



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

February 4, 2013

**PERRY COUNTY
GENERAL FILE
(NEW LEXINGTON HIGH SCHOOL)
DMWM/SEDO
OHR000143636**

Ms. Tonya Sherburne, Superintendent
New Lexington City Schools
1605-A Airport Road, P.O. Box 630
New Lexington, Ohio 43764

Dear Ms. Sherburne:

On January 31, 2013, Melody Stewart and I inspected New Lexington High School to determine compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). This letter will explain the violations we found and what you need to do to correct the violations.

We found the following violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information **within 14 days** of your receipt of this letter:

- (1) **OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate the waste to determine if it is a hazardous waste, in accordance with the criteria set forth in OAC Chapter 3745-51.

During the inspection it was determined that New Lexington High School places spent fluorescent lamps generated by school lighting changes into the solid waste dumpster with their regular trash. Because all fluorescent lamps contain some amount of mercury, the spent lamps generated by New Lexington High School could be a hazardous waste. New Lexington High School has failed to evaluate their spent fluorescent lamps to determine if they are hazardous waste prior to disposing of them in the trash.

New Lexington High School must evaluate their spent fluorescent lamps to determine if they are considered a hazardous waste. Alternatively, New Lexington High School may choose to manage spent fluorescent lamps under

Ohio's Universal Waste Rule (UWR). If the spent lamps are managed as "universal waste" and they will be recycled, they do not need to be evaluated to determine if they are hazardous waste. If the spent fluorescent lamps are not recycled, it is your responsibility to evaluate them to determine if they are hazardous prior to their disposal. Under no circumstances should unevaluated spent fluorescent lamps be disposed of in the trash, as this could result in future violations for illegal disposal of a hazardous waste.

To demonstrate abatement of this violation, New Lexington City Schools must submit to Ohio EPA a written description that details how spent fluorescent lamps will be managed at New Lexington High School and all other schools in the New Lexington City School system. The description should include whether the lamps will be tested to determine if they are hazardous or if they will be managed as a universal waste and be recycled; as well as arrangements that have been made with a lamp disposal facility or a lamp recycler. I have enclosed some information about the management of spent fluorescent lamps under the universal waste rule, and a list of fluorescent lamp and ballast recyclers for your use in this matter.

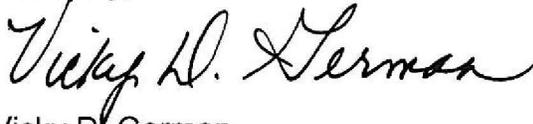
New Lexington City Schools needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **14 days** of your receipt of this letter, New Lexington City Schools is requested to provide the requested documentation to this office, including the steps you have taken to abate the violations cited above. Documentation includes written correspondence, updated policies, and photographs (as appropriate), and may be submitted via the postal service or electronically to vicky.german@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have 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, New Lexington City Schools is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Enclosed you will find a copy of the checklists that were completed as a result of the inspection. You can find copies of the hazardous waste rules and other information on our division's web page at <http://www.epa.ohio.gov/dhwm/lawsregs.aspx>. Pollution prevention and compliance assistance information can be found at <http://www.epa.ohio.gov/ocapp>.

If you have any questions or need assistance, please contact me at 740-380-5237 or vicky.german@epa.ohio.gov.

Sincerely,



Vicky D. German
Division of Materials and Waste Management
Ohio EPA, Southeast District Office

VDG/mr

Enclosure

cc with attachments: Mr. Gary McCord, Maintenance Supervisor
New Lexington City School Bus Garage
1605-A Airport Road, P.O. Box 630
New Lexington, Ohio 43764

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.

 <p>Environmental Protection Agency</p> <p>Send to: RCRAInfoData@epa.state.oh.us</p>	<h2 style="margin:0;">Ohio Environmental Protection Agency</h2> <h3 style="margin:0;">RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM</h3>	<p>For Ohio EPA use only</p>
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Completed forms that are required to be submitted to CO should be e-mailed to RCRAInfoData@epa.ohio.gov

<p>Site EPA ID No.</p> <p>Site Name</p> <p>Site Location Information</p> <p>Site Land Type (check only one)</p> <p>NAICS codes <small>www.census.gov/epcd/www/naics.html</small></p>	<p>EPA ID Number: OHR000143636</p> <p>Name: New Lexington High School Website (Optional): http://www.nlpanthers.org/newlexingtonhighschoolhome.aspx</p> <p>Street Address: 2547 Panther Drive NE</p> <p>City, Town, or Village: New Lexington State: OH</p> <p>County Name: Perry Zip Code: 43764</p> <p>Private County District Federal Indian Municipal State Other</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>61111</p>
<p>Facility Representative</p> <p>Additional names can be recorded in comments section.</p> <p>Only provide address information if it is different than the site address.</p>	<p>First Name: Gary Mi: Last Name: McCord</p> <p>Phone Number: 740-342-3528 Extension:</p> <p>E-Mail Address:</p> <p>Fax Number: 740-342-4765 Fax Number Extension:</p> <p>Street or P.O. Box: same as above</p> <p>City, Town or Village:</p> <p>State: Zip Code:</p>
<p>Legal Owner And Operator</p> <p>List additional Owners and/or Operators in the Comments Section or on another copy of this page.</p>	<p>Name of Site's Legal Owner: New Lexington City Schools Date Became Owner (mm/dd/yyyy): 1/18/2000</p> <p>Owner Type: Private County District Federal Indian Municipal State Other</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>Street or P.O. Box: 1605-A Airport Road, P.O. Box 630</p> <p>City, Town or Village: New Lexington Owner Phone #: 740-342-4133</p> <p>State: OH Country: Perry Zip Code: 43764</p> <p>Name of Site's Operator: New Lexington City Schools Date Became Operator: 1/18/2000</p> <p>Owner Type: Private County District Federal Indian Municipal State Other</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>Street or P.O. Box: 1605-A Airport Road, P.O. Box 630</p> <p>City, Town or Village: New Lexington Operator Phone #: 740-342-4133</p> <p>State: OH Country: Perry Zip Code: 43764</p>

