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State of Ohio Environmental Protection Agency

STREET ADDRESS:

Central District Office

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Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

February 28, 2007

Re: Bacou-Dalloz
Conditionally Exempt Small
Quantity Generator
OHR000128702
Franklin County, CDO
NOV

Ms. Ann Ooten
Bacou-Dalloz
3325 Lewis Centre Way
Grove City, OH 43123

Dear Ms. Ooten:

On February 21, 2007, I conducted a compliance evaluation inspection of Bacou-Dalloz in Grove City, Ohio. I inspected Bacou-Dalloz to determine its compliance with Ohio's hazardous waste and used oil laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

I 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 30 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 the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

According to new guidance by Ohio EPA's Central Office, Bacou-Dalloz should re-evaluate the used rags (paper towels) to determine if they are hazardous. If the used rags are hazardous and Bacou-Dalloz continues to manage them as a hazardous waste, then the company would be a small quantity generator (SQG) and subject to all of the SQG rules. I have included a copy of this guidance.

Bacou-Dalloz must immediately evaluate the used rags to determine if they are a listed or characteristic hazardous waste as required by OAC 3745-52-11. Once Bacou-Dalloz has made this determination, you must send me the documentation.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Ms. Ann Ooten
Bacou-Dalloz
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General Comments

During the inspection, I noticed the amount of used rags sent off site varied on different manifests up to 1,000 pounds for five drums. I contacted Safety Kleen to figure out how they calculate the weight of the drums. The Safety Kleen representative stated the drivers use a chart to measure the amount of waste in the drum. She stated the customer is charged the same amount but the drums may contain different amounts. Please be aware of what you are signing.

Enclosed you will find a copy of the completed checklists and process description. I have also enclosed a copy of Ohio EPA's used rag guidance. Should you have any questions, please feel free to call me at (614) 728-3882. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp/ocapp.html>.

Sincerely,



Elizabeth D. Lamerson
Environmental Specialist
Division of Hazardous Waste Management
Ohio EPA, Central District Office

c: Tammy McConnell, DHWM, CO
CDO File

Enclosure

EL/cl DSHWM/Bacon-Dalloz NOV

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.

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office	Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM		For Ohio EPA use only																				
2. Site EPA ID No.	EPA ID Number: OHR000128702																						
3. Site Name	Name: Bacou-Dalloz		Website (optional):																				
4. Site Location Information	Street Address: 3325 Lewis Centre Way																						
	City, Town, or Village: Grove City	State: OH																					
	County Name: Franklin	Zip Code: 43123																					
5. Site Land Type (check only one)	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>			Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
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6. NAICS code(s) www.census.gov/epcd/www/naics.html	A.		B.																				
C.		D.																					
7. Facility Representative. Additional names can be recorded in number 12. Only provide address information if it is different than the site address.	First Name: Eric		MI:	Last Name: Stipp																			
	Phone Number: (614) 539-5056		Phone Number Extension:																				
	E-Mail Address:																						
	Fax Number: (614) 539-3940		Fax Number Extension:																				
	Street or P.O. Box: Same																						
	City, Town or Village:																						
	State:		Country:		Zip Code:																		
8. 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.	A. Name of Site's Legal Owner: Prologis		Date Became Owner (mm/dd/yyyy):																				
	Owner Type: Mark with an X		<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><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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	Street or P.O. Box: 3765 Interchange Road																						
	City, Town, or Village: Columbus		Owner Phone #:																				
	State: Ohio		Country: USA		Zip Code: 43204																		
	B. Name of Site's Operator: Bacou-Dalloz		Date Became Operator (mm/dd/yyyy):																				
	Operator Type: Mark with an X		<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><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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Street or P.O. Box:																							
City, Town, or Village:		Operator Phone #:																					
State:		Country:		Zip Code:																			
9. Violations Cited?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No																				
10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)																							
<input type="checkbox"/> Not Regulated																							

10. Type of Regulated Waste Activity (Mark in all of the appropriate boxes.)

A. Hazardous Waste Activities

UNKNOWN: Cited for violation of 3745-52-11

a. Large Quantity Generator (LQG):

b. Small Quantity Generator (SQG)

c. Conditionally Exempt Small Quantity Generator

d. United States Importer of Hazardous Waste

e. Mixed Waste (hazardous and radioactive) Generator

4. Recycler of Hazardous Waste

5. Exempt Boiler and/or Industrial Furnace

a. Small Quantity On-site Burner Exemption

b. Smelting, Melting, Refining Furnace Exemption

6. Underground Injection Control Facility

B. Universal Waste Activities

1. Small Quantity Handler of Universal Waste
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):

2. Large Quantity Handler of Universal Waste
(accumulates 5,000 kg or more).

3. Destination Facility for Universal Waste
(Check all boxes below that apply for each of the three types of facilities above.)

