



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

Re: Perfection Finishers, Inc.  
OHD 005 041 405  
Fulton County  
Hazardous Waste  
**Return To Compliance**

July 31, 2008

Mr. Dick Hamilton, V.P.  
Perfection Finishers, Inc.  
1151 Ottokee  
Wauseon, Ohio 43567

Dear Mr. Hamilton:

Thank you for your July 25, 2008, response to Ohio EPA's July 3, 2008, Partial Return to Compliance letter. My review of this documentation reveals that Perfection Finishers, Inc. (PFI) has adequately demonstrated abatement of all of the violations cited in the March 17, 2008, Notice of Violation letter.

The following is a summary of the violations cited and your compliance with respect to each:

- OAC Rule 3745-52-11: Waste Evaluation:** Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste. At the time of the inspection, PFI did not have waste evaluation documentation for the spent paint filters. You currently consider them hazardous for ignitability due to the use of solvents. You are using the waste codes F003/D001. If the filters are dry and do not spontaneously combust, they would not be considered hazardous for ignitability or for the F003 listing. If the filters are not dry, a flashpoint below 140 degrees fahrenheit would render them ignitable. You must consider all of the paints you utilize when determining if filters are hazardous waste. If the paints contain constituents such as methyl ethyl ketone, trichloroethane, chromium, etc. the filters may carry characteristic hazardous waste codes.

**To abate this violation, PFI must provide waste evaluation documentation for the spent paint filters. PFI must submit documentation to demonstrate generator knowledge or obtain a representative sample of the waste stream and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010). Enclosed is the guidance document: 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.**

***On April 18, 2008, PFI submitted a copy of the waste evaluation documentation for the spent paint filters. PFI has demonstrated that the filters could spontaneously combust and the rags may come in contact with ethyl acetate as a spent solvent. PFI will continue to ship this waste stream (paint filters, rags and paint dust) off-site as a hazardous waste using the D001 and F003 waste codes.***

***With this information, this violation is considered abated.***

2. **OAC Rule 3745-65-16(A)(1-3): Personnel Training:** A generator shall conduct personnel training for all employees involved in the handling or management of hazardous waste at the facility. The training shall include, but is not limited to, instruction in safe equipment operation, emergency procedures and the generator's contingency plan. It must also familiarize employees with procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment. The personnel training must be directed by a person trained in hazardous waste management procedures.

PFI did not have an adequate personnel training plan in place at the time of our inspection. Training that PFI conducted in the past was directed by an employee familiar with the facility, however, this employee was not properly trained in hazardous waste management procedures.

PFI must develop a personnel training plan that includes procedures for using, inspecting, repairing, and replacing emergency and monitoring equipment, what to do in case of fire in a hazardous waste area, what wastes are considered hazardous, how to label hazardous wastes, what to do in case of waste spills, what personal protective equipment is needed, how to inspect waste storage areas (i.e. aisle space, closed containers, etc), how to properly clean the paint guns, contingency plan evacuation routes, and communication/alarm systems.

**Prior to conducting training, a copy of the training program or plan shall be submitted to Ohio EPA for review. PFI must also submit a copy of the instructor's name and credentials, resume, work experience or OSHA 40-hour certificate which shows they have been trained in hazardous waste management procedures.**

**These violations will be abated once the personnel training has been completed and class sign-in sheets from those attending have been received by Ohio EPA.**

*On April 18, 2008, PFI submitted a copy of the training program. Ohio EPA reviewed the training plan and found it to be adequate. PFI conducted training sessions on May 28, 2008, May 29, 2008, June 2, 2008, June 3, 2008, and June 5, 2008. On June 17, 2008, PFI submitted copies of the sign-in sheets for the personnel training sessions. Training has been conducted by Ms. Debbie Storres, who attended a Train the Trainer course on March 26 & 27, 2008. Debbie has been working at PFI since 1990 and has held several different positions throughout the facility. She is currently enrolled in several training sessions offered by the State of Ohio Bureau of Workers' Compensation that will cover Hazardous Waste Operations and Emergency Response Operations.*

*With this information, this violation is considered abated.*

3. **OAC Rule 3745-65-16(C): Annual Refresher Training for Personnel:** A generator shall provide annual refresher training for all personnel involved in the handling and management of hazardous waste at the facility.

