



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Rd.  
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: M.A. Harrison Mfg. Co., Inc.  
OHD 986 988 954  
Hazardous Waste  
Erie County  
Notice of Violation

February 28, 2007

Mr. Walter Denham  
M.A. Harrison Mfg. Co., Inc.  
14307 Route 113  
Birmingham, Ohio 44816

Dear Mr. Denham:

On February 1, 2007, Ohio EPA conducted a hazardous waste compliance evaluation inspection (CEI) of M.A. Harrison Mfg. Co., Inc. (M.A. Harrison) located at 14307 Route 113, Birmingham, Ohio. This inspection was conducted to determine M.A. Harrison's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC); and Ohio's hazardous waste regulations as adopted under Chapter 3745. of the Ohio Administrative Code (OAC). M.A. Harrison was represented by you. Ohio EPA was represented by Chris Maslo and the writer. The inspection included a tour of facility operations and a review of facility paperwork. This letter will explain the initial violations I found, what you need to do to correct these violations, and one general comment.

M.A. Harrison machines aluminum and bronze alloy parts in the facility's machine shop. Wastes generated from the machining operation include: D008 grindings and filter paper, D008 cutting oils/coolants, D007/D008 silicon carbide, used oil, spent parts washing fluid, spent sandblasting grit, fluorescent bulbs and wastewater treatment sludge.

During the inspection, I provided you with the following materials: a document listing the generation limits for the three categories of hazardous waste generators; and the Ohio EPA Fact Sheets: Universal Waste Rules for Handlers of Lamps and a list of lamp recyclers.

I found the following violations of Ohio's hazardous waste 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 in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

- A.) M.A. Harrison has not properly evaluated the waste coolant generated from the grinders and the machining operations prior to running this material through the evaporator.

M.A. Harrison must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis [Toxicity Characteristic Leaching Procedure (TCLP)] which lists constituents present and at what concentration. M.A. Harrison must sample this waste stream for TCLP metals and any characteristics or constituents that could reasonably be expected to be found in this waste stream as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846. M.A. Harrison may run total concentrations for these constituents as a screening tool. If the concentration(s) are detected for any of these constituents at or above the regulatory limit, a TCLP may be required to ensure these constituent(s) are not present above the Ohio EPA regulatory level.

M.A. Harrison shall submit to me the analytical indicating the proper evaluation of this waste. *If the waste is hazardous, I will determine your generator status and the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.*

In addition, M.A. Harrison must provide information on the process that generates this waste. Please provide a description of the process that generates this waste; how this material is collected, stored, and managed; and how many drums of this waste are generated per month.

***Please note that M.A. Harrison must provide the information pertaining to the waste that is generated prior to this material being run through the evaporator.***

I have enclosed the fact sheet Identifying your Hazardous Waste which you may find useful.

- B). M.A. Harrison failed to have waste evaluation documentation for the fluorescent bulbs generated at the facility.

M.A. Harrison is currently disposing of their fluorescent bulbs in the trash. M.A. Harrison must cease disposing of their fluorescent bulbs as non-hazardous waste in the local landfill until a proper waste evaluation has been completed.

The waste evaluation can be conducted by taking a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. M.A. Harrison must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs. M.A. Harrison must sample the fluorescent bulbs to determine TCLP concentrations of barium (D005), cadmium (D006), lead (D008), and mercury (D009) as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846.

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M.A. Harrison may run total concentrations for these constituents as a screening tool. If the concentration(s) are detected for any of these constituents at or above the regulatory limit, a TCLP may be required to ensure these constituent(s) are not present above the Ohio EPA regulatory level.

If the bulbs are determined to be hazardous through a proper waste evaluation, M.A. Harrison 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). M.A. Harrison may recycle their bulbs if they are hazardous or non-hazardous. Ohio EPA would encourage this option as a pollution prevention alternative.

In lieu of conducting a waste evaluation, M.A. Harrison may choose to manage their bulbs as a universal waste as outlined in OAC Chapter 3745-273. For more information, please consult the fact sheet Universal Waste Rules for Handlers of Lamps given to you during the inspection. If you choose this option, please provide me an outline of your universal waste management plan.

To abate this violation, please submit to me your waste evaluation of your lamps or an outline of your universal waste management plan (indicating how you will manage, labeling, off-site within one year, lamps to be recycled, etc.)

