



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Wapakoneta Machine Company
Auglaize County
OHD987046489
Hazardous Waste
Notice of Violation

May 14, 2008

Mr. Lee Vaubel, Maintenance Supervisor
Wapakoneta Machine Company
300 North Street
P.O. Box 429
Wapakoneta, Ohio 45895

Dear Mr. Vaubel:

On May 1, 2008, the Ohio Environmental Protection Agency (Ohio EPA) conducted a compliance evaluation inspection of Wapakoneta Machine Company (WMC) located in Wapakoneta, Ohio. Wendy Miller, Janis Kielczewski and I inspected WMC 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 explain the violations we found and what you need to do to correct these violations.

WMC is a machine shop that manufactures shear knives, slitter knives and shimless tooling. WMC operates a heat treat process that generates a salt scale. Metal turnings and grinding swarf is collected and sent off-site for metal recycling. Used oil generated from the machine gear boxes is stored in 55-gallon drums. Used oil is burned in an on-site furnace located in the shipping and receiving department. No painting is done at this facility. Fluorescent bulbs have historically been managed as solid waste. WMC has contacted Greve Electric to do the relamping planned for the facility. At the time of the inspection, WMC was operating as a non-generator of hazardous waste.

We found the following violations of Ohio's hazardous waste and used oil 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. Waste Evaluation, OAC Rule 3745-52-11:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

- a. At the time of the inspection, WMC did not have waste evaluation documentation for the spent filter paper generated when drying the grinding swarf. WMC has historically disposed of this spent material as a non-hazardous waste. WMC must immediately cease disposing of the spent filter paper as non-hazardous waste until a proper waste evaluation has been completed.

WMC must obtain a representative sample of the spent grinding swarf filter paper and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010).

You must notify me at least seven days prior to the sampling event date so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. To abate this violation, WMC must submit a copy of the analytical results, along with any waste codes that apply, to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise WMC on proper disposal options for this waste stream.

- b. WMC also failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. At the time of the inspection I gave you a copy of the guidance document: Fluorescent Lamps: What You Should Know. I recommend that you review this document and contact me if you have any questions.

WMC must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If WMC decides to conduct waste sampling, please notify me at least seven days prior to the sampling event date, so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. If WMC plans to manage the spent fluorescent bulbs as universal waste, please submit photographic documentation showing the storage containers properly closed, labeled, and dated. WMC must also properly train employees, who handle or have responsibility for managing universal waste, on waste handling and emergency procedures relative to their responsibilities. In addition, WMC must submit the name of the facility where you plan to recycle the bulbs.

2. OAC Rule 3745-279-22(C)(1): Labeling

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "used oil."

WMC had thirteen (13) 55-gallon drums of used oil located in the storage dock area that were not properly labeled.

WMC properly labeled the thirteen (13) 55-gallon drums with the words "used oil" at the time of our inspection.

Therefore, this violation is considered abated.

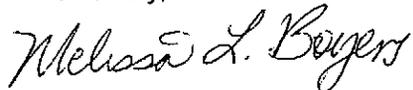
Mr. Lee Vaubel
May 14, 2008
Page 3

Enclosed you will find a copy of the checklists that I completed during the inspection, a guidance document: Managing Your Hazardous Waste – A Guide for Small Businesses, and a Fact Sheet outlining the use of generator knowledge in complying with OAC rule 3745-52-11, hazardous waste evaluation. Please review this information and contact me if you have any questions.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>. In addition, you can also find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

If you have any questions or I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

/csl

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
{DHWM, NWDO Auglaize County General File }

ec: Melissa Boyers, DHWM, NWDO

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

Ohio Environmental Protection Agency
RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM

For Ohio EPA use only

2. Site EPA ID No. EPA ID Number: OHD987046489

3. Site Name Name: Wapakoneta Machine Company Website (optional):

4. Site Location Information
 Street Address: 300 North Street
 City, Town, or Village: Wapakoneta State: OH
 County Name: Auglaize Zip Code: 45895

5. Site Land Type (check only one)

Private	County	District	Federal	Indian	Municipal	State	Other
X							

6. NAICS code(s) www.census.gov/epcd/www/naics.html

A.	B.
C.	D.

7. Facility Representative:
 First Name: Lee MI: Last Name: Vaubel
 Phone Number: 419-739-5620 Phone Number Extension:
 E-Mail Address: leev@wapakonetamachine.com
 Fax Number: 419-738-5828 Fax Number Extension:
 Street or P.O. Box:
 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: Date Became Owner (mm/dd/yyyy):

Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other

Street or P.O. Box:
 City, Town, or Village: Owner Phone #:
 State: Country: Zip Code:

B. Name of Site's Operator: Date Became Operator (mm/dd/yyyy):

Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other

Street or P.O. Box:
 City, Town, or Village: Operator Phone #:
 State: Country: Zip Code:

