



State of Ohio Environmental Protection Agency

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File

Southwest District

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

July 30, 2008

Ms. Barbara Miller
Hobart Corporation Plant 27
750 Lincoln Avenue
Troy, Ohio 45374-0001

RE: CEI-CESQG - OHD 004474466

Dear Ms. Miller:

On July 24, 2008 I conducted an inspection at the Hobart Corporation Building 27. You and Randy S. Karnehm represented Hobart Corporation. The purpose of my inspection was to determine your 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).

I found the following violations of Ohio's hazardous waste laws:

- (1) Generators must label containers holding universal waste lamps: **OAC 3745-273-14(E)** requires that each container or package in which used lamps are stored be labeled or marked clearly with any one of the following phrase : "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamps".

The used fluorescent tubes were packaged in a cardboard box but the box didn't have the required label.

- Properly label the box to comply with the OAC requirements. Please e-mail me a photo of the labeled box within 30 days of your receipt of this letter.
- (2) Used oil containers and tanks must be labeled with the words "Used Oil": **OAC 3745-279-22-(C)-(1)** requires that containers used to store used oil at generator facilities must be labeled or marked clearly with the words "Used oil".

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The several hundred gallon tote used to store the used cutting oil had several manufacturer's labels but no "used oil" label. We noticed elsewhere in the shop, a permanent "used oil" in a location suitable for storage of the totes. This location was filled with wood pallets and the sign was partly obscured. I infer that sometimes the used oil container is stored under this sign. Note that this arrangement is not considered compliant because the OAC requires that the container itself be labeled.

Please e-mail me a photo of the labeled tote within 30 days of your receipt of this letter.

Troy Plant 27 is acting as a small quantity handler of universal waste (SQHUW). As a SQHUW, you may store lamps for up to one year and as a SQHUW you are required to:

- Store less than 5000 kilograms (11,000 pounds) at any one time.
- A SQHUW is not permitted to treat, dispose of, recycle, or crush UW fluorescent lamps. A SQHUW is only permitted to store prior to transfer of the UW to a facility.
- Handle and store the lamps in such a way as to minimize breakage. Typically, the original supplier's shipping cartons are considered acceptable packaging. Loose tubes stored willy-nilly in an open box with no cushioning between them are typically not considered compliant with this requirement.
- Containers must be marked with the exact terms "waste lamps", "universal waste lamps" or "used lamps". Our rules do not permit alternate wording on the label.
- Store any given waste lamp for less than one year and devise an inventory system that tracks the lamps to ensure that they are not stored for longer than one year. The rules allow several different tracking schemes.

Practically, most people find it convenient to mark each package of UW lamps with the date on which the first lamp was placed in the container. A five-gallon bucket with a lid or a fiberboard box can be used to store accidentally broken tubes. These same rules apply to the Maintenance and Facilities collection center on Ridge Avenue.

I have enclosed the following:

- a copy of an Ohio EPA Guidance document: "Universal waste rules for handlers of lamps"
- a process description/waste activity summary

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- a conditionally exempt small quantity generator checklist
- a universal waste handler checklist
- a used oil generator checklist

Please contact me at 937-285-6090 if you have any questions.

Sincerely,



Tom Ontko
District Representative
Division of Hazardous Waste Management

Enclosures

cc: Dinah Crawford, file

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.



PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Hobart Corporation Building 27 Facility Type: CESQG EPA ID#: OHD 004474466

Description of Waste				On-Site Management			Off-Site Management	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities
1	cutting, machining and other processing of stainless steel	used cutting oil		universal waste		container (totes)	Clean Water	
2	cutting, machining and other processing of stainless steel	stainless steel trims and fines		NA		hopper	Franklin Iron	
3	used fluorescent lamps			UW		original boxes	staged at Ridge Avenue Facilities and Maintenance Shop	Special Waste, Inc.
4	acidic waste			D002	20 pounds per year			PermaFix
5	flammable waste			D001	30 pounds per year			PermaFix

PROCESS DESCRIPTION SECTION

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

Hobart Corporation Plant 27 manufactures stainless steel equipment (meat-cutting saws, cookers/kettles, grinders, blenders, etc.) for the food processing industry. Incoming raw materials include stainless steel stock of various types and sizes and items such as motors, belts control panels which are components of finished products. Plant 27 machines, polishes, welds, deburrs, and fabricates parts. No painting or electroplating is performed. Plant 27 is a CESQG.

