



State of Ohio Environmental Protection Agency

Northeast District Office

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

January 11, 2008

RE: NOTICE OF VIOLATION
VON ROLL AMERICA, INC.
OHD 980 613 541 / 02 - 15 - 0589
COLUMBIANA COUNTY
6/19/2007 INCIDENT NOV

Mr. John Peterka
Von Roll America, Inc.
1250 Saint George Street
East Liverpool, OH 43920

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Mr. Peterka:

On June 19, 2007, an incident occurred in Tank T-10 of the Organic Waste Tank Farm. A description of the incident is provided later in this document. VRA submitted a Contingency Plan Activation report dated June 28, 2007. In a letter dated October 16, 2007, Ohio EPA requested additional information be provided regarding the incident. On October 30, 2007, VRA responded by providing the final report.

On January 3rd and 4, 2008, Ohio EPA, DHWM on-site inspectors interviewed VRA upper management to obtain additional information regarding the waste streams involved and procedures taken in the VRA laboratory and in the tank farm. At this point, Ohio EPA's investigation, based on information obtained, is complete.

This letter serves as a **Notice of Violation**. The results of our findings are as follows:

1. **OAC Rule 3745-55-94, General operating requirements:**
(A) Hazardous waste or treatment reagents must not be placed in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.
2. **OAC Rule 3745-54-17, General requirements for ignitable, reactive, or incompatible wastes:**
(A) The owner or operator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste.

Description of Incident:

On June 19, 2007, while off-loading a tanker of ethylenediamine (EDA)/methanol into tank T-10 in the Organic Waste Tank Farm, a reaction occurred. The two waste streams in T-10 at the time of the reaction were a high BTU waste stream and a siloxane stream. Based on calculation conducted by the facility, it is estimated that the reaction generated 7 mmBTU of heat energy. The heat energy produced resulted in a loss of approximately 21,000 lbs of material from the tank.

The vapor cloud generated by the reaction found its way through the bypass seal of the vapor recovery system to the kiln which acted as an ignition source creating a rapid expansion of heat. Damage was sustained to the vapor recovery system and the primary air fan.

VRA conducted an extensive investigation into the reaction. This included discussions with generators, bench laboratory testing, literature surveys and more detailed analytical work done on the tankers and tank contents. The generators of the three waste streams reported no changes in processes generating the wastes. Bench testing in the VRA laboratory and applying numerous scenarios could not duplicate conditions in the tank such as the severe temperature gradient in the tank, contaminations accumulated on the tank walls, and/or the stratification in the liquid in the tank.

In VRA's final report, dated October 30, 2007, the facility listed several corrective actions that had been taken after the incident or that would be taken. These included:

1. Restricting siloxane-type waste from the generator of the waste in question from being transferred to tanks in the tank farm;
2. Incorporate logic that would not allow tank temperatures to exceed 120⁰ F while still operating under the current vapor recovery set up;
3. Modify the facility maintenance procedures to minimize air introduction into the tank farm following tank maintenance;
4. Isolate the vapor recovery in the Tank Farm from routing vapors to the kiln;
5. Develop screening methods, in addition to the standard bench tests, to provide VRA a better tool for guaranteeing waste mix compatibility.

In order to **return to compliance** with regard to this NOV, Ohio EPA is requesting that the facility provide the following information regarding the corrective actions listed above:

With respect to #1, please explain the logic for placing restrictions on this specific waste stream; are similar restrictions being placed on other siloxane-type wastes?

With respect to #2, please describe the actions associated with the new logic employed, e.g., how will the logic prevent the tank temperature from exceeding the set temperature and what happens if the temperature is exceeded?

With respect to #3, please provide the SOP that incorporated these procedures.

With respect to #4, please provide a timeline for when this modification will be requested and the task completed.

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With respect to #5, please provide for Ohio EPA review, the additional screening methods developed as well as any information regarding new procedures that may have been implemented for guaranteeing waste mix compatibility.

In addition, please describe any changes that have been implemented in the way the EDA wastestream involved in the incident, or any other EDA wastestreams, are processed.

Please provide the information requested **within thirty days** of the date of this letter.

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve VRA from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve VRA from liability for any past or present violations of the state's hazardous waste laws.

If you have any questions, please contact me or Patricia Natali at the Ohio EPA field office in East Liverpool at (330)385-8421 or (330) 385-8447. You can find the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm>.

Sincerely,



for

Michelle Tarka
Environmental Specialist
Division of Hazardous Waste Management

MT:ddw

cc: Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Patricia Natali, DHWM, NEDO
Harry Sarvis, DHWM, CO
Tammy McConnell, DHWM, CO
Carrie Beringer, Von Roll America, Inc.

