OhioEPA

State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

CERTIFIED MAIL: 7006 3450 0001 9054 5515

April 25, 2007

ATHENS COUNTY
GEM COATINGS
DHWM/SEDO
OHR000139790

Mr. Kevin Howes
Gem Coatings
5840 Industrial Drive
Athens, Ohio 45701

Dear Mr. Howes:

On April 11, 2007, Melody Stewart and I met with you and Karry Gemmell at Gem Coatings' facility on Industrial Drive, Athens County, Ohio. This meeting was held at your request for the purpose of going over Ohio EPA's Notice of Violation to Gem Coatings dated March 29, 2007. During our meeting, an additional waste evaluation violation was identified while reviewing the manifest for Gem Coatings' April 10, 2007 hazardous waste shipment. The purpose of this letter is to document the violation and to provide you with other information you have requested.

VIOLATION

Ohio EPA identified 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 your receipt of this letter:

(1) ***OAC Rule 3745-52-11, Waste Evaluation:*** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

On April 10, 2007, Gem Coatings manifested 9 drums* of hazardous waste to Veolia ES Technical Solutions as a D001 ignitable waste. Gem Coatings failed to evaluate these drums of hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51. The waste evaluation, as reflected in the waste codes identified on the manifest, failed to include the metals, and volatile organic compounds known to exist in the paint waste.

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CERTIFIED MAIL: 7005 1820 0008 1262 2473

March 29, 2007

ATHENS COUNTY
GEM COATINGS
DHWM/SEDO
NON-NOTIFIER SQG

Karry Gemmell
Gem Coatings
5840 Industrial Drive
Athens, Ohio 45701

Dear Mr. Gemmell:

On February 8, 2007, a multi-media complaint investigation of the Gem Coatings facility on Industrial Drive, Athens County, Ohio was performed by Patrick Hudnall, Division of Surface Water; Dan Canter, Division of Air Pollution Control; and me, Division of Hazardous Waste Management. During the facility walk-through, we were accompanied by Mr. Paul Peterson, plant manager. Following the walk-through, we met with you and Mr. Peterson in your conference room to discuss our observations and findings.

On February 15, 2007, Ohio EPA returned to the facility and conducted a full hazardous waste generator inspection during which time we collected samples of some of Gem's waste. Assisting me in the inspection were Division of Hazardous Waste Management inspectors, Melody Stewart and John Rochotte. You accompanied us during the inspection and Mr. Peterson was present when we collected waste samples.

Both the complaint investigation and inspection were conducted to determine Gem Coatings' 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). This letter will explain the complaint that was made, its validity, and the hazardous waste violations found, what you need to do to correct the violations, other general concerns identified during the inspection, and suggestions on ways to reduce the amount of hazardous waste you generate.

Ohio EPA received a complaint about operations at Gem Coatings alleging that sandblasting was being done outside, liquid waste in the diked area of Line 2 was being pumped by a sump-pump into a floor drain, and that paint waste was being burned in the facility's burn-off oven. Our observations on February 8, 2007 confirmed that uncontrolled sandblasting was being done outside and paint waste was being burned in the facility's burn-off oven. A sump pump was seen in the diked area of Line 2 and staining consistent with the chemicals used in phosphatizing was observed leading from the diked area to a floor drain.

VIOLATIONS

I found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following and send me the required information **within 30 days** of your receipt of this letter:

(1) ***Ohio Revised Code §3734.02(E) and (F), Prohibitions:*** (E) No person shall establish or operate a hazardous waste facility, or use a solid waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit issued in accordance with section 3734.05 of the Ohio Revised Code.

(F) No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and the rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of.

Gem was found to be illegally disposing of hazardous paint waste by burning it in their burn-off oven, putting it in a dumpster that goes to a solid waste landfill, and evaporating it to the air.

Gem Coatings has a burn-off oven designed to burn off the powder coat build up on the racks and jigs used on the powder coating lines. Mr. Peterson stated paint waste is poured around the inside edges of the oven to burn it up when the oven is used. On both February 8 and 15, 2007, you also stated that paint waste is burned in the oven or evaporated. During the complaint investigation, I observed a pallet staged next to the oven with five, 5-gallon pails and was told by Mr. Peterson the pails contained paint waste which included MEK and lacquer thinner. On February 15, 2007, we looked in Gem's dumpster and saw 5-gallon metal paint containers that were charred and contained material that was blackened and solidified. You told us these were containers of paint waste that had been burned.

