



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

**RE: Mansfield News Journal
Richland County
DHWM, NWDO
Notice of Violation**

May 22, 2008

Mr. Mark Bolyard
Mansfield News Journal
P.O. Box 25
Mansfield, OH 44901

Dear Mr. Bolyard:

Thank you for accompanying Ed Pulido and me during the Ohio Environmental Protection Agency's (Ohio EPA's) May 9, 2008, inspection of Mansfield News Journal's (MNJ's) facility located at 70 West 4th Street, Mansfield, Ohio. We inspected MNJ to determine its 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, we also helped you identify ways to prevent pollution by reducing waste.

This letter will explain the violation we found, what you need to do to correct the violation, other general concerns we have, what you need to do to respond to our general concerns, and the pollution prevention opportunities we identified.

MNJ is a newspaper printing facility. MNJ generates spent lamps and used oil from the maintenance of trucks.

We 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 receipt of this letter:***

Violation:

1. **OAC Rule 3745-52-11, Hazardous Waste Determination:** "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

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MNJ failed to have waste evaluation documentation or an established recycling plan in place for all fluorescent lamps generated at the facility.

During the inspection, MNJ stated that the green tipped lamps were thrown into the trash and the non-green tipped lamps were stored and picked up. However, the name of the facility picking up the lamps was not known at the time and all receipts are kept off site at MNJ's main office.

MNJ must immediately cease disposing of the fluorescent lamps as non-hazardous waste until a proper waste evaluation has been completed. Fluorescent lamps typically contain mercury and other heavy metals which could make them a hazardous waste. Hazardous waste lamps are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

MNJ must choose one of the following options and submit to Ohio EPA the requested information as documentation to demonstrate how you plan to properly manage your fluorescent lamps: **1)** If MNJ decides to manage the lamps as a waste, then MNJ will need to sample each type and brand of lamp at the facility using a Toxicity Characteristic Leaching Procedure (TCLP) test for Resource Conservation and Recovery Act (RCRA) metals. MNJ must then submit all analytical results to Ohio EPA along with a summary describing whether the spent lamps are a hazardous waste or non-hazardous waste and how the spent lamps will be managed. **2)** The other alternative is that MNJ can begin to manage all spent lamps as universal waste. If MNJ chooses this option, then MNJ should submit a summary that outlines how the spent lamps will be managed as universal waste and where they will be shipped. MNJ should also submit photographic documentation that the containers used to store the spent lamps are all closed and have the proper labels and accumulation start dates located on them. Ohio EPA recommends that spent lamps be managed as a universal waste and recycled.

As we discussed during the inspection, the facility picking up the non-green tipped spent lamps may or may not be properly recycling them. MNJ should also submit any documentation and/or receipts from the most recent pick up of these spent lamps that shows the name, contact information for this facility, and description of what this facility is doing with the spent lamps.

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For more information I have enclosed the following fact sheets on spent lamps: Universal Waste Rules for Handlers of Lamps, dated June 2005; Fluorescent Lamps: What You Should Know, dated January 2007; and Computer, Fluorescent Lamp and Ballast Recyclers, dated April 2008.

General Concerns:

- A. **Used Oil:** During the inspection, MNJ stated that used oil from maintenance activities is picked up. However, a receipt for the most recent pick up was not located during the inspection and MNJ did not know the name of the facility picking up the used oil. No used oil was on site during the inspection. MNJ should submit the most recent receipt from the used oil transporter and a description of how the used oil is recycled to Ohio EPA *within 30 days of receipt of this letter*.
- B. **Future Lamp Project:** During the inspection, it was brought to Ohio EPA's attention that MNJ is planning on having all lamps and ballasts replaced by an outside company. MNJ should be aware that even though all lamps and ballasts are physically being replaced by an outside company, MNJ is still considered the generator of these items and is responsible for their proper disposal. Since the outside company is removing the lamps from MNJ's property, then MNJ must ensure that the company properly disposes/recycles them. It may be in MNJ's best interest to include such agreements in a written contract prior to beginning work.