At the time of the inspection, PFI was unable to locate the annual personnel training records for 2005 and 2006. Annual training was conducted on April 11, 2007.

**To abate this violation, PFI must conduct the required training no later than April 2008, and shall submit signed class rosters to Ohio EPA, NWDO, to demonstrate that all employees have received the required training. In addition, PFI shall immediately establish a written procedure to provide annual refresher training and shall submit a copy of this procedure to Ohio EPA, NWDO.**

*PFI conducted training sessions on May 28, 2008, May 29, 2008, June 2, 2008, June 3, 2008, and June 5, 2008. On June 17, 2008, PFI submitted copies of the sign-in sheets for the personnel training sessions. On April 18, 2008, PFI submitted a copy of an internal policy outlining the training requirements for those employees involved in the management of hazardous waste.*

*With this information, this violation is considered abated.*

4. **OAC Rule 3745-65-16(E): Personnel Training Records:** Training records on current personnel must be kept until the closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. At the time of the inspection, PFI was unable to locate the employee training records for 2005 and 2006.

**To abate this violation, PFI must submit to Ohio EPA, NWDO, a copy of a written internal policy that ensures all personnel training records will be maintained. Specifically, employee personnel training records must be maintained for current employees until facility closure and for former employees for three years.**

*On April 18, 2008, PFI submitted a copy of an internal policy outlining the training requirements for those employees involved in the management of hazardous waste. This policy also outlined the training documents that needed to be maintained.*

*With this information, this violation is considered abated.*

5. **OAC Rule 3745-65-52(A): Contingency Plan:** The facility does not have a plan that describe actions the personnel must take in response to any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. The plan should also identify hazardous waste storage areas and a description of what hazardous wastes are stored there.

**To abate this violation, PFI must update the contingency plan to identify what actions will be taken in response to any release of hazardous waste. PFI must also include a description of hazardous wastes stored at the facility and in what areas they are stored.**

*On April 18, 2008, PFI submitted updated pages for the contingency plan that outline the procedures to be taken in response to spills and releases of hazardous waste. A map showing the locations of the hazardous waste storage areas was also added to the plan.*

*With this information, this violation is considered abated.*

6. **OAC Rule 3745-65-52(C): Contingency Plan:** The facility does not have a contingency plan that describes arrangement agreed to by local police departments, fire departments, hospitals, contractors, Ohio EPA, and local emergency responders.

**To abate this violation, PFI must update the contingency plan to describe arrangements agreed to with local agencies and responders listed above.**

*On April 18, 2008, PFI submitted updated pages to the contingency plan that outline the arrangements made with the Wauseon Fire Department, Fulton County Health Center, and Ohio EPA.*

*With this information, this violation is considered abated.*

7. **OAC Rule 3745-65-52(D): Contingency Plan:** The facility does not have a contingency plan that includes the home addresses of persons qualified to act as emergency coordinator.

**To abate this violation, PFI must update the contingency plan to add home addresses for the emergency coordinators.**

*On April 18, 2008, PFI submitted the updated page to the contingency plan that includes the home addresses of the emergency coordinator's.*

*With this information, this violation is considered abated.*

8. **OAC Rule 3745-65-52(E): Contingency Plan:** The facility does not have a contingency plan that lists emergency equipment/spill kit locations.

**To abate this violation, PFI must update the contingency plan to document emergency equipment/spill kit locations.**

*On April 18, 2008, PFI submitted a map that included the locations of spill kits and other emergency equipment. PFI must also add this information to the Contingency Plan. The Contingency Plan must include a list of all emergency equipment at the facility. The Contingency Plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.*

*On July 25, 2008, PFI submitted a copy of the updated pages for the contingency plan. These pages outlined the emergency equipment locations, physical description and outline of the capabilities of each item.*

*With this information, this violation is considered abated.*

9. **OAC Rule 3745-65-53(B): Contingency Plan:** The facility has not submitted a contingency plan to all local police departments, fire departments, hospitals, and Ohio EPA and local emergency response teams that may be requested to provide emergency services.

