



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

Re: American Trim  
Allen County  
Hazardous Waste  
OHD000804732  
**Return to Compliance**

August 5, 2013

Mr. Robert J. Johnson  
American Trim  
713 Maple Street  
Wapakoneta, Ohio 45895

Dear Mr. Johnson:

On January 7, 2013, the Ohio Environmental Protection Agency (Ohio EPA) conducted a compliance evaluation inspection at American Trim (AT) Plant 1/Organic Coatings Products (OCP) plant, both located under the same roof at 999 West Grand Avenue, Lima, Ohio. I represented Ohio EPA, Division of Materials and Waste Management (DMWM) and was accompanied by Colleen Weaver also with Ohio EPA, DMWM. You represented AT during the inspection.

As a result of the inspection, a February 1, 2013, Notice of Violation/Return to Compliance/Request for more information letter was sent to AT. The February 1, 2013, letter cited a total of six (6) violations, the following violations were cited:

1. Ohio Administrative Code (OAC) rule 3745-279-22(C)(1), for failure to label containers of used oil.
2. OAC rule 3745-66-73(A), for failure to have containers containing hazardous waste closed except when necessary to add or remove waste.
3. OAC rule 3745-66-74, for failure to inspect all 90-day storage areas at least once during the period from Sunday to Saturday.
4. OAC rule 37-273-14(A), for failure to properly label a container of universal waste batteries.
5. OAC rule 3745-273-14(E), for failure properly label a container of universal waste lamps.
6. OAC rule 3745-273-13(D)(1), for failure to close a container containing universal waste lamps.

With information submitted subsequent to the inspection, the February 1, 2013, letter returned all of the above violations to compliance. However, a March 18, 2013, letter cited American Trim in violation of the following:

7. **Ohio Administrative Code (OAC) Rule 3745-66-91 to 3745-66-100: Tank System Requirements:** Tank system requirements apply to owners or operators of facilities that use tank systems for storing or treating hazardous waste.

Mr. Robert J. Johnson  
August 5, 2013  
Page 2

AT did not comply with the requirements for operating a hazardous waste tank. The February 13, 2013, response did not provide sufficient information regarding the 6,000-gallon caustic cleaner tank, as requested in Ohio EPA's February 1, 2013, letter. The February 13, 2013, letter included copies of OAC rule 3745-66-92 for new tank regulations; however, based on AT's response it seems the tank may have been put into operation in January 1985, and therefore would be subject to OAC rule 3745-66-91. Attached is a copy of OAC rule 3745-66-91.

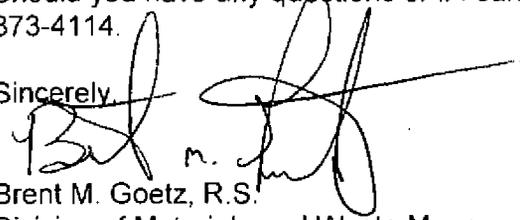
In order to continue operating the 6,000-gallon tank as a hazardous waste tank, AT must submit all previously requested information as outlined in Ohio EPA's February 1, 2013, NOV not covered under OAC rule 3745-66-92 as well as the information required under OAC rule 3745-66-91. Alternatively, as indicated by the February 13, 2013, response, AT can elect to operate the 6,000-gallon tank for WWTP purposes only and not ship hazardous waste from the tank. In order to abate this violation, AT must submit the required hazardous waste tank information OR must reiterate the intent to operate the tank as a WWTP specific tank and describe in more detail how additional waste caustic acid will be managed, including an estimate of how much per month will be generated, how the caustic cleaner will be safely transferred into totes, what measures will be taken to minimize the potential for spilling, and where the totes will be stored.

**An April 9, 2013 response from AT reiterated the intent to operate the tank as a WWTP specific tank and provided a description of how additional waste caustic acid will be managed. Therefore this violation has been abated.**

AT should be aware that while this violation has been abated through a change in procedure at the facility, the violation only remains abated if AT continues to use the tank solely as a WWTP tank. No waste from the process can be stored in the tank prior to shipping it off-site as a waste. If a change in procedure is required, that necessitates the use of the tank as a waste storage tank, AT must submit the above requested information prior to the use of the tank as a storage tank.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-4114.

Sincerely,

  
Brent M. Goetz, R.S.  
Division of Materials and Waste Management

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pc: Lisa Gifford, DMWM, NWDO  
Colleen Weaver, DMWM, NWDO  
ec: Colleen Weaver, DMWM, NWDO

**Notice:**

Ohio's 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.