



State of Ohio Environmental Protection Agency

Northeast District Office



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

April 28, 2009

David Forrer  
Operations & Safety Manager  
J. Horst Manufacturing Co., Inc.  
297 E. Main St.  
P.O. Box 507  
Dalton, OH 44618

**RE: J. HORST MANUFACTURING CO., OHD004229795, WAYNE COUNTY, CESQG  
NOV/PRTC**

Dear Mr. Forrer:

On April 2, 2009, Wade Balsler and this writer, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), visited J. Horst Manufacturing Co., Inc. (Horst) located at 297 East Main Street in Dalton, Ohio to conduct a hazardous waste compliance evaluation inspection (CEI). Horst was represented by you.

The purpose of the inspection was to determine Horst's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and the rules promulgated thereunder in the Ohio Administrative Code (OAC). The inspection included a review of the facility's operations and records, as well as the management of wastes. Horst was inspected for the requirements of a conditionally exempt small quantity generator (CESQG) of hazardous waste. However, Horst's generator status will be re-evaluated upon completion of the waste evaluation requirements identified under violation number one.

Based on the inspection, Ohio EPA identified the following violations:

1. OAC rule 3745-52-11, Waste Evaluation: Any person who generates a waste must evaluate the waste to determine if it is a hazardous waste in accordance with OAC Chapter 3745-51.

Horst failed to evaluate the following wastes:

- A. Rags, paper filters and spray booth filters. Horst must evaluate these wastes for the characteristic of ignitability (e.g., paint saturated rags and filters with free liquids), as well as toxicity characteristic metals and organics. To abate this violation, submit waste evaluation information for each of the items and identify how they will be lawfully managed.

- B. Approximately 32, 1-gallon cans of out-dated paint observed on a pallet near the Paint Building. To abate this violation, submit waste evaluation information for the out-dated paint and identify how it will be lawfully managed.
  - C. Two, 55-gallon drums of what appeared to be roofing tar in the rear yard area. Additionally, these containers had leaked. To abate this violation, submit the following: 1). Waste evaluation information for the tar, 2). Verify that the released material was cleaned-up and 3). Identify how the wastes will be lawfully managed.
  - D. Two, 5-gallon pails, one, 20-gallon drum and one, 55-gallon drum of what appeared to be grease in the rear yard area. To abate this violation, submit waste evaluation information for the grease and identify how it will be lawfully managed.
  - E. Approximately 12 drums containing what was represented as "clay plug" in the rear yard area. Additionally, one of these containers had leaked. To abate this violation, submit the following: 1). Waste evaluation information for the "clay plug," 2). Verify that the released material was cleaned-up and 3). Identify how the wastes will be lawfully managed.
  - F. Spent fluorescent lamps. On April 20, 2009, Horst submitted documentation that the lamps will be sent for recycling through Waste Management. **Based on submitted documentation, this violation has been adequately abated. No further information is requested.**
2. OAC rule 3745-279-22 (C)(1)(D), Used Oil Storage Requirements for Generators: Used oil generators must store used oil in containers and tanks that are in good condition and not leaking. (C)(1) The containers and aboveground tanks must be labeled with the words "Used Oil." (D) If used oil is released to the environment, the generator must stop the release, contain the used oil, and clean-up and properly manage the released oil and other materials.
- A. Horst failed to label one, 55-gallon drum observed inside the facility, as well as six, 55-gallon drums of used oil observed outdoors, near the southeast corner of the yard area. During the inspection, Horst applied the words "Used Oil" to the drum inside the facility. On April 13, Horst submitted documentation that used oil was removed from the other six drums and lawfully shipped off-site. **This violation has been adequately abated. No further information is requested.**
  - B. Horst failed to clean-up a release of used. During the inspection, Ohio EPA observed an area of stained soil near the southeast corner of the yard area.

The staining was reportedly due to loading operations associated with Horst's last shipment of used oil. To abate this violation, Horst must clean-up and lawfully dispose of the stained soil. Identify in writing the corrective actions taken to abate this violation.

Ohio EPA has the following comments concerning the Horst facility:

1. Over an approximate time period of two years, Horst accumulated 20, 55-gallon drums of used xylene. Horst indicated that that the used xylene will be shipped to Lone Star in Greencastle, Indiana as part of the facility's continued use program. Submit documentation (i.e., shipping papers) that the used xylene was shipped to Lone Star.

During the April 2, 2009 inspection, Ohio EPA observed that at least four containers of used xylene had leaked their contents. Due to the leaks from the containers of used xylene, Ohio EPA requests that Horst conduct soil sampling in the area where the containers were stored. Please submit a Sampling and Analysis Plan (SAP) which discusses sampling procedures, analytical methods and proposed sample locations. In addition, please identify how Horst will manage its used xylene in the future to prevent leaks.

2. On April 20, 2009, Horst submitted information that the steel grit was cleaned-up from the Blast Building area. The clean-up material was recycled as scrap metal.
3. Please be advised that should Horst generate more than 220 pounds of hazardous waste in a month or store in excess of 2,200 pounds of hazardous waste in any month, the corresponding generator status (i.e., SQG or LQG) with specific OAC regulatory requirements would apply.
4. The following technical assistance fact sheets were provided to Horst: Identifying Your Hazardous Waste, Generator Requirements and Record Keeping Summary Tables, Hazardous Waste Generator Categories, Properly Managing Your Hazardous Waste Containers, Fluorescent Lamps, Universal Waste Rules and information concerning Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP).
5. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: [http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc\\_serve.php?2=subscriptionpage](http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage)
6. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://www.epa.state.oh.us/ocapp/ocapp.html>

7. The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. For more information, please refer to: <http://www.odod.state.oh.us/cdd/oe>
  
8. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. OCAPP provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at:  
  
<http://www.epa.state.oh.us/ocapp/ocapp.html>
  
9. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.state.oh.us/dhwm>.

