



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

January 9, 2013

RE: HERITAGE – WTI, INC. (WTI)
LQG / TSD, OHD 980 613 541
COLUMBIANA COUNTY
NOTICE OF VIOLATION AND
RETURN TO COMPLIANCE

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

Dear Ms. Beringer:

On Saturday December 29, 2012, an incident occurred at Heritage-WTI (WTI). WTI personnel contacted the Ohio EPA on December 29, 2012 to report the incident.

The incident occurred when a container of flammable liquid burst into flames on the platform in the Container Processing Building as it was opened. After the initial burst of flame, the fire contained itself within the container. The fire lasted approximately two minutes and was put out with a hand-held fire extinguisher by WTI personnel.

The generator of the container sent waste which was discrepant from the expected material as described on the waste profile. The exact cause of the incident has not yet been determined.

However, during the investigation it was noted that a portion of the standard operating procedure (SOP) developed by WTI for containerized waste was not followed.

As a result of the investigation into the incident on December 29, 2012, a violation 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 the facility's State of Ohio Hazardous Waste Facility Installation and Operation Permit, was determined.

This letter is a **Notice of Violation for the incident on December 29, 2012.**

The following violation was noted:

1. **Section F, Procedures to Prevent Hazards, of the approved Part B permit application, section F-5**, which states:

“Policies and Procedures – General operating and maintenance policies and procedures regarding the packaging, storing, shipping, receiving, unloading, sampling, analyzing, handling, holding, and treating of ignitable and/or reactive waste are incorporated into the facility's operating guidance documents, such as the facility's Part B permit application and permit and standard operating procedures (SOPs).”

The specific responsibilities of WTI personnel are described in Standard Operating Procedures (SOPs). The SOP for splitting containerized waste indicates a grounding cable is to be attached to the container prior to any activities. The employee did not attach a grounding cable to the drum.

WTI provided training on the SOP for containerized waste to their employees on three separate occasions in 2012, most recently in September 2012. To address this violation, WTI conducted additional training on January 3, 2013 of all four crews of employees responsible for waste processing activities. Retraining included another review of the SOP for splitting containerized waste.

WTI provided documentation to Ohio EPA that includes a description of the training provided, signature sheets indicating the attendance of all four crews of employees, and steps taken to abate the violation cited. This documentation was reviewed by Ohio EPA on January 7, 2013.

The letter also documents WTI's **Return to Compliance as of January 7, 2013**, for the violation that occurred on December 29, 2012. WTI has already taken the necessary measures to return to compliance with Ohio's environmental laws and rules.

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: Michelle Tarka, DMWM, NEDO
Frank Popotnik, DMWM, NEDO
Winde Hamrick, Heritage-WTI, Inc.

ec: Natalie Oryshkewych, DMWM, NEDO
Marlene Kinney, DMWM, NEDO
John Nyers, DMWM, CO
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