

ORC Section 3734.02 (F) states in part that, "No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated or disposed of . . . except at or to any of the following: (1) A hazardous waste facility operating under a permit in accordance with this chapter . . ."

For ten years prior to sending their waste to Smitty's, Tin Lizzy disposed of the spent waste paint solvent by setting it outside in a five (5) gallon bucket and letting it evaporate. This was considered unpermitted treatment and disposal to the atmosphere.

Tin Lizzy must start collecting their spent waste paint solvent (D001, F003, F005) in a container and evaluate it pursuant to OAC rule 3745-52-11. In addition, Tin Lizzy provided documentation to me on January 26, 2011, stating Chemtron Corporation will be managing their hazardous waste in order to ensure delivery to an off-site hazardous waste storage, treatment, or disposal facility. **Therefore, this violation has been abated.**

Since Tin Lizzy violated ORC §3734.02(E) and (F), Tin Lizzy is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Tin Lizzy begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

Although no further action is being required by Ohio EPA at this time, be advised that due to the nature of the violation Ohio EPA may require closure pursuant to OAC rules 3745-55-11 through 3745-55-20 and OAC rules 3745-55-42 through 3745-55-47 at this site.

**2. Unlawful Transport to an Unpermitted Facility
Ohio Revised Code Section 3734.02 (F)**

ORC Section 3734.02 (F) states in part that, "No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated or disposed of . . . except at or to any of the following: (1) A hazardous waste facility operating under a permit in accordance with this chapter . . ."

For the last three years, Tin Lizzy transported their spent waste paint solvent (D001, F003, F005) to Smitty's in five (5) gallon containers where it was placed in Smitty's distillation unit. Tin Lizzy transported approximately five (5) gallons of spent waste paint solvent to Smitty's every six months. Therefore, the spent waste paint solvent was caused by Tin Lizzy to be unlawfully transported to a site other than a hazardous waste disposal facility.

During the inspection, Ohio EPA instructed Tin Lizzy to immediately stop transporting their spent waste paint solvent to Smitty's and to collect any future spent waste paint solvent in a container and evaluate it pursuant to OAC rule 3745-52-11 for proper disposal.

Tin Lizzy provided documentation on January 26, 2011 that states Chemtron Corporation will be picking up their spent waste paint solvent in the future for proper disposal as a hazardous waste. **Therefore, this violation has been abated.**

3. **Waste Evaluation, OAC Rule 3745-52-11**

Any person who generates a waste must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

3a. Waterborne Gun Cleaner

Tin Lizzy failed to evaluate the spent R & M gun cleaner that was generated from the cleaning of the paint guns.

To properly evaluate the above waste stream Tin Lizzy must do one of two options: 1) Tin Lizzy must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Tin Lizzy must sample the spent R & M gun cleaner to determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) RCRA metals, excluding Mercury, TCLP VOC, and Flashpoint as listed in the Ohio Administrative Code Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846, or 2) Tin Lizzy must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation.

To abate this violation, Tin Lizzy must submit the waste evaluation documentation to me. Your results must document if the waste is hazardous or not, what waste codes apply, and whether it is restricted from land disposal. If it is hazardous, you must explain what treatment, storage, or disposal facility you will send it to. If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

3b. Spent Waste Paint Solvent

Tin Lizzy failed to evaluate the spent waste paint solvent (D001, F003, F005) that was generated from the cleaning of the paint guns (clear coat).

To properly evaluate the above waste stream Tin Lizzy must do one of two options: 1) Tin Lizzy must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration.

Tin Lizzy must sample the spent waste paint solvent to determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) RCRA metals, excluding Mercury, TCLP VOC, and Flashpoint as listed in the Ohio Administrative Code Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846, or 2) Tin Lizzy must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation.

Tin Lizzy hired Chemtron Corporation to evaluate their waste streams. Tin Lizzy provided me a copy of their generator knowledge profile sheet on January 26, 2011, for the spent waste paint solvent (D001, F003, F005). Tin Lizzy is now collecting this waste stream in a 55 gallon drum and will be properly disposing of it through Chemtron Corporation. **Therefore, this violation has been abated.**

3c. Paint Filters

Tin Lizzy failed to evaluate the spent paint booth filters generated from the paint booth.

