



State of Utah

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Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

October 15, 2018

William Winger, Registered Agent
William Winger Painting, Inc.
3116 South 300 West
Salt Lake City, Utah 84115

RE: Compliance Evaluation Inspection
Warning Letter
UTR000011023

Dear Mr. Winger:

On July 11, 2018 a representative of the Division of Waste Management and Radiation Control conducted a compliance evaluation inspection at your facility to determine compliance with Utah's Solid and Hazardous Waste Rules.

During the inspection, you explained that the old Bennett Paint manufacturer, located in Salt Lake City, Utah, closed about 30 years ago and became an EPA superfund cleanup site. You indicated that during the closure of the Bennett Paint facility, you purchased approximately 20,000 gallons of paint and other paint related materials.

You have a painting business and are storing this paint in three truck trailers located inside a cinder block building. When you purchased this paint, your plans were to use, re-sale, or recycle this paint. You explained that you did use, and resold some of the paint, but that you were unable to recycle any of it. Approximately 30 years later, you still have several thousand gallons of this paint in storage. The majority of this paint is old, degraded, off-spec, un-usable, and waste like, therefore it must be managed in accordance with the following rules:

- a. R315-262-11 of the Utah Administrative Code requires that anyone who generates a solid waste as defined in R315-216-2 shall make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to the applicable regulations. Hazardous waste characterizations are required to be made at the time of generation.
- b. R315-262-16 of the Utah Administrative Code requires that, if after hazardous waste characterizations have been made and it is determined that more than 1,000 kilograms (2,200

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pounds) of hazardous waste are on site, the wastes must be sent offsite for proper disposal within 180 days.

- c. R315-262 of the Utah Administrative Code requires that waste containers be properly labeled and dated.

You are hereby requested to submit to this office on or before November 7, 2018, a written plan and schedule for compliance with the rules identified above.

If you have any questions, please call Alex Pashley at (801) 536-0231.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott T. Anderson", with a large, stylized flourish at the end.

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

STA/AP/kl

- c: Gary Edwards, MS, Health Officer, Salt Lake County Health Dept.
Royal DeLegge, MPA, EHS, Environmental Health Director, Salt Lake County Health Dept.
Dan Moore, Environmental Health Supervisor, Salt Lake County Health Dept.