



State of Ohio Environmental Protection Agency

**Northwest District Office**

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Bowling Green, OH 43402-9398

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

Re: Bluffton News Publishing and Printing Co.  
Allen County  
Hazardous Waste Inspection  
Notice of Violation  
OHR 000 130 849

January 28, 2009

Mr. Shawn Burgei, General Manager  
Bluffton News Publishing and Printing Company  
101 North Main Street  
Bluffton, Ohio 45817

Dear Mr. Burgei:

Thank you for accompanying me during the Ohio Environmental Protection Agency's (Ohio EPA's) January 22, 2009, hazardous waste compliance evaluation inspection of Bluffton News Publishing and Printing Co. (BNP) located at the address stated above. I inspected BNP to determine its 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). Pollution prevention options were also discussed during this inspection. This letter will list observations I made during the inspection, and the violations found.

The inspection consisted of a tour of the facility, including areas where the wastes are generated and stored, and a review of related paperwork. BNP is a local publishing company which publishes a weekly small town newspaper and a series of children's magazines. At this location, BNP prints and publishes the children's magazines. BNP generates spent developer solution (D011), waste ink and cleaning solvent (D001), and solvent contaminated rags. The solvent contaminated rags are sent off to be laundered. At the time of this inspection, BNP was disposing of it spent light bulbs in the trash. Based on the amount of hazardous waste generated each month, BNP was inspected as a conditionally exempt small quantity generator of hazardous waste, although your generator status may change depending on whether your spent lamps are managed as hazardous waste.

I found the following violation of Ohio's hazardous waste laws. You must provide me the requested information within 30-days of receipt of this letter.

**1. OAC Rule 3745-52-11: Waste Evaluation**

Any person, who generates a waste, as defined in Rule 3745-51-02 of the administrative code, must determine if that waste is a hazardous waste.

- a) BNP has failed to properly evaluate the spent fluorescent bulbs generated at the facility.

During the inspection, you stated that in the past BNP has disposed of the spent fluorescent light bulbs in the trash. BNP must not dispose of any spent light bulbs as non-hazardous waste in the local landfill until a proper waste evaluation has been completed. The waste evaluation must be conducted through one of **Three options:** 1) BNP may apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation [manufacturer analytical information – Toxicity Characteristic Leaching Procedure (TCLP) test results], or 2) BNP may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. BNP must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs.

BNP must sample the fluorescent bulbs to determine the concentration of mercury (D009), cadmium (D006) and lead (D008) as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846. BNP may run a total concentration for these constituents as a screening tool. If the concentration is detected for mercury, lead or cadmium at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level; or 3) a combination of options 1 and 2.

If the bulbs are determined to be hazardous through a proper waste evaluation, BNP will have to manage their bulbs either as 1) a universal waste (OAC Chapter 3745-273) or 2) as a hazardous waste under Ohio's generator standards (OAC Chapter 3745-52). ***Instead of taking samples for analysis as described above, BNP may recycle their bulbs if they are hazardous or non-hazardous by managing them as universal waste. Ohio EPA would encourage this option as a pollution prevention alternative. Please refer to the information I gave you on how to manage light bulbs as universal waste.***

***To abate this violation,*** BNP must inform me in writing as to how the facility plans to manage the spent fluorescent light bulbs and other spent light bulbs.

#### **Areas of Concern:**

##### **1. Container Management & Satellite Accumulation**

During the inspection, I observed that the lid to container accumulating waste ink and spent solvent was not secured. It may be in your best interest to secure this container properly since if it falls it might spill its content and may generate additional hazardous waste during cleanup and thus you may incur additional cost.

Mr. Shawn Burgei, General Manager

January 28, 2009

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The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign up for this free service. You can find more information at <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html).

During the inspection I provided you with the following documents: Universal Rules Pamphlet, February, 1996; Universal Waste Rules for Handlers of Lamps, June, 2005; Computer, and Fluorescent Lamps, and Ballasts Recyclers List, July, 2008.

