



**Environmental
Protection Agency**

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

Re: Defiance Metal Products
Defiance County
ID# OHD005041272
Hazardous Waste
Return to Compliance

August 16, 2010

Mr. John Bridenbaugh
Defiance Metal Products
P.O. Box 447 - 21 Seneca
Defiance, Ohio 43512

Dear Mr. Bridenbaugh:

Thank you for your July 30, 2010, response to Ohio EPA's June 28, 2010, Notice of Violation (NOV) letter. The information you submitted included universal waste labeling and training documentation. My review of the documentation submitted reveals that Defiance Metal Products (DMP) has adequately demonstrated abatement of all of the violations cited in the June 28, 2010, NOV.

The following is a summary of the violations cited in the June 28, 2010, NOV as a result of my June 10, 2010, inspection and your compliance with respect to each:

1. **OAC Rule 3745-273-14(E): Universal Waste: Fluorescent Lamp Labeling:** All packages and containers holding spent fluorescent lamps/bulbs are to be labeled with the words "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps".

DMP did not have the boxes of spent fluorescent lamps properly labeled.

DMP properly labeled the storage boxes with the words "Universal Waste - Lamps", at the time of our inspection.

Therefore, this violation is considered abated.

2. **OAC Rule 3745-273-15(A): Accumulation Time for Universal Waste Batteries and Lamps:**

A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler.

DMP had one bucket of universal waste batteries that was labeled with the accumulation start date of 5/13/09.

In order to correct this violation, DMP must immediately ship off-site for recycling the spent batteries that have been in storage for greater than one year. DMP must submit a copy of the receipt for the shipment of spent batteries sent off-site for recycling.

On July 30, 2010, DMP submitted, via electronic mail, a copy of the receipt for the bucket of universal waste batteries that was shipped off-site for recycling on June 23, 2010. The spent universal waste batteries were received by Waste Management's Lamp Tracker on June 28, 2010.

With this information, this violation is considered abated.

3. OAC Rule 3745-273-16: Universal Waste Employee Training:

A small quantity handler of universal waste shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

DMP has not ensured that all employees are thoroughly familiar with proper waste handling and emergency procedures.

In order to correct this violation, DMP must describe, through a training outline, how it will thoroughly familiarize (train) its universal waste fluorescent bulb and universal waste battery handlers in proper handling and emergency procedures. DMP must submit some form of documentation demonstrating that this training has been accomplished (i.e. sign-in sheet, training memo).

On July 30, 2010, DMP submitted, via electronic mail, a copy of the information that was covered during the employee "Safety Huddle" training session on universal waste. In addition, DMP submitted a copy of the sign in sheet for the employees who attended this training.

With this information, this violation is considered abated.

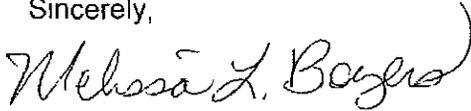
Note: The Universal Bulb & Battery Recycling training sheet dated July 25, 2010, includes some information that is not accurate. DMP is not required to manage the spent fluorescent bulbs as hazardous waste unless they are not managed as universal waste. In lieu of managing them as a hazardous waste, a facility may manage them as universal waste. Since DMP has opted to manage the spent fluorescent bulbs and batteries as universal waste, the hazardous waste regulations do not apply to this waste stream. In addition, the section regarding battery recycling should state that the universal waste storage containers for batteries must be labeled "Universal Waste Battery(ies)", "Waste Battery(ies)", or "Used Battery(ies)".

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

Mr. John Bridenbaugh
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Should you have any questions or if I can be of assistance, please contact me at
(419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
Kimberly Landman, Corporate Safety Advisor, Defiance Metal Products
~~DHWM, NWDO Defiance Metal Products 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.