On both February 8 and 15, 2007, there were numerous open 5-gallon pails of paint waste throughout the facility. The two largest concentrations of containers of waste were, in the paint mix area located next to paint line 2 and on a two tiered storage rack located next to the overhead door across from the burn off oven. Mr. Peterson stated on February 8, 2007, Gem leaves the lids off the containers so that the waste can evaporate leaving dry solids which are then thrown into the trash. Gem's trash is disposed in a dumpster that is serviced by Trace Sanitation. The dumpster contents are disposed in a solid waste landfill.

On February 15, 2007, we collected two samples of Gem's of paint waste. Analysis of these samples, designated GC-2 and GC-3, showed that Gem's paint waste contained 1,2,-dichloroethane, methyl ethyl ketone, acetone, ethylbenzene, 4-methyle1-2-pentanone, toluene, and xylene at levels sufficient to make it a hazardous waste. Based on the analysis results, following hazardous waste codes apply: D028, D035, F003, and F005. The complete lab analysis report is included on disc as an attachment to this letter.

Gem Coatings does not have a permit to treat or dispose of hazardous waste on-site; therefore, Gem's burning, evaporation, and throwing of paint wastes and solids in a dumpster has caused Gem's facility to become an unpermitted hazardous waste facility.

Ohio EPA considers these violations to be very serious in nature. Abatement of these violations will require your facility to take several measures to demonstrate a return to compliance. Gem Coatings must immediately close all containers of hazardous waste at the facility. Gem Coatings must then arrange to have all paint waste evaluated and if hazardous, manifested off site. Gem must submit copies, to this office, of all manifests and land disposal restriction forms (if applicable) associated with the off-site shipment of these wastes. Finally, Gem Coatings must demonstrate abatement of items (2) through (14) below.

(2) ***OAC Rule 3745-52-11, Waste Evaluation:*** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

Gem Coatings has failed to determine if the wastes generated at the facility are hazardous wastes. At the time of Ohio EPA's February 8 and 15, 2007, visits to your facility, Gem generated paint waste that was being stored in numerous 5–gallon pails throughout the facility. The two largest concentrations of containers of waste were in the paint mix area located next to paint line 2 and on a two tiered storage rack located next to the overhead door across from the burn off oven. I also observed two 55-gallon drums in the paint mix area. One of the drums was full and the other was ¼ full.

Gem also had two parts washers at the facility. Gem Coatings has not evaluated the solvent waste from the parts washers. Mr. Peterson stated that the parts washer in the welding room contained kerosene or diesel fuel, which would be burned in a salamander heater if they wanted to get rid of it. The parts washer in the fabrications area had a sticker on it for GrayMills agitnene solvent. Mr. Peterson was unsure of whether the solvent in that parts washer was agintnene or not. He stated that once the solvent was no longer cleaning effectively, they would evaporate it and put any remaining solids in the trash.

Gem Coatings must immediately evaluate all paint wastes and spent parts washer solvent, to determine if the waste is a listed and/or characteristic hazardous waste and submit documentation of the evaluations to this office for review. In your documentation: clearly indicate the makeup of each waste stream (i.e., name of paint and solvent products in the waste); the hazardous waste codes found in OAC Rule 3745-51 that apply to the waste stream; and, the information used to make the determination (i.e., specific process knowledge, MSDS, or analytical data). Your waste evaluations must consider all colors, types, and brands of paint and solvent used at the Gem facility. During our discussion with you indicated that in several cases some products in your MSDS records were not currently being used by Gem. If waste remains on-site from any products not currently being used by Gem these wastes must also be included in your waste evaluation.

During our February 15, 2007 inspection, we were unable to clarify the names of the products you are currently using and those that have been discontinued for painting, phosphatizing, solvent, the citrus based degreaser used in the hand sprayers, and parts washer solvents. In order for us to provide you with an accurate review your waste evaluations, please provide a list of all product names, indicating whether they are currently in use or discontinued; and the manufacturer name, address and phone number.