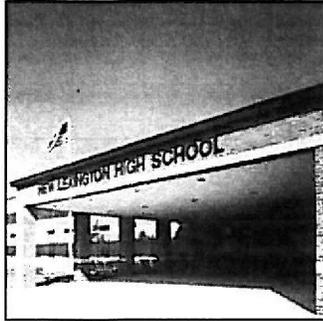
VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER (MARK AS APPROPRIATE)	
<p><input type="checkbox"/> Not a HW Generator</p> <p><input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11</p> <p><input type="checkbox"/> Short-Term/Temporary Generator (short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.</p>	<p><input type="checkbox"/> Large Quantity Generator (LQG)</p> <p><input type="checkbox"/> Small Quantity Generator (SQG)</p> <p><input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator</p> <p><input type="checkbox"/> U.S. Importer of Hazardous Waste</p> <p><input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator</p>

TYPE OF REGULATED WASTE ACTIVITY (MARK AS APPROPRIATE)		
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace	
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption	
<input type="checkbox"/> Treater, Storer, or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption	
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility	
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site	
UNIVERSAL WASTE ACTIVITIES (MARK AS APPROPRIATE)		
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste	
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)		
TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES (MARK ALL THAT APPLY)		
<input type="checkbox"/> Batteries		
<input type="checkbox"/> Pesticides		
<input type="checkbox"/> Mercury containing equipment		
<input type="checkbox"/> Lamps		
USED OIL ACTIVITIES (MARK ALL THAT APPLY)		
<input type="checkbox"/> Used Oil Generator		
<input type="checkbox"/> Used Oil Transporter		
<input type="checkbox"/> Used Oil Transfer Facility		
<input type="checkbox"/> Used Oil Processor		
<input type="checkbox"/> Used Oil Re-refiner		
<input type="checkbox"/> Off-Specification Used Oil Burner		
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil		
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications		
Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the boxes below to indicate the laboratory type.		
<input type="checkbox"/> College or University		
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university		
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university		
Waste Codes for Federally Regulated Hazardous Wastes: List the codes for the federally regulated hazardous waste handled at the site, in the order they are presented in the regulations (e.g., D001, D003, F007, U112). If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all; just indicate the date of the most recent source record.		
See previous source record dated 8/9/07.		
COMMENTS: Use this area to describe inspection conditions and additional information.		
Announced	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional Facility Representatives: Tonya Sherburne, Superintendent
Tanks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Containers	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ADDITIONAL COMMENTS:		
Latitude/Longitude: 39.726241, -82.205163		
INSPECTOR(S)		INSPECTION DATE/TIME
Vicky German, DMWM-SEDO Melody Stewart, DMWM-SEDO		1/31/13

PROCESS INFORMATION AND WASTE ACTIVITIES SUMMARY

GENERAL FACILITY INFORMATION



New Lexington High School is part of the New Lexington City School system, which also includes New Lexington Middle School, New Lexington Elementary School, and Junction City Elementary School. The school system was formed in 1961 when New Lexington and Junction City Schools consolidated. New Lexington High School is a four-year comprehensive public high school, accredited by the North Central Association of Secondary Schools and Colleges and the State of Ohio. The high school offers biology and chemistry laboratories, as well as woodworking and welding shops, and currently serves about 550 students.

WASTES GENERATED

Wastes from the biology and chemistry department laboratories are non-hazardous wastes generated from experiments. Small amounts of weak acids and bases are used (vinegar, etc.). These non-hazardous liquids are flushed down the laboratory sink drains. Wastes generated from the woodworking and welding shops are primarily wood scraps and wood and metal shavings which are managed as solid waste. Prior to any clean out of old out-of-date chemicals and reagents these materials should be evaluated to determine if they are a hazardous waste prior to their disposal. Building maintenance generates spent fluorescent lamps and Ni-Cd batteries from hallway and entrance/exit signage.

REGULATORY HISTORY

New Lexington High School notified Ohio EPA of its hazardous waste activities as a Conditionally Exempt Small Quantity Generator (CESQG) on 8/9/2007. The facility has not been previously inspected for compliance with Ohio's hazardous waste laws.

CONDITIONALLY EXEMPT SMALL QUANTITY (CESQG) GENERATOR REQUIREMENTS

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: >1,000 Kg. (~300 gallons) of waste in a calendar month or >1 Kg. of acutely hazardous waste in a calendar month.

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No NA

New Lexington High School has not evaluated spent fluorescent lamps prior to disposing of them.

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? (CESQG - Conditionally Exempt Small Quantity Generator) Yes No NA

NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator (SQG).

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [ORC §3734.02(F)] Yes No NA

New Lexington High School has not evaluated spent fluorescent lamps prior to disposing of them. Once the lamps have been evaluated or it has been determined that spent lamps will be managed as universal waste and recycled, New Lexington High School must maintain documentation demonstrating that spent lamps have been properly disposed or recycled.

TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a:
- a. Container that meets 3745-66-70 to 3745-66-77? Yes No NA
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes No NA
 - c. Drip pad that meets 3745-69-40 to 3745-69-45? Yes No NA
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No NA

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use the LDR checklist.