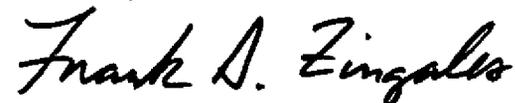
The above violations must be immediately addressed and all of the above requested documentation must be submitted to my attention at the Ohio EPA within 30 days of receipt of this letter.

Information obtained pertaining to Horst's processes and wastes generated is discussed on the Process Description-Waste Activities Summary Sheet within the enclosed inspection checklists.

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve Horst from having to comply with all applicable regulations.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FAZ:ddw

Enclosure

ec: Harry Sarvis, DHWM, CO  
Nyll McKenna, DHWM, NEDO

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
 or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b>	EPA ID Number: <b>OHD004229795</b>	
<b>Site Name</b>	Name: <b>J. Horst Manufacturing Co., Inc.</b>	Website: (Optional)
<b>Site Location Information</b>	Street Address: <b>279 E. Main St.</b>	State: <b>OH</b>
	City, Town, or Village: <b>Dalton</b>	Zip Code: <b>44618</b>
	County Name: <b>Wayne</b>	
<b>Site Land Type</b> (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"/>
<b>NAICS code(s)</b>	<b>332710</b>	
<a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>		

<b>Facility Representative</b>	First Name: <b>David</b>	MI: <b>A</b>	Last Name: <b>Forrer</b>
	Phone Number: <b>330-828-2216</b>	Phone Number Extension:	
Additional names can be recorded in number 12	E-Mail Address: <b>forrer@jhorst.com</b>	Fax Number Extension:	
	Fax Number: <b>330-828-8107</b>		
Only provide address information if it is different than the site address	Street or P.O. Box: <b>P.O. Box 507</b>	Zip Code: <b>44618</b>	
	City, Town or Village: <b>Dalton</b>		
	State: <b>OH</b>		

<b>Legal Owner And Operator of the Site.</b> 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 <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:					Owner Phone #:					
	City, Town or Village:					Country:					Zip Code:
	State:					Date Became Operator (mm/dd/yyyy):					
	Name of Site's Operator:										
	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:					Operator Phone #:					
	City, Town or Village:					United States					Zip Code:
	State:										

**VIOLATIONS CITED?**  Yes  No

**TYPE OF HANDLER— A MINIMUM OF ONE BOX MUST BE CHECKED**

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<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

**TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)**

<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

**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. Oil

Used Oil Fuel Marketer to Off-Specification Used Oil Burner

**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:

**D001      D018      D035      D039      F003      F005**

**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 checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments: <b>Waste evaluation violations cited - CESQG status to be confirmed.</b>
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Frank Zingales	Wade Balsler	4/2/2009 0955

**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)
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**PROCESS, WASTE, P2 SUMMARY SHEET**

**Facility:** J. Horst Manufacturing Co., Inc.    **Facility Type:** CESQG\*    **EPA ID#:** OHD004229795

**General Process Information:** Facility is a job shop for steel fabrication activities.

**Regulatory/Enforcement History:** None to date.

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste	Waste Description & EPA Waste Numbers (if applicable)	Quantity Generated/ Type of Accumulation	Type of On-Site Treatment	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
Painting: cup gun cleaning.	D001/D018/ D035/D039/ F003/F005	5-gallons/month. Accumulated in 5-gallon container.	None	Safety Kleen Caseyville, IL ILD980613913		
Painting: line cleaning from paint pots.	Used xylene	55-gallons/month. Accumulated in 55-gallon drum.	None	Lone Star Industries Greencastle, IN	Sent to Lone Star – Greencastle for continued use.	
Machining-used oil.	Used oil	Accumulated in 55-gallon drums or 500-gallon AST.	None	Safety Kleen Kent, OH OHD981099401		
Machining-coolant.			None		Coolant recycled on-site. Trim oil skimmed off and managed with used oil.	
Steel shot blasting.  Machining-metal turnings.			None	PSC Metals Canton, OH	Spent blasting material and metal turnings recycled as scrap metal through PSC Metals.	

	Wastes that must be evaluated per OAC 3745-52-11: paint related (i.e., spent booth filters, rags, used paint filters, 1-gallon paint cans), tar, grease and fluorescent lamps.	TBD	TBD		TBD		
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CESQG status to be determined.

Would this facility be interested in a pollution prevention assessment? TBD – Made facility aware of opportunity.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: =100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 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.  
**NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.**

Safety Equipment Used: Safety glasses.

**WASTE EVALUATION**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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**GENERATOR CLASSIFICATION**

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>  To Be Determined.
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**NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.**

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>  Solvent from cup gun cleaning.
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**TREATMENT OF HAZARDOUS WASTE**

4.	Does the generator treat hazardous waste in a:	No treatment.
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

**NOTE: Complete appropriate checklist for each unit.**

**NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.**

**NOTE: If waste is treated to meet LDRs, use LDR checklist.**

**MIX HAZARDOUS WASTE WITH USED OIL**

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

