



**Environmental
Protection Agency**

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

Re: **Anderson & Vreeland Inc.**
OHD017556853
Williams County
DMWM, NWDO
Partial Return to Compliance

December 15, 2011

Mr. Rick Hubert
Anderson & Vreeland Inc.
P. O. Box 527
Bryan, Ohio 43506

Dear Mr. Hubert:

Thank you for sending the documentation in response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated September 8, 2011. The documentation was received by Ohio EPA on October 10, 2011 via email, and a copy was received on October 12, 2011, via the United States Postal Service. The documentation submitted by Anderson & Vreeland Inc. (A&V) includes a cover letter, analytical results, material safety data sheets (MSDSs), and photographs. I also had a phone conversation with you on November 29, 2011, which addressed one of the violations.

The following is a summary of the violations observed during the July 26, 2011, compliance evaluation inspection and the facility's compliance with respect to each violation. In an attempt to streamline this letter, details concerning previously abated violations or general concerns which have been addressed in previous correspondence have been omitted. **Please submit the required information within 30 days of receipt of this letter.**

Violations:

1. **Ohio Revised Code (ORC) Section 3734.02(E)&(F), Unpermitted Hazardous Waste Treatment, Storage & Disposal:** "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, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter; (2) A facility in another state operating under a license or permit issued in accordance with the "Resource Conservation and Recovery Act of 1976"
 - a. A&V has become an unpermitted hazardous waste storage facility by storing hazardous waste for greater than 180 days. A&V must immediately cease unpermitted storage of its hazardous waste.

- b. A&V has become an unpermitted hazardous waste storage facility by accumulating hazardous waste in quantities greater than 6,000 kilograms. A&V must immediately cease unpermitted storage of hazardous waste.

On October 10, 2011, Ohio EPA received documentation that A&V has implemented waste management activities that include labeling waste containers, tracking wastes in the storage area through a waste inventory, contacting the hazardous waste disposal facility 4.5 to 5 months after the waste is generated, and shipping the wastes off site before the 180 storage limit.

2. **Ohio Revised Code (ORC) Section 3734.02 (F), Unlawful transportation of a hazardous waste:** "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, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter; (2) A facility in another state operating under a license or permit issued in accordance with the "Resource Conservation and Recovery Act of 1976"..."

A&V caused hazardous waste to be unlawfully transported to an unauthorized facility for disposal.

On October 10, 2011, Ohio EPA received documentation that A&V has implemented waste management activities that include labeling waste containers, tracking wastes in the storage area through a waste inventory, contacting the hazardous waste disposal facility 4.5 to 5 months after the waste is generated, and shipping the wastes off site before the 180 storage limit. A&V also stated that waste codes would be monitored more closely and that Ohio EPA would be contacted if questions arise.

3. **Ohio Administrative Code (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..."

A&V failed to adequately evaluate the waste streams listed below to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11, prior to sending them off site.

- a) Old inventory waste-**This is considered abated on October 10, 2011.**
- b) Waste paint
- c) Paint booth filters
- d) Bag house dust
- e) Hard reclaim/ mfg powder/pressure tank clean-out waste from the phenolic powder process
- f) Photopolymer solids from Orbital X machine
- g) Recirculated water (Cosmolight water) from Orbital X machine
- h) Photopolymer solids from laser machine

- i) Liquid Resin plus flexowash A waste-**This is considered abated on November 29, 2011.**
- j) Lubricant waste from slitter machine
- k) Solids removed from the lubricant waste from the slitter machine
- l) ADA laminator overspray
- m) AV Solve
- n) AV Solve II
- o) Print tight solution from the testing department
- p) Testing department Cosmolight solution
- q) Testing department AV Solve
- r) Testing department liquid resin waste
- s) Water based black ink
- t) ADA adhesive

In order for A&V to determine whether these wastes exhibit any hazardous waste characteristics, A&V must obtain a chemical analysis of a representative sample of the wastes. A&V will need to contract the services of an environmental laboratory to analyze these materials. A&V must determine the concentrations of toxicity characteristic leaching procedure (TCLP) volatile organic compounds (VOCs), TCLP semi-volatile organic compounds (SVOCs), and TCLP Resource Conservation and Recovery Act (RCRA) metals of the wastes. If the wastes can be considered a liquid, then A&V must also determine the pH and flashpoint of the wastes.