	Generated	Accumulated
A. Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C. Used Oil Activities

1. Used Oil Generator

2. Used Oil Transporter Indicate Type(s) of Activity(ies)

Transporter

Transfer Facility

3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)

Processor

Re-refiner

4. Off-Specification Used Oil Burner

5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)

a. Marketer Who Directs Shipment of Off-Specification Oil

b. Used Oil to Off-Specification Used Oil Burner

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. 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. Instead just indicate the date of the most recent source record.

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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

N	Announced?	Additional Facility Representatives:
N	Tanks?	Other comments:
Y	Containers?	

13. Name of Inspector(s) Name of Inspector(s) Date of Inspection/Time (mm-dd-yyyy) (HH:MM)

Elizabeth Lamerson February 21, 2007

14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of owner, operator, or an authorized representative	Name and Title (Print)	Date (mm-dd-yyyy)

PROCESS DESCRIPTION SECTION

Give a general process description (include all processes at the facility)

Bacou-Daloz is a distribution center. Products from six different companies are sent to Bacou-Daloz and are distributed to customers. The company also paints decals on hard hats. The facility generates used rags, paint waste, and used oil. The company also has two parts washers.

WASTE ACTIVITIES AND P2 SUMMARY SECTION

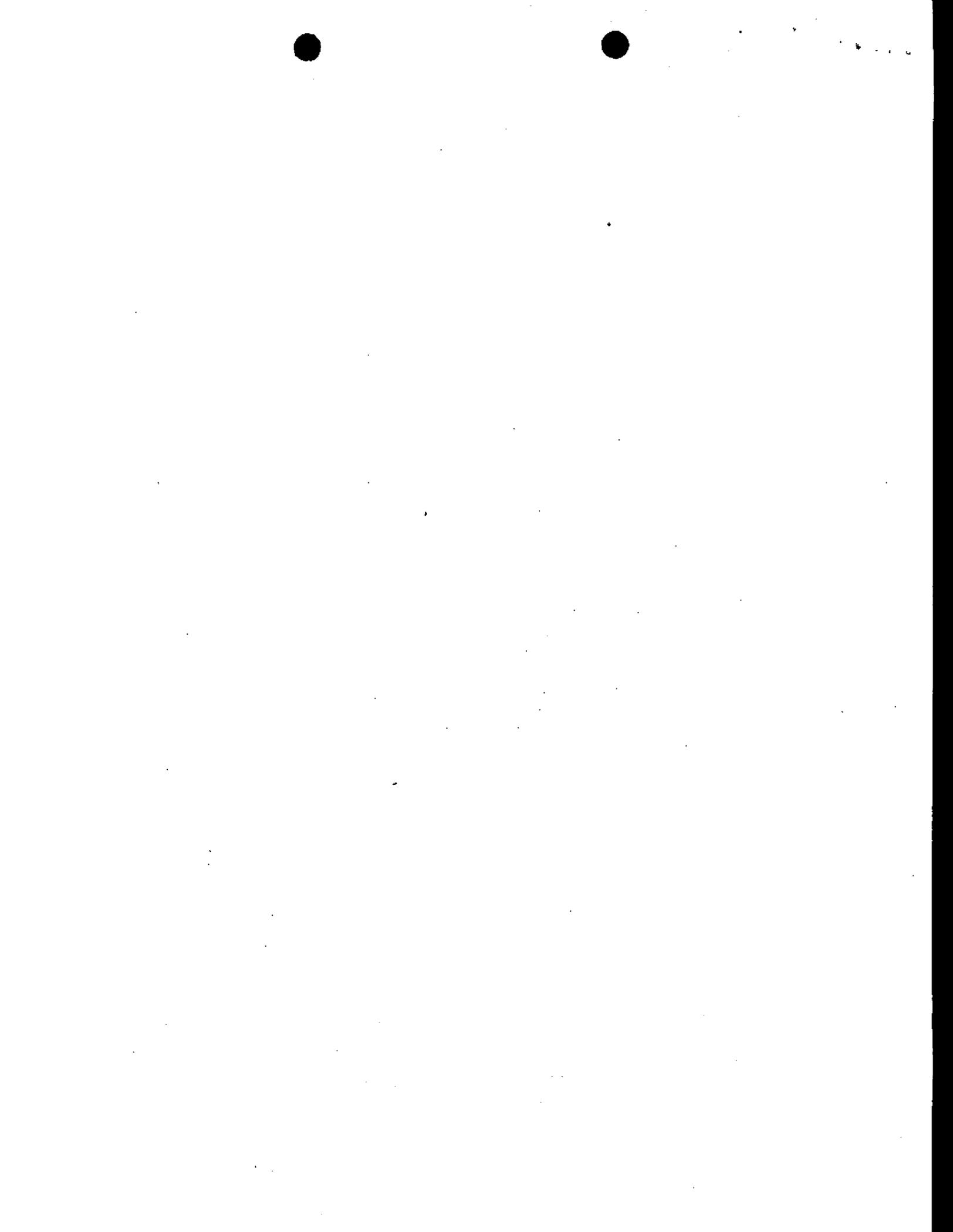
For each of the processes listed above that generate a waste give the following information: (1) name of process generating waste, (2) name or description of waste generated (e.g. sludge, solvent, ash, used oil, spent lamps, etc.), (3) EPA waste codes, if applicable, (4) quantity generated per month, (5) type of accumulation (container, tank, etc.) (6) waste accumulation location in facility, (7) type of on-site treatment (if used), (8) name of off-site management facility and type of waste management activity occurring there, (9) Current P2 activities, and (10) P2 opportunities.

