



**Environmental  
Protection Agency**

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

October 21, 2011

**CERTIFIED MAIL**

Roger Newsome  
Newsome & Work Metallizing  
258 Kenmore Blvd  
P.O. Box 27091  
Akron, OH 44319-7091

**RE: NEWSOME & WORK METALLIZING, OHD 986 976 769, SUMMIT COUNTY  
SQG-CEI, 3<sup>rd</sup> NOTICE OF VIOLATION**

Dear Mr. Newsome:

You have failed to respond to Ohio EPA's August 25, 2011 and October 4, 2011 Notices of Violation (NOV).

The following violations and concerns remain outstanding. To correct them, you must do the following and submit all requested information **within 15-days** of the date of this letter. ***Failure to address these violations within the required time frame may result in escalated enforcement action.***

**1. Hazardous Waste Determination  
OAC 3745-52-11**

*Any person who generates a waste in the state of Ohio...shall determine if the waste is a hazardous waste...*

- a. There were three blue drums (~15-20 gallons) labeled "Tectyl 506" along the east wall of the paint booth building. The drums were deteriorating and water from a leak in the roof was dripping on them. This material is not being stored in a manner consistent with it being a usable product and must be properly characterized and disposed. An online material safety data sheet (<http://www.qclubricants.com/msds/Tectyl506.pdf>) for the material indicates it has a flashpoint of 106 degrees Fahrenheit, suggesting it is a D001 hazardous waste. To correct this violation, you must properly dispose of this waste material and submit copies of the disposal paperwork to this office.
- b. There were several open five-gallon cans of what appeared to be paint waste in the paint booths. To correct this violation, you must properly dispose of this material and submit copies of the paperwork to this office.

Roger Newsome  
Newsome & Work Metallizing  
October 21, 2011  
Page 2

Please be advised that the open cans of paint waste and the fact that you were unable to find the key to the building with the solvent still suggest the possibility that you may not be recycling your spent solvent and instead are letting it evaporate. If so, this may be considered illegal treatment of hazardous waste per section 3734.02 (E) and (F) of Ohio Revised Code, which can be enforced by either civil or criminal penalties, or both. If you wish to demonstrate that you are using a solvent still, please contact me to schedule a time to inspect it.

**2. Response to Releases of Used Oil  
OAC 3745-279-22(D)**

*Upon the detection of a release of used oil to the environment, a generator shall...clean up and manage properly the released used oil...*

There were releases of used motor oil among the five, 55-gallon drums of used oil stored on the west side of your main building. To correct this violation, you must clean up the releases. You must document with photographs that this has been done, and you must submit the photographs to this office. As I explained during the inspection, you may use oil dry or other inert absorbent media to soak up the oil and dispose of it with your solid waste (regular trash).

**3. Used Oil Storage Requirements for Generators (Labels)  
OAC 3745-279-22(C)**

*Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil"*

The five drums of used oil mentioned in violation #2 were not labeled per this rule. To correct this violation, you must label the containers of used oil, photograph them, and send copies of the photographs to this office. It is suggested that you dispose of or recycle the used oil through an Ohio EPA-registered used oil transporter and submit copies of the disposal paperwork to this office. During the inspection, you were provided with a list of registered used oil transporters in northeast Ohio.

**4. Universal Waste Management Standards—Containers  
OAC 3745-273-13(D)**

*A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage...such containers must be kept closed and must lack evidence of leakage, spillage or damage.*

Roger Newsome  
Newsome & Work Metallizing  
October 21, 2011  
Page 3

There were two spent fluorescent lamps that were not in a box or container. To address this violation, the lamps must be placed in a box/container that meets the requirements of this rule. In addition, the box must be labeled "*Universal Waste-Lamp(s)*", or "*Waste Lamp(s)*", or "*Used Lamp(s)*" per OAC 3745-273-14(E). You must photograph the labeled box containing the lamps and send it to this office.

In addition to the above violations, the following concerns were also noted:

5. You have been disposing of approximately 80 tons per year of sand blast media on your property. This may be considered improper disposal of solid waste.
6. Several scrap tires containing rain water were observed on the west side of the main building (adjacent to the used oil containers). Please be advised that the water in scrap tires can breed mosquitos which can increase public health risks.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Failure to list specific deficiencies or violations in this communication does not relieve Newsome and Work Metallizing from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Sincerely,



Edward J. D'Amato  
Environmental Specialist  
Division of Materials and Waste Management

EJD:cl

cc: Julie Brown, Summit County General Health District

ec: Dave Dysle, DMWM, NEDO  
Frank Popotnik, DMWM, NEDO  
Natalie Oryschewych, DMWM, NEDO  
Jeff Mayhugh, DMWM, CO