(3) ***OAC Rule 3745-52-12 (A) and (B), Generator Identification Numbers:*** (A) A generator must not treat, store, dispose of, transport, or offer for transportation hazardous waste without having received a U.S. EPA identification number from U.S.EPA or Ohio EPA.

(B) A generator who has not received a U.S. EPA identification number must obtain one by applying to Ohio EPA using Ohio EPA form 9029. This form may be obtained from Ohio EPA. Upon receiving the request, Ohio EPA will assign a U.S. EPA identification number to the generator.

Gem has been treating, storing and disposing of hazardous waste without having obtained a generator identification number.

In order to return to compliance with this rule, Gem Coatings must apply for and receive a generator identification number. Enclosed with this letter is Ohio EPA form 9029 and the instructions for completing the form. The completed form must be mailed to the Ohio EPA address on the form. To demonstrate your compliance with this rule, please make a photo copy of the completed form and mail it to this office.

(4) ***OAC Rule 3745-52-34(D)(5)(b), Accumulation Time of Hazardous Waste:*** Small quantity generators accumulating hazardous waste must post the following information next to the telephone:

(i) Name and number of the emergency coordinator;
(ii) Location of fire extinguishers and spill control material, and, if present, fire alarm(s); and
(iii) The telephone number of the local fire department, unless the facility has a direct alarm.

At the time of the inspection, Gem Coatings did not have emergency information posted next to their telephone.

Gem Coatings must post the information listed above, next to the telephone. Please document your compliance with this rule by sending me a photograph that shows that this information has been posted by the telephone.

(5) ***OAC Rule 3745-52-34(D)(5)(c), Accumulation Time of Hazardous Waste:*** Small quantity generators accumulating hazardous waste must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

Based on the conditions at the facility, it was evident that employees were not familiar with proper hazardous waste handling procedures. As discussed in the above violations, I observed numerous open containers of paint waste. The open containers created spill hazards. Hazardous waste was stored in an unorganized and generally sloppy manner. Hazardous waste containers were not labeled "Hazardous Waste" or with the waste's accumulation start date. Hazardous waste was being illegally disposed of by evaporation, burning, and placement in a solid waste dumpster.

In order to return to compliance with this rule, Gem Coatings must take action to see that all employees who come into contact with hazardous waste are familiar with proper waste handling procedures. To demonstrate compliance with this rule, provide a written response detailing how you have met this requirement and the date on which employees were made familiar with proper waste handling procedures.

(6) ***OAC Rule 3745-65-31, Design and Operation of Facility:*** Facilities shall be maintained and operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Waste was not being stored in a manner that would minimize the possibility of a release. Containers of paint waste were not covered and were stored in areas where they could be knocked over and spilled. Additionally, the uncovered containers were releasing constituents to the air.

To comply with this rule, Gem Coatings must take immediate action to close all containers of hazardous waste. Additionally, Gem Coatings must improve their operational practices by organizing their hazardous waste storage. Please provide a written response detailing the operational changes made to comply with this rule. Gem will return to compliance when they return to compliance with all related violations.

(7) ***OAC Rule 3745-65-32(B) and(C), Required Equipment:*** Facilities shall be equipped with the following, unless none of the hazardous posed by waste handled at the facility could require a particular kind of equipment specified below:

(B) A device such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or local or Ohio EPA emergency response teams; and

(C) Portable fire extinguishers, fire control equipment (including but not limited to, special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.

Gem Coatings did not have a communication device or fire and spill control equipment in the areas where paint waste was being stored.

In order to return to compliance with this rule, Gem Coatings must have a communication device, and fire and spill control equipment available in the immediate area of all locations where hazardous waste is managed at the facility. Demonstrate your compliance with these rule requirements by providing a photograph of each hazardous waste storage area which shows that required equipment is available in the immediate area.

(8) ***OAC Rule 3745-65-33, Testing and Maintenance of Equipment:*** All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.

As discussed in the description of violation number 7 above, at the time of the inspection, Gem Coatings did not have the required emergency equipment, therefore, emergency equipment inspections were not being done or recorded in a log.

