



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

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

June 29, 2007

**RE: JASAR RECYCLING, INC.  
COMPLAINT # 6977  
NOTICE OF VIOLATION**

Glen Dowd  
Jasar Recycling, Inc.  
278 West Taggart Street  
East Palestine, OH 44413

Dear Mr. Dowd:

This letter will report on the recent hazardous waste inspection of Jasar Recycling, Inc. It will document any violations and concerns found and outline what you need to do to correct them. A written response to these issues is required within 30 days.

The Ohio EPA Division of Hazardous Waste Management (Neil Wasilk and Robert Almquist) conducted an inspection of Jasar Recycling Inc. (Jasar) located at 278 West Taggart Street, East Palestine, OH on June 20, 2007. The purpose was to investigate a complaint and determine if Jasar had violations of Ohio's hazardous waste and used oil laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

The complaint alleged that Jasar picks up drums that are partially full of acid and dumps the acid on the ground. During the inspection we observed one container being managed in a manner consistent with the complaint. This observation is addressed in violation number 1 below.

You explained that Jasar leaves a trailer at a company's location and the companies are to fill the trailer with empty plastic drums that have been rinsed out. Jasar granulates these drums and sells the resulting plastic pellets to plastic manufacturers. You stated that Jasar's policy is to determine whether any of the drums have material in them when they are being unloaded and, that if they do, they are immediately sent back. In at least one case outlined below, it was seen that this policy is not always followed.

Below are listed the violations and concerns found during the inspection and what you need to do to correct or otherwise address them. Please also see the enclosed Process, Waste, and Pollution Prevention Summary and the enclosed inspection checklists.

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**Violations:**

1. Ohio Revised Code (ORC) 3734.02(E) and (F) – Disposal of hazardous waste. ORC 3734.02 (E) and (F) state that no person shall establish or operate a hazardous waste facility without a permit and that no person shall store, treat, or dispose of hazardous waste except at a facility with a hazardous waste permit.

Jasar violated ORC § 3734.02(E) and (F) by disposing of hazardous waste onto the ground. I saw a plastic drum stored outside and turned upside down. On the ground at this drum I saw that a liquid waste had soaked into the ground. I moved the drum and saw a bubbling liquid on the ground where the drum had been. I used pH paper to test this liquid. The result showed a pH of 1. Any waste with a pH of 2 or lower is a hazardous waste. This drum was labeled as originally containing nitric and sulfuric acids. On June 22, 2007 you emailed me photographs of spill area cleanups. **Please state whether this contaminated gravel was removed and the photographs numbers that correspond to that cleanup, if any. Please state how this contaminated gravel was disposed. Jasar must also respond with the steps it will take to avoid this violation in the future.**

Since Jasar violated (ORC) 3734.02(E) and (F), Jasar is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Jasar begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

2. OAC rule 3745-279-22(C) - Used oil labels.  
This rule requires containers and aboveground tanks used to store used oil at generator facilities to be labeled or marked clearly with the words "Used Oil."

Jasar violated this rule by having containers and aboveground tanks of used oil that were not labeled as used oil. You corrected this violation at the time of the inspection.

3. OAC rule 3745-279-22(D) - Response to releases of used oil.  
This rule requires that upon detection of a release of used oil to the environment, the generator must clean up and manage properly the released used oil and other materials.

Jasar violated this rule by having what you stated was used oil on the ground in various locations. On June 22, 2007 you sent me photographs showing the cleanup of these areas. **Please respond with the details of how this contaminated gravel has been disposed.**

