

**Environmental
Protection Agency**

John R. Kasich, **Governor**

Mary Taylor, **Lt. Governor**

Scott J. Nally, **Director**

Re: Stein, Inc.
OHD039062328
Richland County
NOV

March 13, 2012

Mr. Gary Grantham, Superintendent
Stein, Inc.
1490 Old Bowman Road
Mansfield, Ohio 44903

Dear Mr. Grantham:

On February 22, 2012, Ohio EPA conducted a hazardous waste compliance evaluation inspection (CEI) of Stein, Inc. (Stein) located at 1490 Old Bowman Road, Mansfield, Ohio. This inspection was conducted to determine Stein's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC), and Ohio's hazardous waste regulations as adopted under Chapter 3745. of the Ohio Administrative Code (OAC). Stein was represented by you. Ohio EPA was represented by the writer. The inspection included a tour of facility operations and a review of facility paperwork. This letter outlines a request for additional information to determine Stein's compliance with the hazardous waste environmental regulations.

Harsco Metals had notified Ohio EPA on August 4, 1986, that they were a small quantity generator of hazardous waste (D001) at this address with the U.S. EPA ID # OHD039062328. This facility became Stein approximately two years ago.

Stein is a contractor for AK Steel and is a metal reclamation facility. Stein receives slag from the steel making process and reclaims the steel from the slag by running the slag through a separator plant. The slag is then sold to customers for use in roads, etc. The metals are returned back to AK Steel to produce more steel. Wastes generated at Stein include parts washing solvent, used oil and fluorescent bulbs.

During the CEI, I provided you with the following information: the Ohio EPA fact sheets: Universal Waste Rules for Handlers of Lamps; Fluorescent Lamps: What you Should Know; The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil a sample universal waste management plan for lamps and a list of lamp recyclers in Ohio. Please let me know if you have any questions pertaining to this information.

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During the CEI, you stated you were not sure how lamps were managed other than the bulbs could not go in the trash and needed to be recycled. Stein has only been in this facility a couple of years and it's possible to date that you have not generated lamps. I explained that fluorescent bulbs could not go into the trash unless they had been properly evaluated to determine they were a non-hazardous waste. In lieu of this, they must be managed as a universal waste and recycled. You stated you understood.

At the time of the inspection, your administrative assistant (AA) was out and you were unable to find the paperwork pertaining to your parts washing solvent and used oil. On March 1, 2012, via email, Teresa Adkins (AA) sent me a copy of the Material Safety Data Sheet (MSDS) for your parts washing solvent and a receipt for the pick-up of your used oil by RS Used Oil Services, Inc. Based on this MSDS, Stein utilizes Crystal Clean 142 Mineral Spirits. This solvent has a flash point of 142 degrees Fahrenheit and based on the MSDS no other hazardous waste characteristics.

On March 1, 2012, I responded to you and Ms. Adkins via email requesting additional waste evaluation information, management and disposal information pertaining to your parts washing solvent. To date, I have not received this information.

I found the following violation of Ohio's hazardous waste laws. Stein needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. **Within 14 days of receipt of this letter**, Stein is requested to provide documentation to this office including the steps taken to abate the violation cited below. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to amber.hicks@epa.ohio.gov.

**1. Waste Evaluation.
OAC Rule 3745-52-11**

Any person who generates a waste must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

Stein has failed to provide waste evaluation information pertaining to their parts washing solvent.

- ***To abate this violation, Stein must submit adequate waste evaluation information indicating whether your solvent waste is a hazardous or non-hazardous waste or whether the parts washing waste is part of a continued use program.***

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- In addition, please provide me information which indicates who services your parts washer including the frequency of pick-up. Please provide me at least two copies of the hazardous waste manifest or a bill of lading (shipping paper which you would receive at the time of pick-up - not an invoice from billing) from the pick-up of your parts washing waste.
- *If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.*

Please note that it is your responsibility to properly evaluate your waste to determine whether it is hazardous or not. I have included the fact sheet Identifying your Hazardous Waste which you may find useful.

Please be advised that the violation cited above will continue until the violation has been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Stein is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Pollution Prevention:

- Stein currently recycles their batteries with Deka and their used oil filters with Cat.
- Our Office of Compliance Assistance and Pollution Prevention (OCAPP) may be able to assist you in finding alternatives (or have information pertaining to alternatives that you already know about). This assessment is free and does not encompass compliance issues. If you are interested, please contact me or Ron Nabors, OCAPP, at 419-373-3147, to discuss an assessment or other possible pollution prevention options.
- If you find additional ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements. You can find helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp/>

The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. Their website is at:
<http://www.development.ohio.gov/cdd/oeef/>

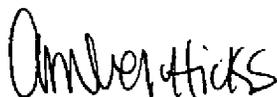
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The Division of Materials and Waste Management (DMWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage. Please feel free to share this information with your colleagues.

Enclosed you will find a copy of the checklists that I completed during the inspection. Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082 or email at amber.hicks@epa.ohio.gov.

You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dmwm.aspx>.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

/cg

Enclosures

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, DMWM, NWDO (w/ checklists)

ec: Amber Hicks, DMWM, NWDO
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.

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at:

https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes No N/A

a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes No N/A

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes No N/A

3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes No N/A

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil? If so, Yes No N/A

a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes No N/A

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

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

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6. Does the generator store used oil in tanks, or containers, or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes No N/A

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

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

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] Yes No N/A

a. Stopped the release? Yes No N/A

b. Contained the release? Yes No N/A

c. Cleaned up and properly managed the used oil and other materials? Yes No N/A

d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A

ON-SITE BURNING IN SPACE HEATER		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
GENERATOR TRANSPORTATION		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).</i>		
COLLECTION CENTERS AND AGGREGATION POINTS		
13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.</i>		