In order to return to compliance with this rule, Gem Coatings must acquire the necessary emergency control equipment and begin conducting and logging equipment inspections. For your assistance, I have enclosed an example inspection log form. You should make your own inspection log specific to your facility. To demonstrate your compliance with this rule, send me a copy the emergency equipment inspection log Gem Coatings will use and describe how and when emergency equipment will be inspected to meet the requirements of the rule.

(9) ***OAC Rule 3745-65-34(A), Access to Communications or Alarm System:*** Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation shall have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee.

Gem Coatings has not made provisions for employees working with hazardous waste to access an alarm or emergency communication device.

In order to return to compliance with this rule, Gem Coatings must provide a communication device or internal alarm in the immediate area of all locations where hazardous waste is managed at the facility. Demonstrate your compliance with this rule requirement by providing a description of how this requirement is being met and a photograph of the hazardous waste storage areas which shows that required equipment is available in the immediate area.

(10) ***OAC Rule 3745-65-35, Required Aisle Space:*** A facility shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.

Gem Coatings does not maintain adequate aisle space within the facility to allow for unobstructed movement of emergency or spill control equipment in the event of a leak or spill.

To return to compliance with this rule, Gem Coatings must ensure that the facility is arranged to allow adequate aisle space for the access of emergency and/or spill control equipment. Gem Coatings must submit documentation to this office describing what steps the facility will take in order to maintain adequate aisle space.

(11) ***OAC Rule 3745-65-37 (A), Arrangements with Local Authorities:*** A facility must attempt to make arrangements to familiarize police, fire departments, and local and Ohio EPA response teams with the layout of the facility, properties of hazardous wastes handled at the facility, places where facility personnel would normally be working, entrances to roads inside the facility, and facility evacuation routes. The owner/operator must attempt to make arrangements with emergency contractors and equipment suppliers, and arrangements to familiarize local hospitals with the properties of hazardous wastes handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases of hazardous waste/hazardous waste constituents at the facility.

Gem Coatings has not familiarized emergency authorities with possible hazards at their facility or made arrangements with emergency authorities that may be requested to provide emergency services, as required.

To return to compliance, Gem Coatings must make arrangements with emergency authorities as detailed in OAC Rule 3745-65-53(A). Gem Coatings must submit documentation to this office to demonstrate that the facility has attempted to make such arrangements. Please note that should a local authority decline to enter into such agreement or arrangement, your facility must document the refusal and maintain it in your records.

(12) ***OAC Rule 3745-52-34(D)(4), Accumulation Time of Hazardous Wastes:*** Small Quantity Generators accumulating hazardous waste on-site must comply with OAC Rule 3745-52-34(A)(2) and (3) requirements which are:

(A)(2) The date upon the period of accumulation begins is clearly marked on each container and visible for inspection.

(A)(3) While being accumulated on-site, each container is labeled or clearly marked with the words "Hazardous Waste".

Gem Coatings had two 55-gallon drums of paint waste in the paint mix area and numerous 5-gallon pails of paint waste throughout the facility. None of the containers storing hazardous waste were labeled with an accumulation start date or the words "Hazardous Waste".

In order to return to compliance with this rule, Gem Coatings must immediately mark all containers of hazardous waste with the date hazardous waste was first placed in the container (accumulation start date) and must label all containers containing hazardous waste with the words "Hazardous Waste". The dates and labels on the containers must be visible for inspection. To demonstrate a return to compliance, Gem Coatings must submit a photograph(s) of the area(s) where hazardous waste is stored, showing that the containers are properly dated and labeled.

(13) ***OAC Rule 3745-66-73(A), Management of Containers:*** A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

Gem Coatings was storing their hazardous paint waste in the paint mix area in a 55-gallon drum with an open bung. Throughout the facility, hazardous paint waste was stored in numerous 5-gallon pails without any lids.

To return to compliance with this rule, Gem Coatings must immediately close all hazardous waste containers and keep them closed unless waste is being added to or removed from the container. Submit a photograph(s) of the area(s) where hazardous waste is stored, showing that the containers are closed, to document your compliance.

(14) ***OAC Rule 3745-66-74, Inspections:*** Areas where containers are stored must be inspected, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The inspections must be recorded in a log or summary.

Gem Coatings was not conducting, weekly inspections of the areas where hazardous waste is stored or recording the inspections in a log.