To abate this violation A&V shall submit the analytical results indicating the proper evaluation of the wastes for Ohio EPA's review. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, A&V must also submit information as to what treatment, storage, or disposal facility the waste will be sent to.

Once Ohio EPA acknowledges A&V's proper characterization of the wastes, A&V must dispose of the wastes at a proper disposal facility. A&V must then submit the appropriate manifest documents or shipping papers indicating proper disposal of the wastes to Ohio EPA.

Please notify me at least five days prior to sampling so that I may be present.

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.

On October 10, 2011, Ohio EPA received information that A&V has submitted all MSDSs for the old inventory wastes that are available. This was confirmed with you in a phone conversation on November 29, 2011. Since the old inventory waste streams will not be generated in the future at A&V and MSDSs are not available for the items listed in Attachment A of the September 8, 2011, NOV, this portion of the violation (item a above) is considered abated.

In a phone conversation with you on November 29, 2011, you stated that the liquid resin plus flexowash A waste stream (item i above) will not be generated in the future due to a change in process (cleaning of the liquid resin pumps with this material was unsatisfactory so you are utilizing a different cleaning agent). MSDSs for this material were provided to Ohio EPA but did not contain enough information to properly evaluate the waste without additional information. Since this material will not be generated in the future, a sample of this material cannot be analyzed. Therefore, this portion of the violation (item i above) is considered abated.

On October 10, 2011, Ohio EPA received pH and flashpoint analyses for samples described as "Distilled Lam. Solution" and "Still Bottoms" and copies of analyses already reviewed by Ohio EPA during the initial inspection. Ohio EPA understands the "Distilled Lam. Solution" to be the material that A&V refers to as "product" from the distillation unit that is reused in the ADA laminating process. If this is not the case, please describe where this sample is derived from. Both samples show the flashpoint of the materials above 160 degrees Fahrenheit, which would make the materials non-hazardous for ignitability. The pH of the materials are listed as 5.86 for the "Distilled Lam. Solution" and 11.16 for the "Still Bottoms" which would make the materials non-hazardous for corrosivity. However, the results indicate that the pH results are only estimates because the samples exceeded their holding time. A&V cannot base the waste evaluation on this analysis due to the qualified data. A&V should resample the still bottoms waste stream and analyze the waste for pH, TCLP VOCs, TCLP SVOCs, and TCLP RCRA metals.

On October 10, 2011, Ohio EPA received MSDSs for the lacquer thinner and several paints from the engineering department. Review of these MSDSs show that the lacquer thinner is hazardous waste for ignitability (D001) and spent non-halogenated solvents (F003 and F005). Review of the MSDSs show that the paint is hazardous waste for ignitability (D001). A&V has not submitted adequate waste evaluation information for the other characteristics (pH, VOCs, SVOCs, RCRA metals) as described in the original NOV and listed above. A&V must submit more information concerning pH, VOCs, SVOCs, and RCRA metals for these waste streams.

On October 10, 2011, Ohio EPA received an MSDS for Midsol Solvent 900. Please explain what this product is utilized for in the A&V plant.

On October 10, 2011, Ohio EPA received MSDSs that were reviewed during the initial inspection. This included Lubricit D7, Cosmolight, and AV Solve. These MSDSs do not provide adequate information for waste evaluations. As stated in the September 8, 2011, NOV, these waste streams need to be sampled and analyzed in order to conduct appropriate waste evaluations prior to disposal.

The MSDS for the AVCE114 (laser machine) that was received by Ohio EPA on October 10, 2011, does not provide an adequate waste evaluation for this waste stream.

As stated in the September 8, 2011, NOV, these waste streams need to be sampled and analyzed in order to conduct appropriate waste evaluations prior to disposal.

Ohio EPA is aware that A&V had sampling of waste streams scheduled for November 30, 2011. Please submit the analytical results from this sampling event to Ohio EPA when they become available.

In order to abate this violation, A&V must submit appropriate waste evaluations for the above listed materials. If A&V will not generate any of the wastes listed above in the future, please describe which waste streams will not be generated again and why.

