



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

May 16, 2013

Mr. William Smith
JT Smith Glassworks
1278 Bender Road
Marietta, Ohio 45750

WASHINGTON COUNTY
GENERAL FILE
(JT SMITH GLASSWORKS)
DMWM/SEDO
NON NOTIFIER

Dear Mr. Smith:

On May 9, 2013, Ohio EPA inspected JT Smith Glassworks ("JTS") in Marietta, 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.

JTS was unable to document that liquid waste containing ammonia, water and silver nitrate had been evaluated prior to disposal as a non-hazardous waste. In order to abate this violation, JTS must evaluate the liquid waste per the above rule by having it tested by an analytical lab for TCLP silver and then submitting the analytical results to Ohio EPA for review. You can find an analytical testing lab by looking under "Environmental Services" in the Marietta business telephone listings. In the past, your company (formerly called the Marietta Silver Globe Company) has used Kemron Environmental Services in Reno, Ohio, now called Microbac, for such analytical services.

JT Smith Glassworks

May 16, 2013

Page 2

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
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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:		Website: (Optional)	
	Name: JT Smith Glassworks		State: OH	
	Street Address: 1278 Bender Road		Zip Code: 45750	
	City, Town, or Village: Marietta County Name: WASHINGTON		Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
37215				

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: William MI: Last Name: Smith	
	Title: Part Owner	
	Phone Number: 740-629-7727 or 740-373-9636 Phone Number Extension:	
	E-Mail Address:	
	Fax Number: Fax Number Extension:	
	Street or P.O. Box:	
	City, Town or Village:	
State: OH Zip Code:		

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):	
	Owner Type: Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/>		Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
	Street or P.O. Box:		Owner Phone #:	
	City, Town or Village:		Country: Zip Code:	
	State:		Name of Site's Operator:	
	Operator Type: Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/>		Date Became Operator (mm/dd/yyyy):	
	Street or P.O. Box:		Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
	City, Town or Village:		Operator Phone #:	
State:		Country Zip Code:		

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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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"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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)
Doug Snyder, DDAGW

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
5/9/2013 1:30 PM

Comments:

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: JT Smith Glassworks **Facility Type:** unknown **Date of Inspection:** 05/09/2013 **EPA ID#:** Non notifier

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	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	Silver coating of inside of glass globe	Liquid waste coating unevaluated	1 gallon per week is disposed of in drain leading to septic system			
2	Iridescent coating inside of glass globe	waste coating dust Non haz per MSDS	1 gallon per year. Collected onsite in a bucket and disposed of as a solid waste once per year.		Disposed of as solid waste in dumpster	

REMARKS/GENERAL INFORMATION

General Process Information:

Various colored glass cullet is heated in a natural gas fired furnace and free hand blown into different sized globes. A batch process is used. The interior of the globe is then coated with either a silver nitrate for mirroring, or a titanium product to create an iridescent look. Liquid wastewater from the silver nitrate coating process is unevaluated. The blow pipe end of the globe is sealed with wax, and the product is then boxed and shipped.

Regulatory/Enforcement History (if applicable):

The Marietta Silver Globe Company, formerly located on Route 550 in Marietta, was started in 1935. It is one of only three or four other similar companies in the US. The company was last inspected in 1995 as a result of a complaint. An NOV citing lack of a waste evaluation for floor sweepings was sent on 6/16/1995. An RTC was sent on 7/14/1995 when a waste evaluation was conducted and it was determined that the company was a nongenerator of hazardous waste. Approximately 15 years ago the Rt. 550 location closed and the company moved to its current location. It is now in its fourth generation of family ownership. It has also changed its name to JT Smith Glassworks. The company has one

employee who is also the part owner, William Smith.

Additional P2 remarks and information:

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:

**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]	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")]	Yes <input checked="" 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)] Waste not yet evaluated.	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 type="checkbox"/>