Gem Coatings must begin conducting and logging weekly inspections for each area in the plant where hazardous wastes are stored. Once you have completed two consecutive weeks of these inspections, send me copies of your log records to demonstrate compliance. For your assistance, I have enclosed example log forms with this letter. You should make your own inspection logs specific to each area of your facility. Please note that Per ORC§1.44(A), "Week" means seven (7) consecutive days.

GENERAL COMMENTS

(a) Since Gem Coatings violated ORC §3734.02(E) and (F), Gem Coatings is subject to all the applicable general facility standards found in OAC chapters 3745-54 and 55. Please be advised that due to the nature of the violations, 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. Additionally, at any time, Ohio EPA may assert its right to have your facility begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

(b) Please be advised that due to the serious nature of these violations, Gem Coatings' violations will be referred to our Central Office Enforcement Section to be considered for possible enforcement action.

(c) Gem has a significant number of hazardous waste violations. To improve your familiarity with hazardous waste regulations, I recommend you read a document on Ohio EPA's web site titled *Hazardous Waste Generator Handbook.* This document can be accessed at: http://www.epa.state.oh.us/dhwm/pdf/gen_handbook.pdf. You may find it helpful. Please feel free to contact me any questions you might have about applying the regulations to Gem's operations.

(d) Since solvent in Gem Coatings" paint waste is one of the facility's larger waste streams, Gem Coatings may want to consider getting a solvent still. This could cut down on the amount of waste you generate and the amount of product you must purchase, thereby reducing your operating costs. I have enclosed a fact sheet about solvent stills and list of solvent recycling vendors for your consideration. Please note that if a listed hazardous waste is distilled, any still bottoms generated would continue to be a listed hazardous waste requiring disposal at a licensed treatment, storage, and disposal facility.

(e) Gem Coatings has been conducting sandblasting out in the open air, behind the facility. Ohio EPA collected a sample of the sandblasting waste and analyzed it for metals content. The sample results showed low levels of silver and barium, below characteristic hazardous waste levels. However, Gem will need to continually evaluate whether their sandblast waste is hazardous because Gem generates the waste from varying sources, which means that the levels of constituents of concern in the sandblast waste stream will be variable. The complete lab analysis report is included on disc as an attachment to this letter. The sandblast sample was designated as sample GC-4.

An accumulation of spent sandblast media was observed on the ground in the blasting area as well as in areas around the building's foundation, where it was reported to be used for filling in a low area. On February 8, 2007, you also stated that you had been using sandblast media to raise the level of your parking lot area – a requirement of your building lease. Waste sandblast media cannot be used for fill or disposed of on the ground. Under Ohio regulations, it is a solid waste and must be disposed of at a licensed solid waste facility. Your present management of this material constitutes open dumping of a solid waste, which is illegal and must be immediately ceased. Ohio EPA's Division of Solid and Infectious Waste will contact you to follow up on this matter.

(f) Gem Coatings uses "paint pocket filters" in their paint operations. Ohio EPA collected a sample of a waste filter found in the dumpster and analyzed it for metals content. The sample results showed low levels of silver and barium, below characteristic hazardous waste levels. Any time Gem makes changes in their painting process that generates the waste filters (such as a change in the paint products used), Gem will need to re-evaluate whether this waste stream is a hazardous waste. The complete lab analysis report is included on disc as an attachment to this letter. The filter sample was designated as sample GC-1.

(g) Gem Coatings uses fluorescent bulbs for lighting in their facility. At the time of the inspection, there were no spent fluorescent bulbs on-site. The mercury content in fluorescent bulbs can make them a hazardous waste, as described in the enclosed fact sheet titled *Fluorescent Lamps: What You Should Know*. Please note that any spent fluorescent bulbs generated in the future must be either be recycled or evaluated to determine if they are a hazardous waste and then disposed accordingly.

(h) During the inspection, you stated that when Gem Coatings generates any used oil, you take it to the Quick Change business on Columbus Road in Athens. Businesses that generate used oil may only take their used oil for disposal at used oil collection facilities that are registered with Ohio EPA to collect used oil from other businesses. The Quick Change facility is not a registered collection center. Gem Coatings may not legally dispose of their used oil at this business. To provide you with more information about

used oil regulations, I have enclosed the following information: a fact sheet titled *The Regulation of Used Oil*, a list of used oil recyclers, and a list of registered collection centers. Refer to page three of the fact sheet for details on acceptable disposal and recycling of used oil.