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**Concerns:**

1. Two plastic drums that were full of high pH liquid were found stored outside, behind stacks of plastic pallets, and in with empty plastic drums. After our inspection you determined the facility that these drums came from. This facility stated the material is good boiler cleaning chemicals that were mistakenly put on the trailer left for empty drums. On June 22, 2007 you shipped this material back to that facility. This highlights the importance of Jasar following its policy of immediately returning any containers that arrive with material in them. If the material in these two drums had been a hazardous waste, then Jasar would have illegally accepted and stored hazardous waste because you do not have a permit to do these activities. **Please respond with how you plan to avoid this situation in the future.**
2. There were at least 4 plastic drums with up to 4 or 5 inches of liquid in them. You marked these as needing to be checked. You have sent me photographs showing that you have poured this liquid into buckets and tested it's pH with pH paper. **Please respond with the details of where this liquid came from, what it is, and what you plan to do with it.**
3. Plastic drums were seen stored outside. Some of these were open as they did not have the bung caps in place. Rainwater can enter these drums. The collected rainwater is then a waste generated by Jasar. As with any waste, OAC 3745-52-11 would require Jasar to determine if that collected rainwater is a hazardous waste and manage it properly if it is a hazardous waste. Jasar should only store drums outside if it can ensure rainwater will not enter the drums and/or it has a proper way to manage this waste if it does. Saving bung caps from some drums that are granulated and using them when needed appears to be the best plan for this. As seen from violation number one above, turning the drums upside down to avoid rainwater collection may not be a good practice. **Please send me the details of how you will address this issue. Please also tell me when you plan to process these drums.**
4. Jasar has allowed the City of East Palestine to dump waste from street sweeping on its property. Half buried in this waste we found a one-gallon jug of what Jasar later determined to be diesel fuel. Jasar has since notified the city that they can no longer dump this material here. Jasar subsequently put the diesel fuel in its diesel fuel tank. Jerry Weber of the Division of Solid and Infectious Waste can be contacted at 330-963-1274 for more information regarding the solid waste rules that may apply to this.

**Please send a written response to this letter within 30 days including the documentation required above.**

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**Suggestions:**

The steel drums we saw are taken from customers and will go as scrap metal to HMF in Lisbon. Here is a list of drum recyclers:

<http://www.epa.state.oh.us/opp/recyc/drums.html>.

You might want to suggest these customers send these steel drums to one of those places. You might also want to get yourself put on that list. The contact information for doing that is listed on the web page.

ENERGY STAR is a government-backed program helping businesses and individuals protect the environment through superior energy efficiency. Their website is at:

<http://www.energystar.gov/>.

This link leads to the part of the site that deals with improving the energy performance of buildings and plants:

[http://www.energystar.gov/index.cfm?c=business.bus\\_index](http://www.energystar.gov/index.cfm?c=business.bus_index).

Ohio businesses that spend less than \$150,000 on their annual energy bill now have a tool to help them reduce energy waste and hold costs down. The Ohio Department of Development has developed a free online tool that is confidential and easy to use. If you are looking for ways to save on energy expenses at your business, visit the Small Business Energy Saver at:

<http://www.energyguide.com/EnergySmartSBE/welcomeba.asp?referrerid=227&sid=436>.

Grant funding is available for business owners who are ready to implement measures suggested by the Ohio Small Business Energy Saver. For more information, visit:

[http://www.odod.state.oh.us/cdd/oeel/ELFGrant.htm#NOFA\\_07-05](http://www.odod.state.oh.us/cdd/oeel/ELFGrant.htm#NOFA_07-05).

The Ohio Department of Development's Office of Energy Efficiency may also be able to help with energy efficiency issues. Their web site is at:

<http://www.odod.state.oh.us/cdd/oeel/>.

Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues related to air, land, and water. They can be contacted at 800-329-7518 or <http://www.epa.state.oh.us/ocapp/ocapp.html> In June 2006 they published a 56 page Small Business Environmental Compliance Self-Assessment Guide which can be found at: <http://www.epa.state.oh.us/ocapp/sb/publications/selfgde.pdf>.

You can find copies of the regulations and other information on the Division of Hazardous Waste Management web page at <http://www.epa.state.oh.us/dhwm/>.

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If you have any questions, please contact me at (330) 963-1217, or [robert.almquist@epa.state.oh.us](mailto:robert.almquist@epa.state.oh.us).

Sincerely,



Robert Almquist  
Division of Hazardous Waste Management

RA:  
Enclosures

cc. Natalie Oryshkewych, DHWM, NEDO

ec. Frank Popotnik, DHWM, NEDO  
Harry Sarvis, DHWM, CO  
Edward McNee, Jasar Recycling Inc.  
Jerry Weber, DSIWM, NEDO

Notice:

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



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](mailto:tammy.mcconnell@epa.state.oh.us) or mail it to Tammy  
McCConnell, Central Office

