

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

**Re: Bucyrus Blades, Inc.
OHD 066 054 412
Crawford County
DHWM, NWDO
Return to Compliance**

December 9, 2010

Mr. Jeffrey Frost
Bucyrus Blades, Inc.
260 East Beal Avenue
Bucyrus, Ohio 44820

Dear Mr. Frost:

Thank you for sending the documentation in response to the Ohio Environmental Protection Agency's (Ohio EPA's) Partial Return to Compliance (PRTC) dated October 28, 2009. The documentation was received by Ohio EPA on November 11, 2009, and November 30, 2009, and was dated November 11, 2009, and November 30, 2009, respectively, by Bucyrus Blades, Inc. (BBI). The documentation submitted includes analytical results and other process information.

My review of the submitted information reveals that BBI has abated all violations discovered during the February 12, 2009, compliance evaluation inspection as outlined below. In an attempt to streamline this letter, details concerning previously abated violations have been omitted. BBI will remain a small quantity generator of hazardous waste and a generator of used oil, universal waste lamps, and universal waste batteries.

Violations:

1. Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste

Determination: "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..."

BBI failed to evaluate the following waste streams to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11, prior to sending them off site: a) spent incandescent lamps, b) waste paint booth filters, c) water and sludge from the paint pits, and d) parts washer solution.

- a. **Spent Lamps**-*This violation is considered abated on May 15, 2009, per the October 28, 2009, letter.*
- b. **Waste Paint Booth Filters**-BBI failed to have proper waste evaluation documentation for waste paint booth filters generated at the facility.

On November 11, 2009, Ohio EPA received the analytical results from the SW-846 Method 1030 conducted on the waste paint booth filters. These results showed that the filters are an ignitable hazardous waste (D001). On November 30, 2009, Ohio EPA received a response from BBI that stated BBI will continue to conduct generator treatment (soaking the filters in water) to deactivate the waste paint booth filters prior to shipment of the filters to a solid waste landfill.

BBI is reminded that since the waste paint filters are hazardous waste when generated (prior to generator treatment), BBI must comply with all applicable land disposal restrictions (LDRs). This includes but is not limited to OAC Rules 3745-270-07(A)(3), 3745-270-07(A)(5), and 3745-270-09. Compliance with these rules will be determined at a future inspection.

For more information on applicable rules, I have enclosed a copy of an electronic mail from Mitch Matthews, located in Ohio EPA's Central Office, to me, dated August 18, 2009, in reference to your site. Please call me if you have questions concerning the LDR requirements.

This violation is considered abated on November 30, 2009.

- c. Water and Sludge from the Paint Pit-*This violation is considered abated on July 29, 2009, per the October 28, 2009, letter.*
- d. Waste Parts Washer Fluid-*This violation is considered abated on July 29, 2009, per the October 28, 2009, letter.*
- 2. OAC Rule 3745-273-13(D)(1), Waste management-standards for small quantity handlers of universal waste: *This violation is considered abated on May 15, 2009, per the October 28, 2009, letter.*
- 3. OAC Rule 3745-273-14(E), Labeling/markings-standards for small quantity handlers of universal waste: *This violation is considered abated on May 15, 2009, per the October 28, 2009, letter.*
- 4. OAC Rule 3745-52-34(D)(5)(b), Accumulation time of hazardous waste: *This violation is considered abated on June 26, 2009, per the October 28, 2009, letter.*
- 5. OAC Rule 3745-52-34(C)(1)(a), Accumulation time of hazardous waste: *This violation is considered abated on February 12, 2009, per the March 5, 2009, letter.*

General Concerns:

- A. Accumulation Time for Universal Waste Lamps: *This general concern is considered addressed on May 15, 2009, per the October 28, 2009, letter.*
- B. Universal Waste Batteries: *This general concern is considered addressed on April 2, 2009, per the October 28, 2009, letter.*

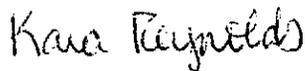
- C. **Brine Solution:** *This general concern is considered addressed on May 15, 2009, per the October 28, 2009, letter.*
- D. **Waste Streams:** *This general concern is considered addressed on July 29, 2009, per the October 28, 2009, letter.*
- E. **Used Oil Filters:** During the inspection, BBI told Ohio EPA that used oil filters are generated from the machines. However, it is unclear if the used oil filters from the machines are recycled as scrap metal or as a used oil saturated material burned for energy recovery (if they are cloth filters), or if they are disposed of in the landfill.

From phone conversations with you in November 2009, you stated that the used oil filters are being recycled as scrap metal by Crown or by a sister company to BBI. However, BBI has not sent any documentation to Ohio EPA to confirm this process. If this is not the case, and the filters are being disposed of in the trash, then BBI is reminded that BBI needs to evaluate the filters prior to disposal. This may include sampling the filters to show that the filters do not contain hazardous levels of RCRA metals. Compliance with the applicable rules will be determined at a future inspection.

This general concern is considered addressed at this time.

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

/cs

pc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO, Crawford County File: Bucyrus-Blades-2010~~

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.