Enclosed, you will find a copy of the checklist completed during the inspection. Should you have any questions, please feel free to call me at (740) 380-5248. You can find copies of the rules and other information on the division's web page at http://www.epa.state.oh.us/dhwm. Ohio EPA also has helpful information about pollution prevention at the following web address: http://www.epa.state.oh.us/opp.

Sincerely,

Elizabeth A. Herron

Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EH/mlm

Enclosures

cc: without enclosures
Patrick Hudnall, SEDO-DSW
Dan Canter, SEDO-DAPC
Joe Holland, SEDO-DSIWM
Mike Cooper, Athens Health Department

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

Site EPA ID No.	EPA ID Number: non-notifier							
Site Name	Name: Gem Coatings				Website: (Optional)			
Site Location Information	Street Address: 5840 Industrial Drive							
	City, Town, or Village: Athens				State: OH			
	County Name: Athens				Zip Code: 45701			
Site Land Type (check only one)	Private ☐	County ☒	District ☐	Federal ☐	Indian ☐	Municipal ☐	State ☐	Other ☐
NAICS code(s) www.census.gov/epcd/www/naics.html								
Facility Representative	First Name: Karry			MI:	Last Name: Gemmell			
	Phone Number: 740 589 2998				Phone Number Extension:			
Additional names can be recorded in number 12	E-Mail Address: gemcoatings@frognet.net							
	Fax Number: 740 589 5987				Fax Number Extension:			
Only provide address information if it is different than the site address	Street or P.O. Box:							
	City, Town or Village:							
	State:			Country:		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 ☐	County ☐	District ☐	Federal ☐	Indian ☐	Municipal ☐	State ☐	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:	Private ☐	County ☐	District ☐	Federal ☐	Indian ☐	Municipal ☐	State ☐	Other ☐
	Street or P.O. Box:							
	City, Town or Village:				Operator Phone #:			
	State:				Country:		Zip Code:	
Violations Cited?	☒ Yes ☐ No							

Type of Generator

☐ Not Regulated	☐ Conditionally Exempt Small Quantity Generator
☐ UNKNOWN: Cited for violation of 3745-52-11	☐ United States Importer of Hazardous Waste
☐ Large Quantity Generator (LQG)	☐ Mixed Waste (Hazardous and Radioactive) Generator
☒ Small Quantity Generator (SQG)	

Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)

☐ Recycler of Hazardous Waste	☐ Exempt Boiler and/or Industrial Furnace
☐ Underground Injection Control Facility	☐ Small Quantity On-Site Burner Exemption
☐ Hazardous Waste Transporter	☐ Smelting, Melting, Refining Furnace Exemption
☒ Treater, Storer or Disposer of Hazardous Waste	

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply)	
☐ **Small Quantity Handler of Universal Waste**	☐ **Large Quantity Handler of Universal Waste** (accumulates 5,000 kg. or more)
☐ **Destination Facility for Universal Waste**	

(Check all boxes below that apply for each of the three types of facilities above)			Used Oil Activities (Indicate Type(s) of Activity(ies)	
	Generated	**Accumulated**	☐ **Used Oil Generator**	☐ **Off-Specification Used Oil Burner**
Batteries	☐	☐	☐ **Used Oil Transporter**	☐ **Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil**
Pesticides	☐	☐	☐ **Used Oil Transfer Facility**	☐ **Used Oil Fuel Marketer to Off-Specification Used Oil Burner**
Thermostats	☐	☐	☐ **Used Oil Processor**	
Lamps	☐	☐	☐ **Used Oil Re-refiner**	

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your 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.

Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

Announced	☐ **Yes**	☒ **No**	**Additional Facility Representatives:**	**Paul Peterson**
Tanks	☐ **Yes**	☒ **No**	**Other Comments:**	
Containers	☒ **Yes**	☐ **No**		

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Elizabeth Herron	**John Rochotte, Melody Stewart**	**2/15/2007**

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)

GENERAL FACILITY INFORMATION

Process Information and Waste Summary:

Gem Coatings does powder coating and painting for a variety of industrial and commercial products. They operate as a job shop for customers who supply the item to be coated or painted. The facility has 2 paint lines. Line 1 is used only for powder coating. Line 2 is set up for powder coating or painting.

