



**Environmental  
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

August 6, 2012

Ms. Carrie Beringer  
Heritage-WTI, Inc.  
1250 St. George Street  
East Liverpool, Ohio 43920

**RE: HERITAGE – WTI, INC. (WTI), LQG / TSD, OHD 980 613 541  
COLUMBIANA COUNTY, MARCH 15, 2012 NOV, RETURN TO COMPLIANCE**

Dear Ms. Beringer:

On March 2, 2012, I conducted a general walk-through inspection of the Heritage-WTI (WTI) facility. During the general walk-through inspection, violations of Ohio's hazardous waste laws in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC), as well as with its State of Ohio Hazardous Waste Facility Installation and Operation Permit, were found.

The situations observed on March 2, 2012 were immediately abated by WTI personnel. However, certain corrective actions are requested by Ohio EPA in order for WTI to fully return to compliance. Those corrective actions were detailed in a Notice of Violation letter from Ohio EPA to WTI dated March 15, 2012.

WTI responded with a letter dated April 17, 2012 which provided information on the actions taken to alleviate the violations.

The purpose of this letter is to document WTI's Return to Compliance on April 17, 2012 for the violations noted in the letter from Ohio EPA dated March 15, 2012.

The following violations were noted:

**1. OAC rule 3745-54-31 Design and Operation of Facility (Permit Condition B.1)**

A spill of material was observed at the base of the door on the south side of the spray dryer. WTI personnel determined by visual examination that the material was treatment residual (ash), cleaned the area, and containerized the ash on March 2, 2012. All treatment residue generated by WTI is considered hazardous and is to be managed in accordance with the approved Part B permit application.

WTI was required to conduct retraining of appropriate personnel responsible for the Incineration portion of the facility (which includes the spray dryer) on the existing Standard Operating Procedures (SOPs) for ash clean-up.

**2. OAC rule 3745-54-15(A) General Inspection Requirements (Permit Condition B.5)**

Inspection form INC-1-DW includes the spray dryer and specifically, ash removal and conveying systems. However, based upon the observation of ash at the door of the spray dryer (3<sup>rd</sup> stair level), inspections for spills or releases must also be conducted on a routine basis in areas where maintenance operations occur. The presence of the ash remaining on the catwalk after maintenance activities were conducted indicates the area was not inspected properly in accordance with OAC 3745-54-15(A) and Section F of the approved Part B permit application.

WTI was required to conduct retraining of appropriate personnel on the existing inspection form INC-1-DW for the Incineration portion of the facility.

**3. OAC Rule 3745-52-34(A)(2) – Accumulation Date on Container**

A small yellow metal hopper without a cover, a hazardous waste label, or an accumulation start date was observed under the slag conveyor. The hopper was full and contained a variety of waste materials and clean-up debris including a pail and absorbent pads that were easily visible at the surface. The waste appeared to be on-site generated waste collected from the area surrounding the slag conveyor. WTI personnel removed the hopper and disposed of the material on the day the hopper was observed.

WTI was required to conduct retraining on generator requirements including accumulation, labeling and dating requirements, and general awareness for observations of inappropriate activities to ensure on-site generated waste is managed in accordance WTI's existing procedures.

**4. OAC Rule 3745-52-34(A)(3) – Container Labeling**

As described in violation #3, the hopper full of on-site generated waste was not labeled with the words "Hazardous Waste".

WTI was required to conduct retraining of appropriate personnel on generator requirements including accumulation, labeling and dating requirements, and general awareness for observations of inappropriate activities to ensure on-site generated waste is managed in accordance WTI's existing procedures.

**5. OAC 3745-66-73(A) - Closed Container**

As described in violation #3, the hopper full of on-site generated waste was not closed (no cover or lid).

WTI was required to conduct retraining on generator requirements including accumulation, labeling and dating requirements, and general awareness for observations of inappropriate activities to ensure on-site generated waste is managed in accordance with WTI's existing procedures.

**RETURN TO COMPLIANCE:**

Documentation of retraining was provided to Ohio EPA for review. In regards to Violations 1 and 2, the employees responsible for the Incineration portion of the facility were trained on the Housekeeping Safety Standard (SS-425) and the Incinerator Inspection Sheet (INC-1-DW) during the period of March 22nd through April 3rd, 2012. In regards to Violations 3, 4, and 5, training was conducted as part of annual refresher training for all employees during the period of March 6th through the 27th, 2012.

WTI has abated the violations and returned to compliance with regard to these violations.

If you have any questions, please contact me at the East Liverpool Field Office at (330) 385-8421.

Sincerely,



*for*  
Michelle Tarka  
Environmental Specialist  
Division of Materials and Waste Management

MT:ddw

cc: Frank Popotnik, DMWM, NEDO  
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