Enclosed you will find a copy of the checklists that were completed during the inspection and the following document: Hazardous Waste Generator Categories and Episodic Generation, March, 2007. You can find copies of the rules and other information on the division's web page at [www.epa.state.oh.us/dhwm](http://www.epa.state.oh.us/dhwm). In addition, you may be able to send your silver bearing hazardous waste (D011) for reclamation. If you send this waste for further refining, it will not be considered a waste and will not be regulated under the hazardous waste rules. Please check the following Ohio EPA link for further information <http://www.epa.state.oh.us/ocapp/p2/recyc/silver-recyclers.html>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Edgar V. Pulido  
Division of Hazardous Waste Management

/llr

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO

Colleen Weaver, DHWM, NWDO

DHWM, NWDO File: Allen County Bluffton News Publishing and Printing Co. }

ec: Ed Pulido, DHWM, NWDO

<p><b>NOTICE:</b> 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.</p>
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Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b> <b>Site Name</b>  <b>Site Location Information</b>  <b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	EPA ID Number: <b>OHD 000 130 849</b> Name: <b>Bluffton News Publishing and Printing Co.</b> Website: <b>www.blufftonnews.com</b> (Optional) Street Address: <b>101 North Main Street</b> City, Town, or Village: <b>Bluffton</b> State: <b>OH</b> County Name: <b>Allen</b> Zip Code: <b>45817</b> Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> <b>511110</b>
<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: <b>Shawn</b> MI: Last Name: <b>Burgei</b> Phone Number: <b>(419)358-8010</b> Phone Number Extension: <b>108</b> E-Mail Address: <b>sburgei@blufftonnews.com</b> Fax Number Extension: Fax Number: <b>(419)358-5027</b> Street or P.O. Box: City, Town or Village: State: Zip Code:
<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: <b>Tom Edwards/Bluffton News</b> Date Became Owner (mm/dd/yyyy): <b>01/01/1975</b> Owner Type: Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Street or P.O. Box: City, Town or Village: State: Owner Phone #: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): Owner Type: Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Street or P.O. Box: City, Town or Village: Operator Phone #: State: United States Zip Code:

**VIOLATIONS CITED?**  Yes  No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED	
<input type="checkbox"/> Not a Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

**TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)**

- |   |  |
|---|--|
| <input type="checkbox"/> Recycler of Hazardous Waste                    | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace       |
| <input type="checkbox"/> Underground Injection Control Facility         | <input type="checkbox"/> Small Quantity On-Site Burner Exemption       |
| <input type="checkbox"/> Hazardous Waste Transporter                    | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste |  |

**UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED**

**(CHECK ALL BOXES THAT APPLY)**

- |   |   |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste                                    | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste<br>(accumulates 5,000 kg. or more) |   |

**CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES**

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

**USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))**

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

**Waste Codes for Federally Regulated Hazardous Wastes.** Please list the codes for the federally regulated hazardous waste handled at the 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.

**D001 D011**

**COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.**

- |            |   |  |                                      |
|------------|---|--|--------------------------------------|
| Announced  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks      | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Other Comments:                      |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |                                      |

Name of Inspector(s)

Name of Inspector(s)

Date of Inspection/Time  
(mm/dd/yyyy) (hh:mm)

**Ed Pulido**

**1/22/2009 10:30am**

**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/WASTE ACTIVITIES SUMMARY**

**Facility Name:** Bluffton News Publishing and Printing Co.    **LQG/SQG/CESQG/TSD**    **EPA ID#:** OHR 000 130 849

<i>Description of Waste</i>				<i>On-Site Management</i>			<i>Off-Site Management</i>		
<b>Process/Activity Generating Waste</b> <small>(e.g. plating bath, machining, baghouse, painting, etc)</small>	<b>Waste Generated</b> <small>(e.g. sludge, spent solvent, ash, etc)</small>	<b>EPA Waste Code</b>	<b>QTY Generated per Month</b>	<b>Type of Accumulation/Storage</b> <small>(e.g. container, tank, etc)</small>	<b>Type of On-Site Treatment</b> <small>(recycle, wwt, etc)</small>	<b>Waste Location</b> <small>(Include map if possible)</small>	<b>Name, state, and type of activity occurring at the facility.</b>	<b>P2 Activities</b>	
1	Printing Process	Spent Fixer Solution	D011	<5 gallons	55-gallon drum	N/A	Indoors – Hazardous waste storage area	Safety-Kleen Systems 960 Turnpike Street Canton, MA 02021 MAD982755639	--
2	Print Process	Spent solvent/waste ink	D001	<5 gallon	30-gallon drum	N/A	Indoors – Hazardous waste storage area	Safety-Kleen Systems 633 East 138 <sup>th</sup> Street Dolton, IL ILD980613913	--
3	Cleaning	Solvent contaminated rags	N/A	<1	Container	N/A	Indoors –	Cintas Corporation Cincinnati, Ohio	Recycled
4	Maintenance	Light bulbs	N/A	--	--	NA	Being disposed as solid waste	--	--

**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 or < 1 Kg. of acutely hazardous waste.  
 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**GENERATOR CLASSIFICATION**

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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.