Gem Coatings also does some fabrication work. They are able to cut, form, weld, assemble/fit, sandblast and polish. They offer refurbishing service for truck beds, containers or bins. This work can involve sandblasting, fabricating, and painting or coating.

Gem Coatings employs approximately 20 people. They have been operating in their current location for a year and a half.

Powder Coating
Most of Gem's powder coating jobs require surface preparation. Surfaces may be prepped by the following methods: sandblasting; e-coating with an epoxy; or a "phosphatizing" sequence of 5% alkaline, rinse, 3% iron phosphate (phosphoric acid), rinse, and sealer.

Phosphatizing surface prep done in the Line 1 area is done by hand using garden type sprayers over the top of a metal grating. A citrus based degreaser is also used in this area. On Line 2 phosphatizing is done using a series of tanks within a curb diked area.

Once parts have been powder coated they are sent to a curing oven. The curing oven operates at 350 °F to 400 °F. Parts are cured in the oven anywhere from 8 minutes to 1 hour.

Line 1 powder coating booth has 12 cylindrical filters. These filters are never changed. Periodically they blow air through them to clean them. Powder coat overspray is swept up and put in boxes which are thrown away in the trash.

Painting
Line 2 has two booths for liquid painting. Much of the painting is of military Humvee parts using a CARC primer and top coat. "Paint Pocket" filters are used in the paint area to catch over spray. When spent, the filters are dried for seven days and then thrown out in the trash dumpster.

Paint guns are cleaned using MEK, MAK, and/or Crossfire lacquer thinner. Gem does have a gun cleaning unit but it was not in working condition. Gem has mostly used MEK , only in the last month and a half have they used MAK. Gem still has MEK in the facility. Karry Gemmell, Gem Coatings President, stated that they have been using the MEK and MAK once and then throwing it away. In the last week they have been pouring the used MAK through a paper paint filter and putting the MAK in a drum from reuse. The paper filters are thrown in the trash.

It was reported that Gem first used Henson paints but they had problems with the paint and switched to Sherwin Williams.

During the complaint investigation, Karry Gemmell estimated that they generate 10 or 20 gallons of paint waste a week. The paint waste includes the solvents used for gun cleaning, waste paint, paint from line cleanouts, and unwanted colors or products that are no longer used. Paint waste has been either burned in the burn-off oven or evaporated.

At the time of the complaint investigation there were two 55-gallon drums of waste in the paint mix area. One drum was full and the other was ¼ full. There were also numerous open ~ 5-gallon sized containers of paint waste, as documented in pictures taken during the site visit.

Welding Room
The "Welding Room" at the facility has a cabinet sandblasting unit, a small scale curing oven, and a small ~ 2 gallon parts washer. Paul Peterson, Plant Manager, reported that kerosene or diesel fuel is used in the parts washer. Spent fluid from the parts washer is burned in a salamander heater. Used sandblasting media is put in the trash. The blasting media used by Gem is black beauty. The quantity of spent sandblast and parts washer solvent generated is unknown.

Burn-Off Oven
Gem has a burn off oven that is used for burning accumalted powder coating off of racks and jigs used to hold the parts that are being coated. The oven operates at 1,200 °F. Paul Peterson reported that paint waste that is not evaporated is burned up in the oven. He reported that the paint waste is poured around the outside edges of the oven. Karry Gemmell also affirmed that they had been disposing of their paint waste by burning it in the oven or evaporating it and throwing solids in the dumpster. Metal buckets containing paint waste are also burned off with the buckets containging residue thrown into the facility's dumpster. Gem disposes of the ash from the burn-off oven in the trash dumpster.

Fabrications
A parts washer in the fabrications area contained solvent. Paul Peterson was not sure what type of solvent it was. A sticker on the unit said it was a GrayMills agitene solvent. He said if they needed to dispose of it they would evaporate it and put the sludge in the trash. Quantity generated is unknown.

