



**Environmental
Protection Agency**

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

January 6, 2012

**WASHINGTON COUNTY
SPECIALTY FABRICATIONS
DMWM/SEDO
NON NOTIFIER**

Mr. Gary Lang
Specialty Fabrications
19371 State Route 60
Beverly, Ohio 45715

Dear Mr. Lang:

On December 23, 2011, I conducted a complaint investigation at Specialty Fabrications ("SF") located on Route 7 in Reno, Ohio in response to a complaint received by this office. The complaint alleged that spent paint thinner was being disposed of by spraying it onto a wall where it then ran onto the ground in an area where no concrete floor existed in the fabrication building. During my investigation on December 23, 2011 and a followup investigation on December 27, 2011, I observed evidence of illegal disposal of paint and spent paint thinner. Based on staining observed, spent paint/paint thinner was disposed of in a joint in the floor where two building were joined into one structure. In addition, spent paint/paint thinner was also disposed of in a storm sewer located across the parking lot, near the building. Also, painting occurred on the ground, as evidenced by paint overspray on the ground near the side and front of the building. As a result, SF is in violation of the following Ohio hazardous waste laws. In order to correct these violations, you must do the following and send me the required information ***within 21 days*** of the date of this letter:

- (1) **Hazardous waste determination, OAC rule 3745-52-11:** 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 using the following method: (A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code. (B) He must then determine if the waste is listed as a hazardous waste in rules. (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

SF failed to evaluate the following wastes:

- a) Waste paint/spent solvents generated from painting operations and disposed of on the ground in a crack between two adjoining buildings. SF used Sherwin Williams "Xylene R2K4" paint thinner, which when spent, is an F003 hazardous waste. SF must now sample contaminated soils or any other contaminated debris in this crack to for TCLP volatiles and total volatiles to determine if they are a hazardous waste. To document compliance with this rule, provide photographs showing the sample collection and all documentation generated, including the analytical results and chain of custody forms for these samples. If you need additional information regarding sampling, you can contact me and/or an environmental services or testing company.
- b) Waste paint/spent solvents generated by painting operations and disposed of in what appeared to be a mesh grate-covered storm sewer next to the fabrication building. SF must determine what exactly this drainage structure is and where it leads to. Also, SF must now sample contaminated soils around this storm sewer for TCLP volatiles and total volatiles to determine if contaminated soils and water are a hazardous waste, and document compliance as described in (a) above.
- c) Red paint overspray which was observed on the ground outside the building where painting had occurred. All paint-contaminated soils must be excavated, containerized, sampled and documented as described in (a) above.
- d) Two drums of unknown contents which were observed stored next to the building. During the investigation on December 23, 2011, a third drum stored next to these was opened, and we determined that it contained unused, product oil, however, SF was unable to open the other two drums. SF must evaluate the contents of the two previously unopened drums using either process knowledge or analytical testing of the wastes per OAC rule 3745-52-11. To document compliance with this rule, please submit analytical results or a description of process knowledge for the contents of these two drums.

GENERAL COMMENTS

- (a) A burn pile which contained the remains of burned pallets and other wood waste was observed next to the building. Please note that Ohio law prohibits the open burning of commercially generated wood waste. A link to Ohio's open burning regulations pamphlet is as follows: <http://epa.ohio.gov/portals/47/facts/openburn.pdf>.

Wood pallets can be recycled; a link to a list of pallet recyclers is as follows: <http://epawebapps.epa.state.oh.us/Recyclers/jsp/results.jsp?category=22>

All solid waste generated by your company must either be recycled to a legitimate recycler or disposed of at a licensed solid waste landfill.

SF must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 21 days of the date of this letter, SF is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to donna.goodman@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, SF is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please contact me by telephone at (740) 380-5293 or by e-mail at donna.goodman@epa.state.oh.us.

Sincerely,



Donna Goodman
Inspector
Division of Materials and Waste Management

DG/dh

cc: Cynthia Yandrich, DSW, SEDO

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.

Send to Central Office <input checked="" 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 brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number:	
Site Name	Name: Specialty Fabrications	Website: (Optional)
Site Location Information	Street Address: 6450 Route 7	
	City, Town, or Village: Reno	State: OH
Site Land Type (check only one)	County Name: Washington	
NAICS code(s) www.census.gov/epcd/www/naics.html	Private <input checked="" 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"/>	Zip Code: 45750
	332420	

Facility Representative	First Name: Bob	MI:	Last Name: Miller
Additional names can be recorded in number 12	Title: Manager		
Only provide address information if it is different than the site address	Phone Number:		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: Marietta Silo, LLC		Date Became Owner (mm/dd/yyyy):	
	Owner Type: Private <input checked="" 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:	Zip Code:	
	Name of Site's Operator: Gary Lang		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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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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
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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.

F003

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:
 Tanks Yes No
 Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time
Donna Goodman	Scott Bergreen	(mm/dd/yyyy) (hh:mm) 12/23/11 12:00 PM

Comments:
 Illegal disposal of paint wastes in storm sewer.