9. Violations Cited? Yes No

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

Not Regulated

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

A. Hazardous Waste Activities																																				
(choose only one of the following categories)																																				
<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> a. Large Quantity Generator (LQG): <input type="checkbox"/> b. Small Quantity Generator (SQG) <input type="checkbox"/> c. Conditionally Exempt Small Quantity Generator <input type="checkbox"/> d. United States Importer of Hazardous Waste <input type="checkbox"/> e. Mixed Waste (hazardous and radioactive) Generator	<input type="checkbox"/> 3. Treater, Storer or Disposer of Hazardous Waste <input type="checkbox"/> 4. Recycler of Hazardous Waste <input type="checkbox"/> 5. Exempt Boiler and/or Industrial Furnace <input type="checkbox"/> a. Small Quantity On-site Burner Exemption <input type="checkbox"/> b. Smelting, Melting, Refining Furnace Exemption <input type="checkbox"/> 6. Underground Injection Control Facility																																			
B. Universal Waste Activities		C. Used Oil Activities																																		
<input type="checkbox"/> 1. Small Quantity Handler of Universal Waste (Indicate types of universal waste generated and/or accumulated (check all boxes that apply): <input type="checkbox"/> 2. Large Quantity Handler of Universal Waste (accumulates 5,000 kg or more). <input type="checkbox"/> 3. Destination Facility for Universal Waste (Check all boxes below that apply for each of the three types of facilities above.)	<input checked="" type="checkbox"/> 1. Used Oil Generator <input type="checkbox"/> 2. Used Oil Transporter Indicate Type(s) of Activity(ies) <input type="checkbox"/> Transporter <input type="checkbox"/> Transfer Facility <input type="checkbox"/> 3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies) <input type="checkbox"/> Processor <input type="checkbox"/> Re-refiner <input type="checkbox"/> 4. Off-Specification Used Oil Burner <input type="checkbox"/> 5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies) <input type="checkbox"/> a. Marketer Who Directs Shipment of Off- Specification Oil <input type="checkbox"/> b. Used Oil to Off-Specification Used Oil Burner																																			
<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;"></th> <th style="width:15%; text-align: center;"><u>Generated</u></th> <th style="width:15%; text-align: center;"><u>Accumulated</u></th> <th style="width:15%;"></th> <th style="width:15%;"></th> <th style="width:15%;"></th> </tr> </thead> <tbody> <tr> <td>A. Batteries</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="vertical-align: top;"> <input type="checkbox"/> 4. Off-Specification Used Oil Burner </td> <td colspan="3"></td> </tr> <tr> <td>B. Pesticides</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="vertical-align: top;"> <input type="checkbox"/> 5. Used Oil Fuel Marketer - </td> <td colspan="3"></td> </tr> <tr> <td>C. Thermostats</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="vertical-align: top;"> <input type="checkbox"/> a. Marketer Who Directs Shipment of Off- Specification Oil </td> <td colspan="3"></td> </tr> <tr> <td>D. Lamps</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="vertical-align: top;"> <input type="checkbox"/> b. Used Oil to Off-Specification Used Oil Burner </td> <td colspan="3"></td> </tr> </tbody> </table>				<u>Generated</u>	<u>Accumulated</u>				A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 4. Off-Specification Used Oil Burner				B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 5. Used Oil Fuel Marketer -				C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> a. Marketer Who Directs Shipment of Off- Specification Oil				D. Lamps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> b. Used Oil to Off-Specification Used Oil Burner			
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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.																																				
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)																																		
Melissa Boyers	Wendy Miller & Janis Kielczewski	5-1-2008 1:00																																		
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)																																		

**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

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes No N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes No N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes No N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes No N/A

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 No N/A
- a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes No N/A

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 No N/A

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 No N/A
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
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

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
- b. Contained the release? Yes No N/A
- c. Cleaned up and properly managed the used oil and other materials? Yes No N/A
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A

ON-SITE BURNING IN SPACE HEATER

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes No N/A
- 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
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes No N/A

GENERATOR TRANSPORTATION

11. 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 No N/A
- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes No N/A
- b. Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24] Yes No N/A

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

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
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No N/A
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

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.

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Wapakoneta Machine Company

Facility Type: LQG/SQG/CESQG/TSD

EPA ID#: OHD987046489

<i>Description of Waste</i>				<i>On-Site Management</i>			<i>Off-Site Management</i>
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small>	Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small>	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage <small>(e.g. container, tank, etc)</small>	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Waste Location <small>(Include map if possible)</small>	Name, state, and type of activity occurring at the facility.
1	Lighting	Spent Fluorescent Bulbs					Currently managed as a solid waste
2	Machine gear boxes	Used Oil		55-gallon storage drums		Loading dock area	Burned in an on-site furnace located in the shipping and receiving area
3	Production of knives	Metal turnings and grinding swarf		Storage hopper		Outside storage area	Picked up for recycling by Franklin Iron & Metal Corp. in Dayton, Ohio
4	Separation of grinding swarf from coolant water	Filter paper					Currently managed as a solid waste