Used Oil
According to Karry Gemmell, Gem Coatings disposes of their used oil by taking it to the Columbus Road Quick Change in Athens. Quantity generated is unknown.

Sandblasting
As mentioned above sandblasting is used for surface preparation. Gem has two cabinet sized sandblasting units inside the facility. It was reported that spent media from the indoor units is put in the trash. Sandblasting is also done outside, behind the building without any emissions containment. Paul Peterson stated that spent media is being used to fill in low areas around the building foundation. Karry Gemmell said that spent blast media was also being used to raise the level of the parking lot, a requirement of their lease. Spent media was observed going into a storm drain and in piles on the ground.

Regulatory/Enforcement History:

Gem Coatings has not been previously inspected by the Division of Hazardous Waste.

Pollution Prevention Remarks and/or Other Information:

Would this facility be interested in a P2 assessment? ☒Yes ☐No ☐NA

REMARKS

SMALL QUANTITY GENERATOR (SQG) REQUIREMENTS

CESQG: < 100 Kg. (approximately 25-30 gallons) of waste in a calendar month
SQG: Between 100 and 1,000 Kg. (about 25 to under 300 gallons) of waste in a calendar month
LQG: >1,000 Kg. (-300 gallons) of waste in a calendar month or > 1 Kg. of acutely hazardous waste in a calendar month

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] ☐Yes ☒**No** ☐NA

   Gem has not evaluated any of their wastes; including paint waste, parts washer solvent, powder coating waste, and spent sandblast media.

2. Has the generator obtained a U.S. EPA I.D. number? [3745-52-12] ☐Yes ☒**No** ☐NA

   Gem does not have a US EPA ID number.

3. Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)] ☒**Yes** ☐No ☐NA

   Gem has disposed of hazardous waste burned in their burn off oven with a solid waste transporter (Trace Sanitation) who takes the waste to a solid waste landfill.

4. Has the generator disposed of hazardous waste **on-site without a permit** or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)] ☒**Yes** ☐No ☐NA

   Gem has disposed of paint waste on-site by burning it in their burn off oven, by placing burned paint waste solids in a solid waste dumpster, and by evaporation.

5 Does the generator accumulate hazardous waste? ☒Yes ☐No ☐NA

NOTE: If the SQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements might still apply, e.g. manifest, marking, LDR, etc.

6. Has the generator accumulated hazardous wastes **in excess of (180/270) days** without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)] ☐**Yes** ☐No ☐NA

   This is still under evaluation.

NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

7. Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)] ☐**Yes** ☐No ☐NA

   This is still under evaluation.

NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

8. Does the generator treat hazardous waste in a:

   a. Container that meets 3745-66-70 to 3745-66-77? ☐Yes ☐**No** ☒NA

   b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C) and ☐Yes ☐**No** ☒NA

   c. Drip pad that meets 3745-69-40 to 3745-69-45? ☐Yes ☐**No** ☒NA

   d. Containment building that meets 3745-256-100 to 3745-256-102? ☐Yes ☐**No** ☒NA

MANIFEST REQUIREMENTS

9. Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)] ☐Yes ☒No ☐NA

   No waste has been manifested off-site.

10. Are wastes reclaimed under a contractual agreement? If so: [3745-52-20(E)] ☐Yes ☒No ☐NA

    a. Does the contractual agreement specify the type of waste and frequency of shipment? ☐Yes ☐**No** ☒NA

    b. Is the transport vehicle owned and operated by the reclaimer? ☐Yes ☐**No** ☒NA

    c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement? ☐Yes ☐**No** ☒NA

NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.

11. Have items 1 through 20 of each manifest been completed? [3745-52-20(A)] ☐Yes ☐**No** ☒NA

    No waste has been manifested off-site.

NOTE: *U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations, items (21) through (35) must also be complete. [3745-52-20 (A)]*

12. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] ☐Yes ☐**No** ☒NA

NOTE: The generator may designate on the manifest one alternative facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]

13. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] ☐Yes ☐**No** ☒NA

14. Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)] ☐Yes ☐**No** ☒NA

NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.

15. If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? 3745-52-42(B)] ☐Yes ☐**No** ☒NA

16. Are signed copies of all manifests being retained for at least three years? [3745-52-40] ☐Yes ☐**No** ☒NA

NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.