4. **OAC Rule 3745-52-20(A)(1), Manifest - general requirements:** "A generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, must prepare a manifest..."

A&V failed to ship the hazardous waste Agfa process starter (ZRC Starter) (D002), lactic acid (D002), Logetronics fixer sys cleaner (liquid) (D002), McLube 1700 (D001), Red Top Spray Developer (Magnesium Developer) (D001), Safe React (D002), OHB (Ofsmopur H) (this is a typo on the lists of materials and should be Desmodur HL according to A&V) (D001), A&V Polysafe II (D001), and ADA adhesive (D001, D035) off site, listing them as a hazardous waste on a hazardous waste manifest.

On October 10, 2011, Ohio EPA received documentation that the above listed waste streams are no longer used or handled by A&V. However, in a phone conversation with you on November 29, 2011, Ohio EPA verified that ADA adhesive waste will still be generated at A&V and that it was erroneously included as a waste that will not be generated again. Therefore, ADA adhesive waste should be sent off-site utilizing a hazardous waste manifest. A&V's October 10, 2011, response includes information describing how the wastes will be properly managed in the future, which complies with Ohio's hazardous waste regulations.

This violation is considered abated on October 10, 2011.

5. **OAC Rule 3745-270-07(A)(1), Testing, tracking, and recordkeeping requirements for generators, treaters, and disposal facilities:** "A generator of a hazardous waste must determine if the waste has to be treated before it can be land disposed..."

A&V failed to determine if the hazardous waste Agfa process starter (ZRC Starter) (D002), lactic acid (D002), Logetronics fixer sys cleaner (liquid) (D002), McLube 1700 (D001), Red Top Spray Developer (Magnesium Developer) (D001), Safe React (D002), OHB (Ofsmopur H) (this is a typo on the lists of materials and should be Desmodur HL according to A&V) (D001), A&V Polysafe II (D001), and ADA adhesive (D001, D035) needed to be treated prior to shipping it off site for disposal.

In order to abate this violation, A&V must determine if these waste streams need to be treated prior to disposal. A&V must submit documentation that shows these waste streams have been evaluated and determined if they need to be treated prior to disposal. This documentation can include a completed land disposal restriction form from the disposal of these waste streams. If A&V will not generate these waste streams in the future, then A&V should explain why these waste streams will not be generated in the future and why they will not be evaluated to determine treatment needs prior to disposal.

On October 10, 2011, Ohio EPA received documentation that the above listed waste streams are no longer used or handled by A&V. However, in a phone conversation with you on November 29, 2011, Ohio EPA verified that ADA adhesive waste will still be generated at A&V and that it was erroneously included as a waste that will not be generated again. Therefore, A&V must determine if ADA adhesive waste needs to be treated prior to disposal. In order to abate this violation, please submit a copy of a completed land disposal restriction form for the ADA adhesive waste prior to sending the waste to the disposal facility.

6. **OAC Rule 3745-270-07(A)(2), Testing, tracking, and recordkeeping requirements for generators, treaters, and disposal facilities:** "If the waste or contaminated soil does not meet the treatment standards, or if the generator chooses not to make the determination of whether his waste must be treated, with the initial shipment of waste to each treatment or storage facility, the generator must send a one-time written notice to each treatment or storage facility receiving the waste, and place a copy in the generator's files..."

A&V failed to send a one-time written notice to the treatment or storage facility receiving the hazardous waste Agfa process starter (ZRC Starter) (D002), lactic acid (D002), Logetronics fixer sys cleaner (liquid) (D002), McLube 1700 (D001), Red Top Spray Developer (Magnesium Developer) (D001), Safe React (D002), OHB (Ofsmopur H) (this is a typo on the lists of materials and should be Desmodur HL according to A&V) (D001), A&V Polysafe II (D001), and ADA adhesive (D001, D035).

In order to abate this violation, A&V must send a one-time written notice to the treatment or storage facility receiving the waste. A&V must submit documentation that shows this notice has been properly sent to the treatment or storage facility.

