



State of Ohio Environmental Protection Agency

Northwest District Office

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Bowling Green, OH 43402-9398

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www.epa.state.oh.us

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

**RE: Wilson Sporting
Goods Co.
Hardin County
DHWM, NWDO
Notice of Violation**

May 5, 2008

Mr. Dan Riegle, Plant Manager
Wilson Sporting Goods Co.
217 North Liberty Street
Ada, OH 45810

Dear Mr. Riegle:

Thank you for accompanying Gary Deutschman and me during the Ohio Environmental Protection Agency's (Ohio EPA's) April 1, 2008, compliance evaluation inspection of Wilson Sporting Goods Co.'s (WSGC's) facility located in Ada, Ohio. We inspected WSGC 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). During the inspection, we also helped you identify ways to prevent pollution by reducing waste.

This letter will explain the violation we found, what you need to do to correct the violation, other general concerns we have, what you need to do to respond to our general concerns, and the pollution prevention opportunities we identified.

WSGC is a football manufacturer. WSGC generates cutting oil, spent lamps, and ink waste.

We 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 receipt of this letter:***

Violations:

1. **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..."

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

WSGC must immediately cease disposing of the fluorescent bulbs as non-hazardous waste until a proper waste evaluation has been completed. Fluorescent bulbs typically contain mercury and other heavy metals which could make them a hazardous waste. Hazardous waste 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.

WSGC must choose one of the following options and submit to Ohio EPA the requested information as documentation to demonstrate how you plan to properly manage your fluorescent bulbs: **1)** If WSGC decides to manage the bulbs as a hazardous waste, then WSGC will need to sample each type and brand of bulb at the facility using a Toxicity Characteristic Leaching Procedure (TCLP) test for Resource Conservation and Recovery Act (RCRA) metals. WSGC must then submit all analytical results to Ohio EPA along with a description of how the spent bulbs will be managed. **2)** The other alternative is that WSGC can begin to manage spent bulbs as universal waste. If WSGC chooses this option, then WSGC should submit a summary that outlines how the spent bulbs will be managed as universal waste and where they will be shipped. WSGC should also submit photographic documentation that a closed container will be used to store the spent bulbs and that this container has the proper label and accumulation start date located on it. Ohio EPA recommends that spent bulbs be managed as a universal waste and recycled.

During the inspection, I gave you the following fact sheets on spent bulbs for your information: Universal Waste Rules for Handlers of Lamps, dated June 2005; Fluorescent Lamps: What You Should Know, dated January 2007; and Computer, Fluorescent Lamp and Ballast Recyclers, dated December 2007.

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General Concerns:

- A. **Cutting Oil:** During the inspection, WSGC stated that the used cutting oil is cleaned out of the die machine approximately twice a year. Each cleaning generates approximately 10-15 gallons of waste. Previously, WSGC has disposed of this waste through the sewer. However, WSGC has not notified the wastewater treatment plant (WWTP) prior to disposal of this waste stream. As discussed during the inspection, WSGC needs to contact the WWTP to ensure that this waste stream can be properly treated prior to disposing of it in this fashion.

To address this general concern, WSGC must submit documentation that the WWTP can properly treat this waste stream when disposed of through WSGC's sewer system. If the WWTP cannot properly treat this waste stream, then WSGC must submit a summary to Ohio EPA that explains how and where this waste stream will be disposed of when generated.

Also, WSGC should describe if this waste stream is directly discharged to the sewer system or if it is collected/stored in containers prior to disposal. If the waste is collected or stored in containers prior to disposal, then it may be regulated by RCRA if the waste stream is hazardous. WSGC should also submit any analytical information from this waste stream. This information should be submitted to Ohio EPA ***within 30 days of receipt of this letter.***

- B. **Printer Ink/Solvent Waste:** WSGC told Ohio EPA that the industrial printer was purchased in November 2007. The printer head is cleaned several times a day. At the time of the inspection, the waste ink was being kept in a liter container below the printer. However, WSGC planned on placing the waste ink in a five gallon bucket full of kitty litter to then dispose of in the local landfill. This waste has not been disposed of yet. It is unclear if this waste stream is hazardous or not. WSGC must submit the Material Safety Data Sheets (MSDSs) for the printer inks and solvent used to clean the printer head ***within 30 days of receipt of this letter.***

Ohio EPA will issue an EPA ID number to track the inspection activity at WSGC. WSGC can not use this number for manifesting hazardous waste shipments. If WSGC wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, WSGC must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029 (Rev. 11/2002)) to Ohio EPA.