When you perform sampling, Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the wastes tested. The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data. To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form which can be obtained from Ohio EPA's web page: [http://www.epa.state.oh.us/dhwm/tier\\_1\\_data\\_validation\\_manual.html](http://www.epa.state.oh.us/dhwm/tier_1_data_validation_manual.html). Ohio EPA may request the documentation needed to confirm the validity of the data submitted.

Please submit a brief narrative of each sampling event which includes: process generating the waste, point in the process the sample was obtained, sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

*In addition, please notify me at least seven days prior to taking the samples so that I or an Ohio EPA representative may be present.*

2. **Off-site shipments of used oil by generators.  
OAC Rule 3745-279-24**

Generators shall ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

M.A. Harrison stated that their used oil is not being picked up by a transporter with a U.S. EPA identification number. Currently, a company called Heatech is picking up M.A. Harrison's used oil and burns it in their on-site furnace. M.A. Harrison may be considered a used oil marketer (see general comment number 1 below). Used oil generators have one of two options for handling their used oil. 1) Generators must have their used oil transported by an entity that has a U.S. EPA identification number and ensure their used oil is recycled or 2) Generators may transport less than 55-gallons of their own used oil to a registered used oil collection center. I have enclosed a copy of registered used oil collection centers in the state. I have enclosed the fact sheet entitled The Regulation of Used Oil: An Overview for Ohio Businesses, Used Oil Generators.

In order to abate this violation, M.A. Harrison must either 1) submit a copy to me of a contract or some type of documentation indicating a transporter with a U.S. EPA identification number will be picking up M.A. Harrison's used oil or 2) a disposal receipt from the off-site shipment of their used oil (if the facility is due for a pick-up) indicating that a transporter with a U.S. EPA identification number is now transporting their used oil and that the used oil is taken to an appropriate recycling facility or 3) M.A. Harrison must submit a copy of a receipt from the drop-off of their used oil at a registered used oil collection center.

**General Comment:**

1. **Shipping used oil off-site to burn.**

M.A. Harrison shall note that they may be considered a used oil marketer if they continue to allow their used oil to be burned off-site. As a used oil marketer, M.A. Harrison would be required to determine if their used oil was on or off specification, notify Ohio EPA of their marketing activities, and retain records of the analysis of the used oil. Based on whether the used oil was determined to be on or off specification, other requirements such as ensuring the used oil burner has a U.S. EPA identification number and ensuring delivery of the used oil to the burner may apply. The specific requirements can be found in OAC Rule 3745-279-70 through 3745-279-74 at the following web address: [http://www.epa.state.oh.us/dhwm/l\\_ruom.html](http://www.epa.state.oh.us/dhwm/l_ruom.html)

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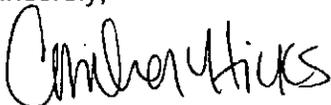
We discussed with you possibly finding another option for management of the filter paper with lead grindings as this is your largest waste stream. I will conduct some research and notify you as to if this waste stream is eligible to be recycled and thus not counted towards your hazardous waste generation. You stated you would be interested in a pollution prevention assessment or at least at a minimum having the Office of Compliance Assistance and Pollution Prevention (OCAPP) contact you to discuss. I will be notifying OCAPP of your request and someone from their office will be contacting you.

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

The Division of Hazardous Waste Management (DHWM) 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 the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks  
Division of Hazardous Waste Management

/csi

Enclosures

pc: Colleen Weaver, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
(DHWM, NWDO File: M.A. Harrison (w/ original checklists) \

ec: John Pasquarette, DHWM, NWDO  
Amber Hicks, DHWM, NWDO  
Chris Maslo, 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 <a href="mailto:tammy.mcconnell@epa.state.oh.us">tammy.mcconnell@epa.state.oh.us</a> 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: OHD 986 988 954									
3. Site Name	Name: M.A. Harrison mfg. co., inc.		Website (optional):							
4. Site Location Information	Street Address: 14307 Route 113									
	City, Town, or Village: Birmingham	State: OH								
	County Name: Erie	Zip Code: 44816								
5. Site Land Type (check only one)	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"/>		
6. NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	A.		B.							
	C.		D.							
	7. Facility Representative:				First Name: Walter		MI:		Last Name: Denham	
	Additional names can be recorded in number 12.				Phone Number: 440-965-4306			Phone Number Extension:		
Only provide address information if it is different than the site address.				E-Mail Address: <a href="mailto:wdenham@maharrisonmfg.com">wdenham@maharrisonmfg.com</a>						
				Fax Number: 440-965-5134			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 <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:				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 <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:				Country:			Zip Code:		
9. Violations Cited?		<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					
10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)										
<input type="checkbox"/>	Not Regulated									