On October 10, 2011, Ohio EPA received information that A&V will submit a one-time written notice to the treatment or storage facility receiving the waste. However, A&V has not submitted documentation to show the notice has been sent. In order to abate this violation, please submit this information within 30 days of receipt of this letter.

7. **OAC Rule 3745-52-34(D)(1), Accumulation time of hazardous waste:** "A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month may, for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that...the quantity of waste accumulated on-site never exceeds six thousand kilograms..."

A&V exceeded the six thousand kilogram limit of hazardous waste that was accumulated on-site at one time. A&V accumulated 9395 kilograms of hazardous waste on-site prior to shipment in May 2011.

On October 10, 2011, Ohio EPA received documentation that outlined new waste management procedures at A&V. These new procedures describe how A&V will ensure that they do not store more than 6,000 kilograms of hazardous waste on-site at one time.

This violation is considered abated on October 10, 2011.

8. **OAC Rule 3745-52-34(D)(5)(b), Accumulation time of hazardous waste:** "A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month may, for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that...the generator must post the following information next to the telephone...the name and telephone number of the emergency coordinator... location of fire extinguishers and spill control material, and, if present, fire alarm(s); and...the telephone number of the fire department, unless the facility has a direct alarm..."

A&V failed to post the name and telephone number of the emergency coordinator, location of fire extinguishers, spill control material, and, fire alarms, and the telephone number of the fire department next to the phones throughout the facility.

On October 10, 2011, Ohio EPA received photographs of an emergency sign that has been posted at six different phones throughout the plant. The sign included phone numbers for the emergency coordinators and fire department. The sign also states "Fire extinguishers are located by all waste storage areas and by all satellite storage areas. Emergency spill control equipment is located by all waste storage areas and satellite storage areas." While this statement meets the rule definition, Ohio EPA recommends that a map showing the location of fire extinguishers, spill control material, and fire alarms also be posted next to all phones. In a true emergency situation when people are under pressure, a visual map of these items may be helpful. Ohio EPA also recommends that this information be posted near all phones throughout the facility.

This violation is considered abated on October 10, 2011.

9. **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."

A&V failed to keep inspections of emergency equipment in a log or summary.

In order to abate this violation, A&V must begin keeping emergency equipment inspections in a log or summary. A&V must submit this log or summary showing that all equipment has been inspected.

At this time, Ohio EPA has not received a copy of a completed inspection log showing that A&V has inspected emergency equipment. In order to abate this violation, please submit this information within 30 days of receipt of this letter.

10. **OAC Rule 3745-66-74, Inspections:** "The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary."

A&V failed to keep inspections of the container storage area and the lamp crushing area in a log or summary.

In order to abate this violation, A&V must begin keeping container storage area and lamp crushing area inspections in a log or summary. A&V must submit this log or summary showing that the container storage area and lamp crushing area has been inspected at least once, every seven days to Ohio EPA. One consecutive month of inspection logs should be sent to Ohio EPA in order to abate this violation.

At this time, Ohio EPA has not received a copy of a completed inspection log showing that A&V has inspected the container storage area and the lamp crushing area every seven days for one consecutive month. In order to abate this violation, please submit this information within 30 days of receipt of this letter.

11. **OAC Rule 3745-52-34(D)(5)(c), Accumulation time of hazardous waste:** "A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month may, for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that...the generator 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."

A&V failed to train their employees on proper waste handling and emergency procedures including the official designation of emergency coordinators and proper emergency protocol in contacting these emergency coordinators.

In order to abate this violation, A&V must submit information to Ohio EPA that all employees handling hazardous waste have been properly trained in waste handling and emergency procedures. This information could be in the form of a sign-in sheet for a training held on this topic with printed and signed names of each employee and the information reviewed during the training.

At this time, Ohio EPA has not received documentation that A&V has properly trained employees handling hazardous waste in waste handling and emergency procedures. In order to abate this violation, please submit the information listed above within 30 days of receipt of this letter.

- 12. OAC Rule 3745-52-34(D)(4), Accumulation time of hazardous waste:** "A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month may, for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that...the date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container...[and]...each container... is labeled or marked clearly with the words "Hazardous Waste..."