**To abate this violation, PFI must update the contingency plan and submit a copy to Ohio EPA, NWDO, for review. This plan must include all the contents to demonstrate compliance with the rules outlined in violations #5-9 above. After Ohio EPA review, PFI must send the plan to agencies or organizations that may be required to provide emergency services. PFI must submit to Ohio EPA, NWDO, documentation such as cover letters or certified mail receipts showing that this has been done.**

An example contingency plan is located in Appendix 3 of the Generator Handbook which can be viewed at the following web link: [http://www.epa.state.oh.us/dhwm/pdf/gen\\_handbook.pdf](http://www.epa.state.oh.us/dhwm/pdf/gen_handbook.pdf).

*On June 17, 2008, PFI submitted a copy of the receipts verifying that the following organizations have received a copy of the updated contingency plan for the facility: Fulton County EMA, Fulton County Health Center, Fulton County Sheriff's Office, Wauseon Fire Department, and the Wauseon Police Department.*

*With this information, this violation is considered abated.*

10. **OAC Rule 3745-65-32(B): Required Equipment:** All facilities shall be equipped with a device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police and fire departments, or local or Ohio EPA emergency response teams.

PFI did not have any communication device (telephone, two-way radio, cell phone) available to employees in the outside hazardous waste storage area in the event of emergency. PFI must provide a communication device to employees moving waste to or from the storage area and also to those who enter the area for inspections, or any other purpose.

**To abate this violation, you must submit to Ohio EPA, NWDO, a written procedure showing how appropriate communication devices will be provided in the future to employees when managing hazardous waste.**

*On April 18, 2008, PFI submitted a copy of an internal policy that states all personnel who handle hazardous waste or conduct inspections must carry a communication device with them during the time they are in the hazardous waste storage area completing their tasks. In addition, PFI included a copy of a receipt for the purchase of a set of 2-way radios.*

*With this information, this violation is considered abated.*

11. **OAC Rule 3745-65-32(C): Required Equipment:** All facilities shall be equipped with spill control equipment, and decontamination equipment.

PFI had inadequate spill control equipment located in the hazardous waste container storage area. PFI is currently using scrap paper as spill clean-up material. The insufficient spill control equipment was also noted several times on the weekly hazardous waste storage area inspection logs.

**To abate this violation, PFI must submit to Ohio EPA, NWDO, photographic documentation showing that adequate spill control equipment has been placed in the hazardous waste container storage area. This spill control equipment must also be incorporated into the contingency plan and personnel training plan as described in Violations # 2 & 5 above.**

*On April 18, 2008, PFI submitted a copy of the Spill Containment procedures. The spill control equipment was incorporated in the training plan and the Hazardous Waste Handling Program, but was not added to the Contingency Plan.*

*On July 25, 2008, PFI submitted a copy of the updated pages that added the spill control information to the Contingency Plan.*

*With this information, this violation is considered abated.*

12. **OAC Rule 3745-52-34(C)(1)(b): Satellite Accumulation: Labeling:** A generator may accumulate as much as fifty-five gallons of hazardous waste at or near any point of generation provided that the waste is placed in containers that are labeled or marked clearly with the words "Hazardous Waste" or with other words that identify the contents of the containers, while being accumulated on-site.

PFI did not properly label the two 5-gallon containers of solvent/paint waste in the mixing room with the words "Hazardous Waste"

PFI properly labeled these two containers with the words "Hazardous Waste" at the time of our inspection.

*Therefore, this violation is considered abated.*

13. **OAC Rule 3745-52-34(C)(1)(a): Satellite Accumulation: Container Management:** PFI must keep containers holding hazardous waste closed during storage except when it is necessary to add or remove waste.

PFI had one 5-gallon satellite container of liquid solvent/paint waste in the mixing room that was not closed.

PFI closed this container during the inspection.

*Therefore, this violation is considered abated.*

14. **OAC Rule 3745-52-34(C)(2): Satellite Accumulation: Labeling:** A generator must not have hazardous waste in excess of 55-gallons per waste stream located in a satellite area without the excess being labeled and dated and removed within three days. A generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.

PFI had two drums of liquid hazardous waste located in the base/top coat satellite accumulation area. One of the liquid drums was full and the other liquid drum was also accumulating hazardous waste. Ohio EPA considered the 55-gallon drum to be the excess accumulation of hazardous waste. PFI failed to mark the container holding the excess amount of hazardous waste with an accumulation start date of when the waste began accumulating. PFI also did not comply with paragraph A of this rule within three days of the container becoming full.