WASTE ACTIVITIES AND P2 SUMMARY SECTION; Hobart Corp. Plant 27 conducts an extensive recycling program. See summary sheet they provided-'Troy Plant 27 Recyclables'

REMARKS-GENERAL INFORMATION

Regulatory/Enforcement History:

Hobart Corporatin Plant 27 should not be confused with another Troy manufacturer, Hobart Brothers, which is an independent company.

Hobart Plant 27 was cited for failing to submit an annual report in a letter dated 8/22/07 and returned to compliance in a letter dated September 19, 2007. A one-time shipment of 30 tons of chromium-contaminated rubble in 2006 was the regulatory driver for submitting the annual report.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG- OHD 004474466 Hobart Corporation Plant 27

Safety Equipment Used: safety glasses w/ side shields, safety shoes

WASTE EVALUATION

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

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? Yes
[conditionally exempt small quantity generator ("CESQG")]

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

TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a:
- a. Container that meets 3745-66-70 to 3745-66-77? No
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? No
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? No
 - d. Containment building that meets 3745-256-100 to 3745-256-102? No

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.

REMARKS

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS

Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

Hobart Corporation Plant 27

OHD 004474466

inspected 7/24/08

PROHIBITIONS

- | | | |
|----|---|----|
| 1. | Did the SQUWH dispose of universal waste? [3745-273-11(A)] | No |
| 2. | Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] | No |

WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES

- | | | |
|----|--|-----|
| 3. | Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] | N/A |
| 4. | If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] | Yes |
| 5. | Does the SQUWH conduct any of the following activities: | |
| a. | Sort batteries by type? | No |
| b. | Mix battery types in one container? | No |
| c. | Discharge batteries to remove the electric charge? | No |
| d. | Regenerated used batteries? | No |
| e. | Disassemble them into individual batteries or cells? | No |
| f. | Remove batteries from consumer products? | No |
| g. | Remove the electrolyte from the battery? | No |

- | | | |
|----|---|-----|
| | If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] | N/A |
| 6. | If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] | N/A |
| | a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] | N/A |
| | b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)] | N/A |
| 7. | Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)] | Yes |

UNIVERSAL WASTE PESTICIDES

Hobart Plant 27 does not manage universal waste pesticides

UNIVERSAL WASTE THERMOSTATS

Hobart Plant 27 does not manage universal waste thermostats

UNIVERSAL WASTE LAMPS

- | | | |
|-----|--|-----|
| 18. | Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] | Yes |
|-----|--|-----|

19. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] N/A
20. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)] No

NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)].

ACCUMULATION TIME

21. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: Yes
- a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] N/A

NOTE: Accumulation is defined as date generated or date received from another handler.

22. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)] Yes
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] N/A
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] N/A
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] N/A

- | | |
|--|-----|
| d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] | N/A |
| e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] | N/A |
| f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] | Yes |

EMPLOYEE TRAINING

- | | |
|---|-----|
| 23. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16] | Yes |
|---|-----|

RESPONSE TO RELEASES

- | | |
|---|-----|
| 24. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] | N/A |
| 25. Is the material released characterized? [3745-273-17(B)] | N/A |
| 26. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)] | N/A |

OFF-SITE SHIPMENTS

NOTE: *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

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|--|-----|
| 27. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] | Yes |
|--|-----|

NOTE: SQUWHs are prohibited to send waste to any other facility.

28. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes
29. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes
30. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)] N/A
 - b. Agree to where the shipment will be sent? [3745-273-18(E)(2)] N/A
31. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] N/A
 - b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] N/A
33. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] N/A
34. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)] N/A

EXPORTS

35. Is waste being sent to a foreign destination? If so: No
- a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)] N/A

- | | |
|---|-----|
| b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)] | N/A |
| c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)] | N/A |

REMARKS

Hobart Corp. Plant 27 manages universal waste lamps in the original cardboard boxes which are stored in the 4th Floor Maintenance area. Hobart Corp manages UW lamps at the Maintenance and Facilities building on Ridge Avenue. Lamps are shipped from F&M to Special Waste, Inc. See letter for NOV re: improper labeling of lamp containers (OAC 3745-273-14(E))

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS *Hobart Plant - 27 inspected 7/24/08*

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

	b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>
	c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.		Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input type="checkbox"/>
12.		If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>
	a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>
	b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

13.		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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>
14.		Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>
15.		Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	<input checked="" type="checkbox"/>

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.