To properly evaluate the above waste stream, Tin Lizzy must do one of two options: 1) Tin Lizzy must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Tin Lizzy must sample the spent paint booth filters to determine the concentration of Toxicity Characteristic Leaching Procedure (TCLP) RCRA metals, excluding Mercury, and TCLP VOC as listed in the Ohio Administrative Code Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846, or 2) Tin Lizzy must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation.

To abate this violation, Tin Lizzy must submit the waste evaluation documentation to me. Your results must document if the waste is hazardous or not, what waste codes apply, and whether it is restricted from land disposal. If it is hazardous, you must explain what treatment, storage, or disposal facility you will send it to. If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

3d. Fluorescent Bulbs

Tin Lizzy failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility. Tin Lizzy must immediately cease disposing of the fluorescent bulbs as non-hazardous waste until a proper waste evaluation has been completed.

Fluorescent bulbs typically contain mercury and other heavy metals which could make them a hazardous waste. Hazardous waste bulbs 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.

Mr. Tom Wilkinson
February 11, 2011
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Tin Lizzy submitted documentation to me on January 26, 2011, that they will be managing their fluorescent bulbs as universal waste through Chemtron Corporation. **Therefore, this violation has been abated.**

If you find ways to recycle, reduce, or altogether eliminate the amount of waste your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements.

Ohio EPA has helpful information about pollution prevention at the following web address:
<http://www.epa.ohio.gov/ocapp/>.

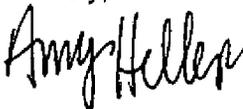
The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. Their website is at: <http://www.development.ohio.gov/cdd/oeef/>.

The division has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage

Enclosed you will find a copy of the checklists that I completed as a result of the inspection. Please address all correspondence to Amy Heller, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402.

Should you have any questions, please feel free to call me at (419) 373-3058. You can find copies of the rules and other information on the division's web page at:
<http://www.epa.ohio.gov/dhwm/>

Sincerely,



Amy Heller
Division of Hazardous Waste Management

/llr

Enclosures

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO File: Seneca County, Tin Lizzy Collision~~
ec: Amy Heller, DHWM, NWDO

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.

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name:		Facility Type: CESQG		Date of Inspection:		EPA ID #:	
Tin Lizzy				1/14/2011, 1/26/2011		OHD0000204347	
<i>Waste Generated</i>				<i>On- or Off-Site Management</i>		<i>P2 Activities</i>	
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 <small>(container, tank, etc) and location of waste accumulation area</small>	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	Spent waterborne paint gun cleaner	D001 (52-11)	1 gallon a year		Chemtron		
2	Spent waste paint solvent	D001 F003 F005	5 gallon every 6 months		Chemtron		
3	Fluorescent Bulbs	52-11	varies		Chemtron		
4	Paint filters	52-11	Generates every 3 to 4 months				
5							

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: OHD0000204347 Name: Tin Lizzy Collision		Website: (Optional)
Site Location Information	Street Address: 4600 W US 224		
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	City, Town, or Village: Tiffin	State: OH	
	County Name: Seneca	Zip Code: 44883	
	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 <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: Tom	MI:	Last Name: Wilkinson
	Title:		
	Phone Number: 419-447-9164		Phone Number Extension:
	E-Mail Address:		
	Fax Number:		
	Fax Number Extension:		
	Street or P.O. Box:		
	City, Town or Village:		
	State:		Zip Code:

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:		Date Became Owner (mm/dd/yyyy):	
	Owner Type:	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 <input type="checkbox"/>	Street or P.O. Box:		
	City, Town or Village:		Owner Phone #:	
	State:		Country:	
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type:	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 <input type="checkbox"/>	Street or P.O. Box:		
	City, Town or Village:		Operator Phone #:	
	State:		Country:	
			Zip Code:	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Large Quantity Generator (LQG)
		<input type="checkbox"/> Small Quantity Generator (SQG)
		<input checked="" 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

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

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 Used Oil
- Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
- Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
- Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D001 F003 F005

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 | |
| Containers | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Amy Heller		01/14/2011 and

Comments:

**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: $\geq 1,000$ 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

4. Does the generator treat hazardous waste in a:
- 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