To address this general concern, MNJ should submit documentation that includes the name, contact information of the outside company, and how the company plans on disposing/recycling the lamps. MNJ should submit this information to Ohio EPA *within 30 days of receipt of this letter*.

Ohio EPA will issue an EPA ID number to track our inspection activity at MNJ. MNJ can not use this number for manifesting hazardous waste shipments. If MNJ wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, MNJ must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029 (Rev. 11/2002)) to Ohio EPA. This form is available on Ohio EPA's web page at <http://www.epa.state.oh.us/dhwm/notiform.html> or MNJ can call me at (419) 373-3065 or the Division of Hazardous Waste Management, Central Office, RIS at (614) 644-2977 and a copy will be sent through the mail.

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As we 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. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.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 at (419) 373-3065.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign up for this free service. You can find more information at the following web site: www.epa.state.oh.us/dhwm/listserv.html. Please feel free to share this with your colleagues.

Enclosed you will find a copy of the checklists that were completed during the inspection. Should you have any questions, please feel free to call me at (419) 373-3065. 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,



Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

/csl

Enclosures

cc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO Richland County File: Richland County General 2001;

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
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
McConnell, Central Office

2. Site EPA ID No.	EPA ID Number:		
3. Site Name	Name: Mansfield News Journal	Website: (Optional)	
4. Site Location Information	Street Address: 70 West 4 th Street		
	City, Town, or Village: Mansfield	State: OH	
	County Name: Richland	Zip Code: 44903	
5. Site Land Type (check only one)	<input type="checkbox"/> 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		
6. NAICS code(s) www.census.gov/epcd/www/naics.html			
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: Mark	MI:	
	Last Name: Bolyard		
	Phone Number: 419-521-7286	Phone Number Extension:	
	E-Mail Address:		
	Fax Number:	Fax Number Extension:	
	Street or P.O. Box: P.O. Box 25		
	City, Town or Village: Mansfield		
State: Ohio	Country: Richland	Zip Code: 44901	
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	Name of Site's Legal Owner: Gannett Co. Inc.		
	Date Became Owner (mm/dd/yyyy):		
	Owner Type:	<input type="checkbox"/> 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	
	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):		
	Owner Type:	<input type="checkbox"/> 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	
	Street or P.O. Box:		
City, Town or Village:	Operator Phone #:		
State:	Country:	Zip Code:	
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)			
<input type="checkbox"/> Not Regulated	<input type="checkbox"/> Conditionally Exempt Small Quantity Generator		
<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> United States Importer of Hazardous Waste		
<input type="checkbox"/> Large Quantity Generator (LQG)	<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator		
<input type="checkbox"/> Small Quantity Generator (SQG)			
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace		
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Small Quantity On-Site Burner Exemption		
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption		
<input type="checkbox"/> Underground Injection Control Facility			

10B. 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"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. 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.			
12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
13. Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Kara Reynolds		Ed Pulido	5/9/2008 1:50 PM
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)

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Mansfield News Journal Facility Type: LQG SQG CESQG TSD Date of Inspection: 05-09-2008 EPA ID#:

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Maintenance Green Tipped Spent Lamps	Minimal	Disposing in local landfill			Manage as Universal Waste and Recycle
2	Maintenance Non-Green Tipped Spent Lamps	Minimal	Picked Up			Manage as Universal Waste and Recycle
3	Maintenance Used Oil	Minimal	Picked Up			

REMARKS-GENERAL INFORMATION

General Process Information:

See Attached Letter.

Regulatory/Enforcement History (if applicable):

N/A

Additional P2 remarks and information:

I would suggest that the spent bulbs be managed as universal waste. This procedure would not require the waste analysis of each spent bulb type and brand at the facility.

Would this facility be interested in a P2 assessment? Yes* No *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

Other:



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

NOTE: 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.

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
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)] **No used oil was on site during the time of the inspection.** 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)] **No used oil was on site during the time of the inspection.** 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)] **No used oil was on site during the time of the inspection.** Yes No N/A

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
- 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 HEATER

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes No N/A
- 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
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes No N/A

GENERATOR TRANSPORTATION

11. If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] Yes No N/A
- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes No N/A
- b. Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24] Yes No N/A

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).

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

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.

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc