



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

April 26, 2013

WASHINGTON COUNTY
GENERAL FILE
(JABO INC.)
DMWM/SEDO
NON NOTIFIER

Mrs. JoAnn Argabrite
JABO, Inc.
PO Box 242
Parkersburg, WV 26102

Dear Mrs. Argabrite:

On April 18, 2013, Ohio EPA inspected JABO, Inc. ("JABO") in Reno, Ohio. The purpose of the inspection was 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 violations I found, what you need to do to respond to the violations, and my requests for additional information.

I found the following violations of Ohio's hazardous waste laws:

- OAC Rule 3745-52-11, Hazardous Waste Determination:** Any person who generates a waste, as defined in rule 3745-51-02 of the Ohio Administrative Code, must determine if that waste is a hazardous waste using the following method: (A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code (B) He must then determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code. (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

While JABO submitted acceptable analytical results for spent glass, JABO was unable to document that spent fire brick had been evaluated prior to disposal as a solid waste. In order to abate this violation, JABO must evaluate the spent fire brick per the above rule by having it tested by an analytical lab for TCLP metals and submitting the analytical results to Ohio EPA. Alternatively, if JABO is able to locate a past analysis of its spent firebrick, this information should be submitted to me.

GENERAL COMMENTS

- A. JABO is occasionally open burning spent wood pallets that are too deteriorated to re-use. Please note that open burning of commercial waste, including wood waste, is prohibited by Ohio law. JABO must immediately cease this practice and instead either recycle pallets (see enclosed recycling vendor list) or begin to dispose of them as a solid waste to a licensed municipal solid waste landfill.
- B. Ohio EPA recently received a complaint alleging that JABO's glass waste has historically been buried in a waste pile in the hollow behind the plant. Please provide documentation in the form of waste disposal receipts that JABO has appropriately managed their waste since JABO began business. Alternatively, please contact me so we can make arrangements with you to inspect the hollow behind the plant.

You must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **21 days** of the date of this letter, you are requested to provide documentation to this office including the steps taken to abate the violations cited above. 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 donna.goodman@epa.state.oh.us.

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, you are 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 rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. If you have any questions, please contact me by telephone at (740) 380-5293 or by e-mail at donna.goodman@epa.state.oh.us.

Sincerely,



Donna Goodman
Inspector
Division of Materials and Waste Management

Enclosure

DG/mr

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.

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM		For Ohio EPA use only																																				
Completed verification forms required to be submitted to CO should be e-mailed to RCRAInfoData@epa.ohio.gov																																							
Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: Name: JABO, INC. Website: (Optional) Street Address: 30625 State Route 7 City, Town, or Village: Reno State: OH County Name: WASHINGTON Zip Code: 45773 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%;">Private</td> <td style="width: 12.5%;">County</td> <td style="width: 12.5%;">District</td> <td style="width: 12.5%;">Federal</td> <td style="width: 12.5%;">Indian</td> <td style="width: 12.5%;">Municipal</td> <td style="width: 12.5%;">State</td> <td style="width: 12.5%;">Other</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>			Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>																										
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Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: JoAnn MI: Last Name: Argabrite Title: Owner Phone Number: 800-338-9578 Phone Number Extension: E-Mail Address: Fax Number: Fax Number Extension: Street or P.O. Box: PO Box 242 City, Town or Village: Parkersburg State: WV Zip Code: 26102																																						
Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Date Became Owner (mm/dd/yyyy): <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%;">Owner Type:</td> <td style="width: 12.5%;">Private</td> <td style="width: 12.5%;">County</td> <td style="width: 12.5%;">District</td> <td style="width: 12.5%;">Federal</td> <td style="width: 12.5%;">Indian</td> <td style="width: 12.5%;">Municipal</td> <td style="width: 12.5%;">State</td> <td style="width: 12.5%;">Other</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: Owner Phone #: State: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%;">Operator Type:</td> <td style="width: 12.5%;">Private</td> <td style="width: 12.5%;">County</td> <td style="width: 12.5%;">District</td> <td style="width: 12.5%;">Federal</td> <td style="width: 12.5%;">Indian</td> <td style="width: 12.5%;">Municipal</td> <td style="width: 12.5%;">State</td> <td style="width: 12.5%;">Other</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: Operator Phone #: State: Country Zip Code:			Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>	Operator Type:	Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>																
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VIOLATIONS CITED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																																							
TYPE OF HANDLER - MARK "X" AS APPROPRIATE																																							
<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>		<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator																																				

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <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 (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)

(CHECK ALL BOXES THAT APPLY)

- | | |
|---|---|
| <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) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
- 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 box(es) below to indicate the laboratory type.

- College or University
- Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
- 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. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced Yes No Additional Facility Representatives:
 Tanks Yes No
 Containers Yes No

Name of Inspector(s)
Donna Goodman

Name of Inspector(s)

Date of Inspection/Time
 (mm/dd/yyyy) (hh:mm)
4/18/2013

Comments:

Waste was stored in waste pile in concrete bunker behind facility.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 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.
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Waste fire brick has not been evaluated.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Unknown.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] Unknown.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

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

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

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: JABO Inc. Facility Type: Unknown Date of Inspection: 04/18/13 EPA ID#: NA

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1 Melting Glass in two furnaces	Waste Glass mixed with Fire brick from furnace maintenance Fire brick unevaluated	Waste pile in concrete bunker behind building. Approximately 15 cubic yards per year are sent offsite for disposal.		Waste Management Northwestern Landfill, Parkersburg, WV	Glass is re-used in furnace as much as possible and only disposed of when the formulation is no longer compatible.	Containerize the waste pile in such a manner so as to exclude soil and mud from entering the pile (due to drainage issues), thus minimizing the volume disposed of annually.
2 Receipt of raw materials	Wood pallets	varies	Reused onsite until broken or rotten, then open burned			Unusable pallets should be recycled. If not acceptable for recycling they should be managed as a solid waste.

REMARKS/ GENERAL INFORMATION

General Process Information:

JABO has been in business since 1991. It manufactures marbles for the paint industry for use in aerosol cans, and two times each year the company makes classic marbles to spec per custom order. Recycled flint glass is purchased from a glass recycling company in Newark, OH and fed into one of two natural gas-fired furnaces. Melted glass exits the furnace in a stream and is sliced into regularly sized globs which immediately proceed through a roller which shapes the glass into a marble. A smooth glass marble exits the roller, is sized, cooled, and then shipped. Custom marbles are manufactured to spec by adding variously colored Fenton or other pure glass rods. Much of the glass waste generated by this company can be re-melted in the furnaces as a raw material, however, some glass is no longer usable because its formulation is spent and would

cause quality control issues. Spent glass is mixed with spent fire brick (furnaces are rebuilt every 1.5 to two years), accumulated in an uncovered concrete bunker behind the plant, and disposed of once per year by Waste Management as a solid waste. Spent glass has been evaluated but spent fire brick has not. Because of drainage problems at the site (the site is at the base of a steep slope that has been cut), soil and mud also collect in the bunker and are discarded along with the waste.

Regulatory/Enforcement History (if applicable):

NA

Additional P2 remarks and information:

By excluding soil and water from the waste pile, the volume of waste disposed of annually would decrease.

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other: