



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

**RE: Decorative Paint Incorporated
OHD084560440
Williams County
DMWM, NWDO
Return to Compliance**

May 16, 2012

Ms. Terri Snyder
Decorative Paint Incorporated
700 Randolph Street
Montpelier, Ohio 43543

Dear Ms. Snyder:

The Ohio Environmental Protection Agency (Ohio EPA) received documentation from Dine Comply Incorporated (DCI) on behalf of Decorative Paint Incorporated (DPI) in response to Ohio EPA's Notice of Violation (NOV) dated February 23, 2012. DCI's responses were received by Ohio EPA on April 18, 2012, and April 27, 2012. The responses included emails and waste evaluation documentation.

My review of the submitted information reveals that DPI has abated all violations discovered during the February 7, 2012, compliance evaluation inspection as outlined below. DPI will remain a large quantity generator of hazardous waste and a generator of used oil and universal waste lamps.

-- In an attempt to streamline this letter, details concerning previously abated violations or general concerns which have been addressed in previous correspondence have been omitted.

Violations:

1. Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste

Determination: "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

DPI failed to adequately evaluate the paint booth grease waste stream to determine if it is a hazardous waste in accordance with OAC Rule 3745-52-11.

On April 18, 2012, Ohio EPA received analytical results showing that a sample of the paint booth grease waste stream was non-hazardous for Resource Conservation and Recovery Act metals and volatile organic compounds.

These analytical results also showed that the waste stream ignited and burned at "a moderate rate" but did not have a numerical flashpoint result. The waste stream that I observed at the facility did not appear to have free liquids, therefore, I requested that DPI submit waste evaluation documentation regarding OAC 3745-51-21(A)(2) which defines ignitability of solid materials. On April 27, 2012, Ohio EPA received additional waste evaluation documentation regarding the waste paint booth grease. Based upon the information submitted, Ohio EPA agrees that the waste paint booth grease does not exhibit the characteristic of ignitability as defined in OAC 3745-51-21(A)(2). Therefore, this waste stream is a non-hazardous waste and can be managed as such.

This violation is considered abated on April 27, 2012.

2. OAC rule 3745-52-34(C)(1)(a), Accumulation time of hazardous waste: This violation is considered abated on February 7, 2012.
3. OAC rule 3745-52-34(A)(3), Accumulation time of hazardous waste: This violation is considered abated on February 7, 2012.
4. OAC Rule 3745-52-34(A)(2), Accumulation time of hazardous waste: This violation is considered abated on February 7, 2012.
5. OAC Rule 3745-279-22 (C)(1), Used oil storage requirements for generators: This violation is considered abated on February 7, 2012.
6. OAC Rule 3745-273-13(D)(1), Waste management-standards for small quantity handlers of universal waste: This violation is considered abated on February 9, 2012.
7. OAC Rule 3745-273-14(E), Labeling/marking-standards for small quantity handlers of universal waste: This violation is considered abated on February 17, 2012.

General Concerns:

1. Less than 90 day storage: This general concern is considered addressed.
2. Emergency equipment inspections: This general concern is considered addressed.
3. Used Oil Transporters: This general concern is considered addressed.

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Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/cg

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Cindy Lohrbach, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO

NOTICE:

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