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

<b>A. Hazardous Waste Activities</b>	
(choose only one of the following categories)	
<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> 3. Treater, Storer or Disposer of Hazardous Waste
<input type="checkbox"/> a. Large Quantity Generator (LQG):	<input type="checkbox"/> 4. Recycler of Hazardous Waste
<input type="checkbox"/> b. Small Quantity Generator (SQG)	<input type="checkbox"/> 5. Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> c. Conditionally Exempt Small Quantity Generator	<input type="checkbox"/> a. Small Quantity On-site Burner Exemption
<input type="checkbox"/> d. United States Importer of Hazardous Waste	<input type="checkbox"/> b. Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> e. Mixed Waste (hazardous and radioactive) Generator	<input type="checkbox"/> 6. Underground Injection Control Facility

<b>B. Universal Waste Activities</b>		<b>C. Used Oil Activities</b>	
<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 checked="" type="checkbox"/> 1. Used Oil Generator	
<input type="checkbox"/> 2. Large Quantity Handler of Universal Waste	(accumulates 5,000 kg or more).	<input type="checkbox"/> 2. Used Oil Transporter Indicate Type(s) of Activity(ies)	<input type="checkbox"/> Transporter
<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 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

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.

D007	D008					
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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)
	Amber Hicks	Chris Maslo	2-1-07; 11:00-13:25

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)

## PROCESS, WASTE, P2 SUMMARY SHEET

**Facility Name:** M.A. Harrison **Facility Type:** SQG **Date of Inspection:** 2-1-07 **EPA ID#:** OHD 986 988 954

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc.)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY. Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
Machining / Grinding operations (prior to entering evaporator)	Waste coolant/oil	Unknown - 52-11 cited	Material run through an evaporator.			
2 Machining / Grinding operations / material processed through evaporator	Coolant/oil sludge/D008	~ 0.5 drum	NA	Ross Incineration - Ohio		
3 Lighting	Fluorescent bulbs	?	NA	Dispose in trash. cited 52-11.		Recycle.
4 Grinding operations	Silicon carbide/ D007, D008	~ 1-2 drums per year	NA	Ross Incineration - Ohio		
Grinding operations	Filters/ D008	~ 1-3 drums	NA	Ross Incineration - Ohio		
6 Hydraulics	Used oil	Unknown	NA	To a facility, Heatech being burned in their furnace. Cited 279-24.		Recycle.
7						

8							
9							

**REMARKS-GENERAL INFORMATION**

**General Process Information:**

**Regulatory/Enforcement History** (if applicable):

**Additional P2 remarks and information:** Facility would like an assessment and/ or information pertaining to if the grinding filters are eligible for recycling to reduce their generator status.

Would this facility be interested in a P2 assessment? Yes\*  No  \*If yes, refer promptly to your district P2 coordinator.  
 Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

## USED OIL INSPECTION CHECKLIST (Short Version)

**NOTE:** *This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.*

### PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A \_\_\_ RMK# \_\_\_
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes \_\_\_ No  N/A  RMK# \_\_\_

### USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
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  RMK# \_\_\_
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes  No  N/A \_\_\_ RMK# \_\_\_
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 \_\_\_ RMK# \_\_\_
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 \_\_\_ RMK# \_\_\_

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 \_\_\_ RMK# \_\_\_
- b. Contained the release? Yes  No  N/A \_\_\_ RMK# \_\_\_
- c. Cleaned up and properly managed the used oil and other materials? Yes  No  N/A \_\_\_ RMK# \_\_\_
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes  No  N/A \_\_\_ RMK# \_\_\_
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 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  RMK# \_\_\_
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes \_\_\_ No  N/A  RMK# \_\_\_
- c. Are the combustion gases from heater vented to the ambient air? Yes \_\_\_ No  N/A  RMK# \_\_\_
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes \_\_\_ No  N/A \_\_\_ RMK# 1

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

## WASTE EVALUATION

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

Yes\_\_ No X N/A \_\_ RMK# 2

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### REMARKS

1 - M.A. Harrison stated that their used oil is not being picked up by a transporter with a U.S. EPA identification number. Currently, a company called Heatech is picking up M.A. Harrison's used oil and burns it in their on-site furnace.

2 - M.A. Harrison failed to have waste evaluation documentation for the fluorescent bulbs generated at the facility and M.A. Harrison has not properly evaluated the waste coolant generated from the grinders and the machining operations prior to running this material through the evaporator.