



State of Ohio Environmental Protection Agency

Southeast District Office

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

July 14, 2010

**WASHINGTON COUNTY
AMERICAS STYRENICS
DHWM/SEDO
OHD000608646**

George Garcia
Environmental Specialist
Americas Styrenics LLC
17401 State Route 7
PO Box 1000
Marietta, OH 45750

Dear Mr. Garcia:

On June 24, 2010, Ohio EPA conducted a complaint investigation at Americas Styrenics in response to a complaint received by this office from the Kentucky Department of Environmental Protection. The complainant alleged that drums of used oil originating from Americas Styrenics had leaked from the transport vehicle in West Virginia and Kentucky while enroute to a recycling facility.

Based on my investigation, I found the following violations of Ohio's hazardous waste laws:

- (1) **OAC Rule 3745-279-22,(C)&(D), Used Oil Storage Requirements for Generators:** (B) Containers used for storage of used oil must be in good condition with no severe rusting, apparent structural defects or deterioration. (D) Upon detection of a release of used oil to the environment, a used oil generator must stop the release, contain the released used oil, clean up and properly manage the released used oil and materials used to clean up the used oil, and if necessary, repair or replace any leaking used oil storage containers prior to returning them to service for used oil storage.

(B) Containers used by Americas Styrenics for used oil were deteriorated. Based on an internal investigation conducted by Americas Styrenics, the threads of the bungs of the drums were rusty, preventing the bungs from properly sealing. During transport, the bungs loosened and leaked. (D) Used oil leaked from the drums into the trailer of the truck and onto a parking lot at a truck stop in Winchester, KY.

With the assistance of the Kentucky Department of Environmental Protection, Americas Styrenics contracted with Clean Harbors to clean up spillage, overpack the drums and return them to the Americas Styrenics plant in Marietta. The contents of some of the drums have now been manifested offsite for disposal by

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Veolia, while the rest has been re-packaged and sent offsite for used oil recycling. As a result, Americas Styrenics has now abated the above-cited violation. However, Americas Styrenics should submit to Ohio EPA a written description of how drums of Dowtherm will be managed in the future to avoid leakage during transport. Please include a description of how empty drums will be stored prior to filling with used oil, how and where full drums are labeled, stored, monitored, and cleared for transport, and any other steps, policies or procedures Americas Styrenics is taking or has in place to assure this situation does not recur. Also, please describe all acceptance criteria, at the recycling facility and how Americas Styrenics ensures that the acceptance criteria will be met prior to shipping the drums. In addition, please submit all internal investigations documents regarding the leaking drums.

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.