A&V failed to mark the fiber drum containing approximately 10 four foot lamps and 15 eight foot lamps waiting to be crushed with an accumulation start date or the words "Hazardous Waste". A&V also failed to mark the 55 gallon drum attached to the lamp crushing unit with an accumulation start date or the words "Hazardous Waste".

In order to abate this violation, A&V must label the drums with accumulation start dates and the words "Hazardous Waste" and submit photographs showing the proper labels to Ohio EPA. Due to the generator treatment rules and requirements, the container of spent lamps waiting to be crushed and the container of crushed lamps are not considered satellite accumulation containers and can only be stored on site for less than 180 days. Therefore, the accumulation start date should reflect the date the first lamp or crushed lamp enters the containers. A&V then has 180 days from that date to ship the wastes off site.

On October 10, 2011, Ohio EPA received information that A&V has eliminated the bulb storage drum. "Spent bulbs are crushed immediately when taken out of use."

At this time, Ohio EPA has not received photographs showing that A&V has labeled the bulb crushing drum with the words "Hazardous Waste" and the accumulation start date. In order to abate this violation, please submit this information within 30 days of receipt of this letter.

- 13. OAC Rule 3745-66-73(A), Management of containers:** "A container holding hazardous waste shall always be closed during storage..."

A&V failed to close the fiber drum containing approximately 10 four foot lamps and 15 eight foot lamps waiting to be crushed.

On October 10, 2011, Ohio EPA received information that A&V has eliminated the bulb storage drum. "Spent bulbs are crushed immediately when taken out of use."

This violation is considered abated on October 10, 2011.

General Concerns:

1. **Emergency Coordinator:** Gary Goll stated that you were the "unofficial" emergency coordinator. A&V needs to officially designate an emergency coordinator and a list of back-up emergency coordinators in case of your absence. All employees should be trained on who these emergency coordinators are and where the list will be kept in case of an emergency.

On October 10, 2011, Ohio EPA received a list of officially designated emergency coordinators for A&V site.

This general concern is considered addressed on October 10, 2011.

2. **Emergency Communication Device:** OAC Rule 3745-65-34(A), Access to communications or alarm systems states "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..."

It is unclear if A&V meets this hazardous waste rule in each area of the facility in which hazardous waste is handled. During the inspection, A&V stated that emergency communication devices were not used by all personnel.

On October 10, 2011, Ohio EPA received information that listed the hazardous waste generation areas at A&V. However, A&V has not described how A&V meets this rule. In order to address this concern, please submit information that describes how employees at each area will have access to an internal alarm or emergency communication device. For example, describe if the employees in each area are allowed to carry cell phones or two way radios or if each area has an internal alarm.

3. **Used Oil:** During the inspection, you stated that approximately 2 gallons of used oil is generated during the year from maintenance of air compressors. This used oil is given to an employee to be burned in their personal garage/shop. As a business, A&V cannot give used oil to an employee to transport to his home to be burnt in his personal space heater.

On October 10, 2011, Ohio EPA received information that A&V will manage and dispose of their hydraulic oil from the air compressors as a waste. This waste will need to be sampled and analyzed prior to disposal to determine if it is a hazardous waste.

Ohio EPA recommends that A&V manage this material as used oil instead of a waste. Managing this material under the used oil regulations (OAC rules 3745-279) may be less burdensome and could potentially be more economical for your company. If A&V manages this material as a used oil, then it will not need to be sampled and analyzed prior to being recycled. Ohio EPA understands that A&V would like to have all waste streams removed from the property approximately every 5 months.

A&V should be able to accomplish this and still recycle the used oil at the same time. Some disposal companies will not only transport and dispose of hazardous waste, but they will also transport and recycle used oil. Ohio EPA recommends that A&V discuss the option of recycling used oil with their disposal company.

- 4. Waste Codes:** A&V needs to be sure that the hazardous waste codes associated with all waste streams are correct.

On October 10, 2011, Ohio EPA received a MSDS for the lacquer thinner and some paints used at the facility. Based on the review of the MSDS, the lacquer thinner is a hazardous waste and the appropriate waste codes are D001, F003, and F005. However, A&V still needs to determine if the lacquer thinner carries other hazardous waste characteristics as described in violation #3 above. Please refer to violation #3 above to address this issue.

