A RMK#
- c. Are the combustion gases from heater vented to the ambient air? Yes No N/A RMK#
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 N/A RMK#

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 N/A RMK#
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No N/A RMK#
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 N/A RMK#

WASTE EVALUATION

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

REMARKS

#1) Drums of used oil were labeled "waste oil" instead of "used oil".