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This form is available on our Web page at <http://www.epa.state.oh.us/dhwm/notiform.html> or WSGC can call the Division of Hazardous Waste Management, Central Office, RIS at (614) 644-2977 and a copy will be sent through the mail.

As we discussed during the inspection, you may be able to reduce the waste your company generates. 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. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me at (419) 373-3065.

The Division of Hazardous Waste Management 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 site: www.epa.state.oh.us/dhwm/listserv.html. Please feel free to share this with your colleagues.

Enclosed you will find a copy of the checklists that were completed during the inspection. Should you have any questions, please feel free to call me at (419) 373-3065. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management
/csl

Enclosures

cc: Colleen Weaver, DHWM, NWDO Cindy Lohrbach, DHWM, NWDO
Kara Reynolds, DHWM, NWDO Tom Poffenbarger, DSW, NWDO
DHWM, NWDO Hardin County File: Hardin County General

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.

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

For Ohio EPA use only

E-mail this completed form to
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
 McConnell, Central Office

2. Site EPA ID No.	EPA ID Number:								
3. Site Name	Name: Wilson Sporting Good Co.					Website: www.wilson.com (Optional)			
4. Site Location Information	Street Address: 217 North Liberty Street								
	City, Town, or Village: Ada					State: OH			
	County Name: Hardin					Zip Code: 45810			
5. Site Land Type (check only one)	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"/>	
6. NAICS code(s) www.census.gov/epcd/www/naics.html									
7. Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Daniel			MI: D.	Last Name: Riegler				
	Phone Number: 419-634-9901				Phone Number Extension: 110				
	E-Mail Address: DRIEGLE@WILSON.COM								
	Fax Number: 419-634-4630				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	Name of Site's Legal Owner:					Date Became Owner (mm/dd/yyyy):			
	Owner Type:	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:	
	Name of Site's Operator:					Date Became Operator (mm/dd/yyyy):			
	Owner Type:	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								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<input type="checkbox"/> Not Regulated					<input type="checkbox"/> Conditionally Exempt Small Quantity Generator				
<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11					<input type="checkbox"/> United States Importer of Hazardous Waste				
<input type="checkbox"/> Large Quantity Generator (LQG)					<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator				
<input type="checkbox"/> Small Quantity Generator (SQG)									
<input type="checkbox"/> Hazardous Waste Transporter					<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace				
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste					<input type="checkbox"/> Small Quantity On-Site Burner Exemption				
<input type="checkbox"/> Recycler of Hazardous Waste					<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption				
<input type="checkbox"/> Underground Injection Control Facility									

10B. Universal Waste Activities (Indicate types of universal waste managed (check all boxes that apply))			
<input type="checkbox"/> Small Quantity Handler of Universal Waste		<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the 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.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
13. Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Kara Reynolds		Gary Deutschman	4/1/2008 1:00 PM
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: Wilson Sporting Goods Co. **Facility Type:** LQG SQG CESQG TSD **Date of Inspection:** 04-01-2008 **EPA ID#:**

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applc.</small>	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
1 Maintenance	Spent Lamps	Minimal	Disposing in local landfill			Manage as Universal Waste and Recycle
2 Printing	Waste Ink	Minimal Liter Jar Printing Room				
3 Maintenance of Die Machine	Cutting Oil	10-15 Gallons twice a year	Sewer System			

REMARKS-GENERAL INFORMATION

General Process Information:

See Attached Letter.

Regulatory/Enforcement History (if applicable):

N/A

Additional P2 remarks and information:

I would suggest that the spent bulbs be managed as universal waste. This procedure would not require the waste analysis of each spent bulb type and brand at the facility.

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 or www.epa.state.oh.us/ocapp/ocapp.html

Other: