



State of Ohio Environmental Protection Agency

Northeast District Office



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Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

January 16, 2008

RE: LELAND MANUFACTURING
COLUMBIANA COUNTY
COMPLAINT # 7056
NOTICE OF VIOLATION/RETURN TO
COMPLIANCE

Brian P. Wilson
Leland Manufacturing
1101 West Main St.
East Palestine, OH 44413

Dear Mr. Wilson:

On December 26, 2007, Ohio EPA, represented by Ed D'Amato, conducted a complaint investigation at Leland Manufacturing. Leland Manufacturing cleans totes and stamps lids for steel drums. Pat Gilbert represented Leland Manufacturing during the inspection.

The complaint alleged mismanagement of containers on the property. No evidence to substantiate the complaint was found. One violation of Ohio's Hazardous Waste Regulations in Chapter 3745 of the Ohio Revised Code was found:

**1. Used Oil Storage Requirements for Generators (Labels)
OAC 3745-279-22(C)**

Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil"

There were three totes not labeled per this rule. This violation was abated at the time of the inspection when Mr. Gilbert labeled the totes properly.

No response to this letter is required.

Failure to list specific deficiencies in this communication does not relieve Leland Manufacturing from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Enclosed is a copy of the checklist used for the inspection.

Please feel free to contact me at (330) 963-1170 if you have any questions about the inspection or this letter.

Sincerely,


Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

ec: Frank Popotnik, DHWM, NEDO



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

2. Site EPA ID No.	EPA ID Number:								
3. Site Name	Name: <i>Neland Manufacturing</i>					Website: (Optional) <i>3riverspkg.com</i>			
4. Site Location Information	Street Address: <i>1101 West Main St</i>								
	City, Town, or Village: <i>East Palestine</i>					State: OH <input checked="" type="checkbox"/>			
	County Name: <i>Columbiana</i>					Zip Code: <i>44413</i>			
5. Site Land Type (check only one)	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"/>	
6. NAICS code(s) www.census.gov/epcd/www/naics.html									
7. Facility Representative Additional names can be recorded in number 12. Only provide address information if it is different than the site address	First Name: <i>Bryan</i>		MI: <i>P.</i>	Last Name: <i>Wilson</i>					
	Phone Number: <i>530-426-3685</i>					Phone Number Extension:			
	E-Mail Address: <i>bwilson@3riverspkg.com</i>								
	Fax Number:					Fax Number Extension:			
	Street or P.O. Box:								
	City, Town or Village:								
	State:				Country:		Zip Code:		
8. 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: <i>Three Rivers Packaging</i>				Date Became Owner (mm/dd/yyyy):				
	Owner 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:				Owner Phone #:				
	State:				Country:		Zip Code:		
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Owner 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:		
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<input type="checkbox"/> Not Regulated				<input type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste					
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input type="checkbox"/> Small Quantity Generator (SQG)									
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility									

10B. 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"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. 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 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.			
12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.			
Announced	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Name of Inspector(s)		Name of inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Ed D'Amato			12/26/07
14. 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)

USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

- 1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes No N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes No N/A
- 2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes No N/A
- 3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes No N/A

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

- 4. Does the generator mix hazardous waste with used oil? If so, Yes No N/A
- a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes No N/A

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

- 5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes No N/A

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

- 6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes No N/A
- 7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A
- 8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes No N/A

abated during inspection

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]

- a. Stopped the release? Yes No N/A
- b. Contained the release? Yes No N/A
- c. Cleaned up and properly managed the used oil and other materials? Yes No N/A
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A

ON-SITE BURNING IN SPACE HEATER

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:

- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes No N/A
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes No N/A

GENERATOR TRANSPORTATION

11. If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]

- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24] Yes No N/A
- b. Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24] Yes No N/A

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]

Yes No N/A

13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]

Yes No N/A

14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]

Yes No N/A

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc