Ohio | Environmental Protection Agency

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

Eval. #13
Enf. #10

January 12, 2012

Mr. Robert Highley
Manager, Safety & Environmental
EMD Chemicals Inc.
2828 Highland Ave.
Cincinnati, Ohio 45212

RE: EMD Chemicals Inc./Compliance Evaluation Inspection/LQG/OHD086438538

Notice Of Violation:

Dear Mr.Highley:

Thank you for accompanying me during Ohio EPA's December 8, 2011 inspection of EMD Chemicals Inc.in Cincinnati, Ohio. My goal was to determine EMD Chemicals Inc. 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).

During my inspection, two violations were noted, they are:

1. Contingency Plan (3745-65-52(D)

   EMD Chemicals Inc. failed to update the current list of names, addresses and telephone numbers (office and home) of all qualified to act as emergency coordinator.

   EMD Chemicals Inc. must update the Contingency Plan to reflect the current emergency coordinators.

2. Contingency Plan (3745-65-53(A)&(B)

   EMD Chemicals Inc. failed to send a copy of the plan to local authorities that may be requested to provide emergency services.

   EMD Chemicals Inc. must send copies to the Cincinnati Fire, Police, and local hospitals.

   EMD Chemicals Inc. must abate these violations within thirty days from the date of this letter.

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

I reviewed your paperwork (personnel training, hazardous waste manifests and emergency equipment log) and it appeared to comply with Ohio EPA rules and regulations.

I inspected your satellite accumulation areas and found the containers to be properly labeled. However I did have some concerns about the number of containers and whether or not they were under the control of the operator. Also consider separating your waste from the recycled drums.

Areas of Concern:

The two ninety day storage pads should have individual inspection logs. This will prevent any confusion as to which storage pad you have inspected. At a minimum separate them on the sheet.

EMD Chemicals Inc. must demonstrate how the secondary containment system works in regards to your 4000 gallon hazardous waste tank. Design, floor coatings, capacity and any other information that would demonstrate compliance with 3745-66-93(A) must be provided within 30 days of the date of this letter.

Enclosed you will find a copy of the checklists. 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.

If you have any questions or comments, please feel free to contact me at (937) 285-6092.

Sincerely,

Larry Dickerson

Larry Dickerson
District Representative
Division of Hazardous Waste Management

LD/rb

cc: Robyn Fox, SWDO_DMWM /DMWM FILE

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.