2. Site EPA ID No.	EPA ID Number:									
3. Site Name	Name: Jasar Recycling, Inc.					Website: <a href="http://www.jasarecycling.com/">http://www.jasarecycling.com/</a> (Optional)				
4. Site Location Information	Street Address: 278 West Taggart St.									
	City, Town, or Village: East Palestine					State: OH				
	County Name: Columbiana					Zip Code: 44413				
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) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>										
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: Glen			MI:	Last Name: Dowd					
	Phone Number: 330-426-2538				Phone Number Extension:					
	E-Mail Address: <a href="mailto:glend@jasarecycling.com">glend@jasarecycling.com</a>									
	Fax Number: 330-426-9461				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: JaSar Recycling				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: same										
City, Town or Village:				Owner Phone #:						
State:				Country:		Zip Code:				
Name of Site's Operator: JaSar Recyling				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 checked="" 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 checked="" type="checkbox"/> <b>Small Quantity Handler of Universal Waste</b>	<input type="checkbox"/> <b>Large Quantity Handler of Universal Waste</b> (accumulates 5,000 kg. or more)
<input type="checkbox"/> <b>Destination Facility for Universal Waste</b>	

Check all boxes below that apply for each of the three types of facilities above

Managed	10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
<b>Batteries</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <b>Used Oil Generator</b> <input type="checkbox"/> <b>Used Oil Transporter</b> <input type="checkbox"/> <b>Used Oil Transfer Facility</b> <input type="checkbox"/> <b>Used Oil Processor</b> <input type="checkbox"/> <b>Used Oil Re-refiner</b>
<b>Pesticides</b>	<input type="checkbox"/>	<input type="checkbox"/> <b>Off-Specification Used Oil Burner</b> <input type="checkbox"/> <b>Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil</b> <input type="checkbox"/> <b>Used Oil Fuel Marketer to Off-Specification Used Oil Burner</b>
<b>Mercury containing equipment</b>	<input type="checkbox"/>	
<b>Lamps</b>	<input checked="" type="checkbox"/>	

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 RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

D001

12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

<b>Announced</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Additional Facility Representatives:</b>	Ed McNee, President (by phone), John Dowd, Maintenance Supervisor, Jimmy, Tim?	
<b>Tanks</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Other Comments: complaint 6977</b>		
<b>Containers</b>	<input checked="" 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)
Robert Almquist	Neil Wasilk	6/20/2007

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)



**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:

**WASTE EVALUATION**

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes  No  N/A

**GENERATOR CLASSIFICATION**

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes  No  N/A

*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  No  N/A

**TREATMENT OF HAZARDOUS WASTE**

- a. Container that meets 3745-66-70 to 3745-66-77? Yes  No  N/A
- b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes  No  N/A
- c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes  No  N/A
- d. Containment building that meets 3745-256-100 to 3745-256-102? Yes  No  N/A

*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.*

**REMARKS**



# USED OIL INSPECTION CHECKLIST (Short Version)

Jasar Recycling, 6-20-07 inspection

**NOTE: This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.**

## PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes  No  N/A  RMK#
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes  No  N/A  RMK#
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A  RMK#
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes  No  N/A  RMK#

## USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes  No  N/A  RMK#
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  RMK#  
No test data seen
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes  No  N/A  RMK#
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  RMK#
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  RMK#
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  RMK#



- b. Contained the release? Yes  No N/A \_\_\_ RMK#
- c. Cleaned up and properly managed the used oil and other materials? Yes \_\_\_ No  N/A \_\_\_ RMK#
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes \_\_\_ No  N/A  RMK#
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes  No \_\_\_ N/A \_\_\_ RMK#
- 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 \_\_\_ RMK#
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes  No  N/A \_\_\_ RMK#
- c. Are the combustion gases from heater vented to the ambient air? Yes  No  N/A \_\_\_ RMK#
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes \_\_\_ No  N/A  RMK#

#### USED OIL 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 \_\_\_ RMK#
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes \_\_\_ No  N/A \_\_\_ RMK#
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 \_\_\_ RMK#

#### WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes \_\_\_ No  N/A \_\_\_ RMK#

L:\Inspection Checklist\MegaSet Rule Updates\USED OIL.SHORT.11.2004.fin.megaset.wpd

#### REMARKS



Process, Waste, and Pollution Prevention Summary for:

Jasar Recycling, CESQG, 6-20-07 inspection

#	Process generating the waste	Waste details	On-site management	Off-site management	Current pollution prevention	Possible pollution prevention
1	Truck maintenance	Used oil	Stored in tanks and drums until burned in one of two heaters – Clean Burn CB5000 and Venturion Reznor 325		Used instead of buying oil	
2	Parts cleaning during maintenance	Waste mineral spirits, D001, change 5 gallons of solvent in parts washer once a year	Same as for used oil		Same as for used oil	
3	Lighting	Waste lamps		Taken by electrician (Bill Dillworth) to Sunray Electric Supply Co., McKeesport, PA		
4		Aerosol cans – used until empty		Goes out with scrap metal to		





