

Environmental  
Protection Agency

Governor  
Lt. Governor  
Director

December 14, 2011

RE: THE CREST RUBBER COMPANY  
OHD004213740  
COMPLAINT #7478  
PORTAGE COUNTY  
NOTICE OF VIOLATION

David H. Clark  
The Crest Rubber Company  
6408 Newton Falls Road  
Ravenna, OH 44266

Dear Mr. Clark:

On November 21, 2011, Paul Dolensky and I of the Ohio EPA's Division of Materials and Waste Management, conducted a hazardous waste complaint investigation at The Crest Rubber Company (Crest), located at 6408 Newton Falls Road, Ravenna, Ohio. On November 21, 2011, the first day of the investigation, you were not there so April Thomas accompanied us on a walk-through inside and outside of the facility. On Friday December 2, Robert Almquist and I met with you to finish the complaint investigation.

The complaint alleged that employees dump oil onto the ground on a regular basis and that the company is open burning rubber parts on a weekly basis behind the facility. We could not find any evidence of oil being dumped intentionally to the ground. We did note that there is some oil leaking from equipment and that oil dry is being used to soak up the leaking oil. We also noted that there were five, 55-gallon drums containing used oil/water. You told us that there were more drums of used oil/water onsite than usual because two high pressure pumps went bad, causing a large amount of oil to leak.

When we walked outside behind the building we did find an area that appeared to be used for burning rubber parts. Rubber parts could be seen in a wire basket and the ground around the basket was burned and black with soot. It appears that the complaint is valid regarding the open burning of rubber parts.

I have enclosed copies of the checklists and the photographs that were taken. The following violations were noted:

**1. Ohio Administrative Code (OAC) 3745-19-03(A); Open Burning.**

No person or property owner shall cause or allow open burning in a restricted area except as provided in paragraphs (B) to (D) of this rule or in section 3704.11 of the Revised Code

On the first day of the inspection we found an area behind the building where it appeared that Crest was burning rubber parts in a wire basket. We could see pieces of rubber and pieces of metal in the wire basket. On the second day of the investigation we noted that the wire basket had been removed from the burn site and that the burn site had been covered with sand.

The open burning violation has been abated by Crest ceasing to burn rubber parts. Please be advised that Akron Regional Air Quality Management District has been made aware of the open burning violation.

- 2. Ohio Administrative Code (OAC) 3745-52-11; Hazardous Waste Determination. This rule requires that any person who generates a waste must determine if that waste is a hazardous waste.**

Crest has failed to evaluate its spent blasting sand to determine if it is a non-hazardous or hazardous waste for disposal purposes. The material should be tested to determine if there are elevated levels of metals in the spent blasting sand. You will want to have an environmental lab run TCLP metals on a representative sample of the spent blasting sand. If the material is determined to be a hazardous waste, you will not be able to dispose of it in the trash and will have to send it off-site to a permitted hazardous waste facility. To abate this violation, please send the test results to me.

- 3. OAC 3745-273-13(D)(2); Universal waste lamp management standards. Spent lamps must be stored in containers or packages (boxes) that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps.**

At the time of the inspection we noted eleven (11) eight feet long spent fluorescent bulbs and two (2) four feet long spent fluorescent bulbs leaning against the wall where rubber molds are stored.

To abate this violation, please send me a photograph within 30 days of the date of this letter, showing that the lamps have been placed into a container that is closed and labeled with one of the following: "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)."

I have enclosed two fact sheets on fluorescent lamps for you that explain the rules for managing them.

- 4. OAC 3745-279-22(C)(1); Containers and above ground tanks that are used to store used oil must be labeled with the words, "Used Oil".**

55-gallon drums containing used oil and water were not labeled with the words oil as is required by the rule. This violation was abated when you placed a label on each of the drums.

## Concerns

1. Used oil must be transported off-site only by transporters that have obtained a U.S. EPA I.D. number. Please send me a copy of the paperwork that Ravenna Oil gave you after they transported the five, 55-gallon drums of used oil/water off-site.
2. The soil where the burn basket was located should be scraped up and properly disposed. After being scraped off the ground, if the material is non-hazardous it can be placed into your trash dumpster. Please send me a photograph showing that the burned area has been cleaned up.

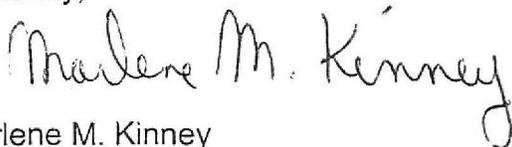
Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) is a non-regulatory program that provides information and resources to help small businesses comply with environmental regulations related to air, land, and water. If you would want to talk to someone from OCAPP, the NEDO contact is Pam Korenewych. She can be reached at (330) 963-1237.

To correct the violations noted during the inspection, please respond to this letter within thirty (30) days of the date on the letter and send me the required information. Failure to list specific deficiencies and or violations in this communication does not relieve Crest from the responsibility of complying with all applicable laws, rules and regulations.

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dmwm.aspx>

Should you have any questions, please feel free to call me at (330) 963-1162 or email me at [marlene.kinney@epa.state.oh.us](mailto:marlene.kinney@epa.state.oh.us)

Sincerely,



Marlene M. Kinney  
Environmental Specialist  
Division of Materials and Waste Management

MMK:ddw  
Enclosure

ec: Jeff Mayhugh, DMWM, CO  
Nyal McKenna, DMWM, NEDO  
Natalie Oryshkewych, DMWM, NEDO  
cc: Akron Regional Air Quality Management District