The full 55-gallon drum was labeled with an accumulation start date and taken to the storage pad at the time of the inspection.

**To abate this violation, PFI must submit to Ohio EPA, NWDO, a written description on how this satellite area will be managed in the future.**

*On April 18, 2008, PFI submitted a copy of the satellite drum accumulation procedures. This written policy outlines how each department will manage the satellite drum in their respective work area.*

*With this information, this violation is considered abated.*

15. **OAC Rule 3745-52-34(A)(2): Storage Area: Container Labeling:** A large quantity generator must label all containers of hazardous waste in a storage area with an accumulation start date. The labels must be clear and visible for inspection.

PFI had three 55-gallon drums of hazardous waste solids in the outdoor storage area which were not labeled with an accumulation start date.

PFI properly labeled these drums with an accumulation start date of 1/22/08, at the time of the inspection.

*Therefore, this violation is considered abated.*

16. **OAC Rule 3745-52-34(A)(3): Storage Area: Container Labeling:** A large quantity generator must clearly mark all containers of hazardous waste in a storage area with the words "Hazardous Waste".

PFI had three 55-gallon drums of hazardous waste solids (D001, F003) in the outdoor storage area which were not labeled with the words "Hazardous Waste".

PFI properly labeled these drums at the time of the inspection.

*Therefore, this violation is considered abated.*

17. **OAC Rule 3745-66-73(A): Container Storage Area: Container Management:** A generator must keep containers closed during storage except when adding or removing waste.

PFI had one open drum of filter/solid hazardous waste in the outdoor storage area.

PFI closed the open drum at the time of inspection.

*Therefore, this violation is considered abated.*

18. **OAC Rule 3745-66-74: Container Storage Area Inspections:** Container storage areas shall be inspected on a weekly basis looking for leaks and for deterioration. These inspections shall be recorded in an inspection log which includes at a minimum the date and time of inspection, name of the inspector, a notation of observations made, and the date/nature of any repairs. Ohio EPA interprets weekly to mean once within the seven day period following the previous inspection.

PFI failed to complete weekly inspections of the container storage area. PFI exceeded the weekly time period three times in the last six months. (10/1/07-10/24/07, 11/21/07-12/6/07, and 12/12/07-1/10/08).

**To abate this violation, PFI must submit to Ohio EPA, NWDO, four (4) weeks of completed inspection logs to this office. Also, it may be a good idea to designate a back up inspector for when your primary one is sick or on vacation, etc.**

*On April 18, 2008, PFI submitted four weeks of completed weekly inspection logs. In addition, PFI included a copy of the procedures for conducting the weekly inspections at the facility. The procedure listed who would do the inspections when the safety inspector was not available.*

*With this information, this violation is considered abated.*

19. **OAC Rule 3745-273-13(D)(1): Universal Waste: Fluorescent Lamp Management:** All lamps/bulbs being managed as a universal waste must be stored in packages that are structurally sound and adequate to prevent breakage. The packages/containers must be closed.

PFI did not store the spent fluorescent lamps in any type of container or package.

**To abate this violation, PFI must submit to Ohio EPA, NWDO, a photograph documenting that the lamps have been put into proper containers or packages.**

*On April 18, 2008, PFI submitted photographic documentation showing the spent fluorescent bulbs now properly stored in closed containers.*

*With this information, this violation is considered abated.*

20. **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".

Mr. Dick Hamilton, V.P.  
July 3, 2009  
Page 8

PFI did not have their spent fluorescent bulbs properly labeled.

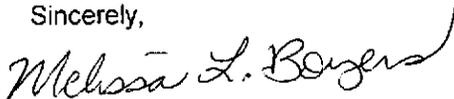
**To abate this violation, PFI must submit to Ohio EPA, NWDO, a photograph documenting that the lamps or containers in which they are stored have been properly labeled with the words "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps".**

***On April 18, 2008, PFI submitted photographic documentation showing the fluorescent bulb containers now properly labeled.***

***With this information, this violation is considered abated.***

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

/csl

pc: Cindy Lohrbach, DHWM-NWDO,  
Colleen Weaver, DHWM-NWDO,  
DHWM-NWDO Perfection Finishers 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.