Used rags - The used rags (paper towels) are generated from cleaning the painting equipment. Currently, Bacou-Daloz is manifesting the used rags as a hazardous waste carrying the waste codes F003 and D001. The used rags are contained in 55-gallon drums and sent to Safety Kleen. The drums are accumulated in a flammable room. According to new guidance by Ohio EPA's Central Office, Bacou-Daloz may want to re-evaluate the used rags (paper towels) to determine if they are hazardous.

Paint waste - The paint waste is generated from any leftover paint. The company has a small amount of paint waste because they only mix 100 grams of paint at a time. The paint waste is placed in the used rag drum. Safety Kleen picks up the hazardous waste drums.

Used oil - The used oil is generated from changing oil in the gear boxes. The facility will also conduct oil changes on the forklifts when they need it. To date, the company has not sent any used oil off site.

Parts washers - The facility has two parts washers at the facility. One parts washer is located in the Value Added Services (VAS) Department and the other is in the maintenance area. The VAS parts washer is serviced every 16 weeks by Safety Kleen. This parts washer fluid is Aquaworks. It is sent off site as a non-regulated liquid on a bill of lading to Safety Kleen. The machine was last serviced on December 8, 2006. The maintenance parts washer is serviced every 12 weeks by Safety Kleen. This parts washer contains Safety Kleen 105 solvent recycled. The flashpoint is 105°F. This unit was last serviced on January 26, 2007. They only paperwork for this service is an electronic print-out Safety Kleen provides at the time of service. If the rags are indeed hazardous waste, this waste must be manifested.



**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.

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_ No N/A _

According to new guidance by Ohio EPA's Central Office, Bacou-Dalloz should re-evaluate the used rags (paper towels) to determine if they are hazardous. If the used rags are hazardous and Bacou-Dalloz continues to manage them as a hazardous waste, then the company would be a small quantity generator (SQG) and subject to all of the SQG rules.

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes _ No N/A _

Depends on the waste evaluation of the used rags.

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)] Yes No N/A _

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 N/A
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C) Yes _ No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes _ No N/A
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes _ No N/A

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

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

REMARKS

USED OIL INSPECTION CHECKLIST (Short Version)

NOTE: This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

PROHIBITIONS

- 1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No N/A ___ RMK# ___
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes ___ No N/A RMK# ___
- 2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No N/A ___ RMK# ___
- 3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A RMK# ___

USED OIL GENERATOR STANDARDS

- 4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A RMK# ___
- 5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes ___ No N/A RMK# ___
- 6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No N/A ___ RMK# ___
- 7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A ___ RMK# ___
- 8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes No N/A ___ RMK# ___

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes ___ No N/A RMK# ___
- b. Contained the release? Yes ___ No N/A RMK# ___
- c. Cleaned up and properly managed the used oil and other materials? Yes ___ No N/A RMK# ___
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes ___ No N/A RMK# ___
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes ___ No N/A ___ RMK# ___
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes ___ No N/A RMK# ___
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes ___ No N/A RMK# ___
- c. Are the combustion gases from heater vented to the ambient air? Yes ___ No N/A RMK# ___
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes ___ No N/A ___ RMK# 1

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes ___ No N/A RMK# ___
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes ___ No N/A RMK# ___

14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]

Yes No N/A RMK# _____

WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11]

Yes ___ No N/A ___ RMK# _____

REMARKS

1. To date, the company has not had a shipment of used oil.