During a phone conversation on November 29, 2011, A&V had planned to have the ADA adhesive waste sampled and analyzed on November 30, 2011. A&V will be able to base appropriate waste codes for this material on the results of the sampling and analysis of the waste. In order to address this general concern, please submit the waste codes that will be used for the ADA adhesive after the sampling results have been received.

- 5. Satellite Accumulation Area:** During the inspection, Ohio EPA noted one open drum of waste in the satellite accumulation area in the laboratory. This drum had an open bung. A&V must keep all satellite accumulation area containers closed at all times unless waste is being added to the container.

On October 10, 2011, Ohio EPA received information that A&V will locate a bung fitting for the drum located in the satellite accumulation area in the laboratory. A&V stated that they may need to custom make a fitting to meet the rule and also allow for proper production to continue.

Please note that A&V may need to train employees on proper waste handling procedures so that satellite accumulation containers are kept closed at all times unless waste is being added.

This general concern is considered addressed on October 10, 2011.

- 6. Large Quantity Generator of Hazardous Waste:** During the inspection, you stated that a large cleanout of old inventory was conducted. This old inventory waste was disposed of in May 2011. Each item in the inventory became a waste when A&V decided they could no longer use the item and that it needed to be disposed. A&V did not keep a log of when each item was considered a waste. A&V may have become a large quantity generator (LQG) of hazardous waste during the inventory cleanout by generating more than 2200 pounds (1000 kilograms) of hazardous waste in a calendar month.

On October 10, 2011, Ohio EPA received information that A&V will be adjusting their inventory clean-out procedures to ensure that they do not become an LQG in the future.

This general concern is considered addressed on October 10, 2011.

7. **Distillation Unit:** During the inspection, you stated that A&V is in the process of putting in a distillation unit however, it had not yet been completed and was not yet being used. Six drums of waste laminating solution were being stored in the container storage area that you stated are going to be distilled on-site once the unit is working.

A&V needs to be aware that distillation of a hazardous waste on-site may be considered generator treatment of a hazardous waste. A&V must know whether each waste stream placed into the distillation unit is a hazardous waste or non-hazardous waste before the waste stream is distilled. A&V will also need to know if the waste generated from the distillation unit (the still bottoms) is a hazardous waste or non-hazardous waste after the unit has completed a cycle and waste is generated.

On October 10, 2011, Ohio EPA received information from A&V that the distillation unit is currently being used. According to A&V the still bottoms from the distillation unit are hazardous waste but the "product" from the distillation unit is non-hazardous material.

On November 29, 2011, I spoke to you on the phone concerning this distillation unit. You stated that A&V is distilling the lubricant and water mixture from the slitter machine and the ADA laminating overspray. The distillation unit separates the solids and contaminants from the water. After the distillation unit has completed a cycle, the water is then reused in the ADA lamination process while the still bottoms are considered waste.

A&V must determine if the lubricant and water mixture from the slitter machine and the ADA laminating overspray are hazardous wastes prior to being treated in the distillation unit. These wastes are listed in violation #3 above as item j (lubricant and water mixture from the slitter machine) and item I (ADA laminating overspray). A&V must also determine if the still bottoms from the distillation unit are a hazardous waste prior to disposal.

During the phone conversation with you on November 29, 2011, you stated that the still bottoms from the distillation unit would be sampled and analyzed on November 30, 2011. You also stated that the still bottoms are a liquid.

In order to address this general concern, A&V must determine if the lubricant and water mixture from the slitter machine, the ADA laminating overspray, and the still bottoms from the distillation unit are hazardous wastes using the analytical procedures described in violation #3 above.

Mr. Rick Hubert
December 15, 2011
Page 13

A&V must also submit a description of how the distillation unit works and the manufacturer and model of the distillation unit. If A&V has in the past or plans to distill wastes other than the lubricant and water mixture from the slitter machine and the ADA laminating overspray, then A&V must state which wastes have been or will be distilled in the unit.

Please send all correspondence **within 30 days of receipt of this letter**, to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/llr

Enclosures

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Cindy Lohrbach, DMWM, NWDO
ec: Colleen Weaver, DMWM, 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.