



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

February 5, 2013

Thomas Schroeter, Plant Engineer  
US Chemicals & Plastics  
600 Nova Dr. SE  
Massillon, OH 44646

**RE: US CHEMICALS & PLASTICS, OHR00000737, STARK CNTY, NOV-RTC**

Dear Mr. Schroeter:

On January 16, 2013, Sheryl Slone and this writer, representing Ohio EPA, Division of Materials and Waste Management (DMWM), visited US Chemicals & Plastics (USCP), located at 600 Nova Drive SE in Massillon, Ohio to conduct a hazardous waste compliance evaluation inspection (CEI). USCP was represented by you. Subsequently, on January 30, 2013, USCP submitted documentation concerning waste evaluation, manifests and personnel training.

The purpose of the inspection was to determine USCP's 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). The inspection included a review of the facility's operations, as well as written documentation. USPC was inspected for the requirements of a large quantity generator (LQG) of hazardous waste.

Based on the inspection, Ohio EPA identified the following violations:

1. **Labeling and Dating Hazardous Waste Accumulation Containers, OAC rule 3745-52-34(A)(2)(3):** While being accumulated on-site, each container with hazardous waste contents must be labeled with the words "Hazardous Waste" and with an accumulation start date that is clearly marked and visible for inspection.
  - A. During the inspection of the central hazardous waste accumulation area, eight, 55-gallon containers were not positioned in a manner that allowed the accumulation period to be visible for inspection. Subsequently, the containers were repositioned to allow access to the hazardous waste labels and accumulation period. In addition, USCP's January 30, 2013 submittal indicated that facility personnel were instructed of this requirement and that annual refresher training will cover it as well.
  - B. USCP failed to label one container with an accumulation period start date. The container was observed in the central hazardous waste accumulation area and contained waste rags. During the inspection, USCP placed an accumulation period start date on the label.

**This violation has been adequately addressed. No further response is necessary.**

2. **Satellite Accumulation Requirements, OAC rule 3745-52-34(C)(1)(a)(b):** A generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste in containers at or near any point of generation provided that the generator complies with OAC rules 3745-66-71 [conditions of containers], 3745-66-72 [compatibility of waste with container], 3745-66-73(A) [management of containers] and marks the containers with the words "hazardous waste" or other words that identify the contents.

USCP failed to comply with the satellite accumulation requirements at the following areas:

- Satellite Accumulation Area #1: One, 55-gallon container of waste body filler was not appropriately labeled and was observed open. The container was subsequently labeled and closed through securing a ring-top lid.
- Paint Building – Laboratory Area: One container of waste paint contaminated debris was not appropriately labeled. The container was subsequently labeled.
- Paint Building – Filter Area: One, 55-gallon container of waste filters and rags was observed open. The container was subsequently closed through securing the ring-top lid.

**This violation has been adequately addressed. No further response is necessary.**

3. **Satellite Accumulation Requirements, OAC rule 3745-52-34(C)(2):** A generator who accumulates either hazardous waste or acutely hazardous waste in excess of the amounts listed in OAC rule 3745-52-34(C)(1) at or near any point of generation must, with respect to that amount of excess waste, comply within three days of OAC rule 3745-52-34(A).

During the inspection of an area near Satellite Accumulation Area #1, two, 55-gallon containers of scrap putty retains were observed. One container was labeled as scrap putty retains, dated December 27, 2012 and was full; the other container was labeled as scrap putty retains, dated December 28, 2012 and was three-quarters full. As such, USCP failed to comply with the applicable provisions of OAC rule 3745-52-34(A). The full container was subsequently moved to the central hazardous waste accumulation area and labeled as hazardous waste with an accumulation start date of December 27, 2012.

**This violation has been adequately addressed. No further response is necessary.**

4. **Personnel Training, OAC rule 3745-65-16(C)(D)(1-4):** Facility personnel must complete training on hazardous waste management and emergency response procedures.

USCP failed to comply with the following requirements of this rule:

- OAC rule 3745-65-16(C): The facility failed to conduct hazardous waste training for all required personnel on an annual basis. Specifically, four employees did not receive annual refresher training in 2012.

- OAC rules 3745-65-16(D)(1-4): The facility failed to maintain the following documents and records at the facility: (1) job titles, as they relate to hazardous waste management, and the name of each employee filling each job; (2) a written job description for each position at the facility; (3) a written description of the type and amount of both introductory and continuing training to be given to each person filling a position; and (4) records that document that the training or job experience required by this rule has been given to, and completed by, facility personnel.

USCP's January 30, 2013 submittal included documentation that all required personnel received refresher training on January 23, 2013. In addition, USCP submitted the personnel training documents required by OAC rule 3745-65-16(D)(1-4).

**This violation has been adequately addressed. No further response is necessary.**

5. **Universal Waste Management Standards for Small Quantity Handlers, OAC rule 3745-273-13(D)(1):** A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

USCP failed to accumulate universal waste lamps in containers, as well as in containers that were closed. The universal waste lamps were being accumulated in the Boiler Room. During the inspection, three loose lamps were placed into a container and all containers were closed.

**This violation has been adequately addressed. No further response is necessary.**

6. **Labeling/marking Standards for Small Quantity Handlers of Universal Waste, OAC rule 3745-273-14(E):** Universal waste lamps must be labeled/marked with one of the following phrases: "universal waste lamp(s)," or "waste lamp(s)" or "used lamp(s)."

USCP failed to label/mark containers of universal waste lamps with the words required by this rule. The universal waste lamps were being accumulated in the Boiler Room. During the inspection, the containers were labeled as universal waste lamps.

**This violation has been adequately addressed. No further response is necessary.**

Ohio EPA offers the following comments:

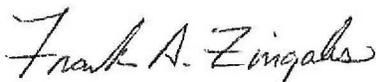
1. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.ohio.gov/dmwm>
2. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to environmental matters in Ohio. For more information, please refer to:

<http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage>

3. The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. For more information, please refer to: <http://development.ohio.gov/Energy>
4. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce or eliminate it. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://epa.ohio.gov/ocapp/contact.aspx>

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales  
Environmental Specialist  
Division of Materials and Waste Management

FAZ:ddw

Enclosure

ec: Natalie Oryshkewych, DMWM, NEDO  
Frank Popotnik, DMWM, NEDO  
Sheryl Slone, DMWM, NEDO  
Jeff Mayhugh, DMWM, CO  
cc: Marlene Kinney, DMWM, NEDO