



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
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

OH 000 028 621  
Newman Technology, Inc.  
Richland County  
Hazardous Waste  
Return to Compliance

April 10, 2008

Ms. Heather Hochstetler, EHS Specialist  
Newman Technology, Inc.  
100 Cairns Road  
Mansfield, Ohio 43402

Dear Ms. Hochstetler:

Thank you for your March 25, 2008, resubmission of responses to Ohio EPA's April 3, 2007, Notice of Violation letter and the pertaining information. You stated that the following documentation was originally submitted by Newman Technology, Inc. (NTI) on April 27, 2007: Training sign-up sheets, NTI hazardous waste personnel job descriptions, a sample copy of used universal lamps recycling record, a sample copy of hazardous waste storage weekly inspection sheet, copy of the NTI contingency plan, photographs showing properly labeled universal waste storage container, copy of analytical report of spent fluorescent lamp sampling, and a copy of analytical report of paint booth filter sampling.

The status of the violations previously cited follows:

**1. OAC Rule 3745-52-11: Waste Evaluation**

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.

- (a) During the inspection, you stated that you are currently crushing the waste fluorescent light bulbs before disposal. You added that you took two samples of the crushed bulbs before disposal. The samples were analyzed for mercury. You failed to have the samples analyzed for lead and cadmium, two contaminants of concern for this waste.

NTI took representative samples of the spent bulbs prior to crushing. Sample results indicate that the bulbs are not a hazardous waste. You stated that you plan to continue to dispose of the crushed bulbs as solid waste. Ohio EPA still encourages you to consider managing your spent light bulbs as universal waste.

***This violation has been abated.***

- (b) NTI failed to take an adequate number of samples to properly characterize the spent filter waste stream.

NTI took representative samples of the paint filter waste. Samples were taken from three paint booths. Sample results indicate that the spent filters are not a hazardous waste. NTI stated that they will continue to dispose of the spent filters as solid waste.

***This violation has been abated.***

2. **OAC Rule 3745-52-42(A)(1)&(2): Exception Report**

A large quantity generator of hazardous waste who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within thirty-five (35) days of the date the waste was accepted by the initial transporter shall contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.

- (a) **3745-52-42(A)(1):** NTI failed to contact the transporter and/or the Treatment, Storage and Disposal (TSD) facility within 35 days when it did not receive return copies of the completed manifest numbers MI 7501683 and 0559.
- (b) **3745-52-42(A)(2):** In addition, NTI did not file exception reports to Ohio EPA within 45 days when it did not receive the return copies of the same manifests stated above.

On February 16, 2007, NTI submitted signed copies of the missing manifests and the related exception reports sent February 10, 2007.

***These violations have been abated.***

3. **OAC Rule 3745-65-16(D)(1)&(2): Personnel Training - Record Keeping**

The owner or operator must maintain the following documents and records at the facility:

- (1) The job titles for each position at the facility related to hazardous waste management and the name of the employee filling each job; and
- (2) A written job description for each position listed above.
  - (a) **3745-65-16(D)(1):** NTI failed to maintain the job titles of each job related to hazardous waste management.
  - (b) **3745-65-16(D)(2):** NTI failed to maintain written job descriptions for employees involved in the management of hazardous waste.

NTI submitted a list of employees directly involved in the handling and management of hazardous waste. NTI included copies of job titles and job descriptions, as requested.

***These violations have been abated.***

4. **OAC Rule 3745-65-16(C): Personnel Training - Refresher Training**

Facility personnel must take part in an annual review of the initial training required by OAC Rule 3745-65-16(A)(1).

NTI failed to conduct refresher training on an annual basis (every twelve months or less).

NTI conducted hazardous waste refresher training on 02/24/07, 03/03/07 and 05/01/07. Copies of attendance sheets were submitted. NTI stated that they conduct training on an annual basis (every twelve months or less).

***This violation has been abated.***

5. **OAC Rules 3745-65-51(A)&(B); 3745-65-52(A), (B), (C), (D), (E)&(F); 3745-65-53(A)&(B); and 3745-65-55: Contingency Plan**

A facility shall have a contingency plan which will be implemented during an emergency. The contingency plan must describe the actions personnel will take during an emergency, describe arrangements with responders, list the emergency contact and related information, list emergency equipment, and include an evacuation plan. A copy of the contingency plan must be maintained at the facility and submitted to entities that may be required to provide emergency services. A facility must have a designated emergency coordinator who is familiar with all aspects of the contingency plan, is available to respond to an emergency and has the authority to commit the resources needed to implement a contingency plan.

NTI has violated all the applicable rules associated with the contingency plan requirements as follows:

- (a) **3745-65-51(A):** The facility does not have a contingency plan.
- (b) **3745-65-51(B):** By not having a contingency plan, the facility is unable to implement such a plan during a fire, explosion, or release of hazardous waste .
- (c) **3745-65-52(A):** The facility does not have a plan that describes actions the personnel must take.
- (d) **3745-65-52(B):** The facility has a SPCC plan that has not been amended to incorporate hazardous waste management provisions.

- (e) **3745-65-52(C):** The facility does not have a contingency plan that describes the arrangement agreed to by local police departments, fire departments, hospitals, contractors, Ohio EPA and local emergency responders.
- (f) **3745-65-52(D):** The facility does not have a contingency plan that lists the names, addresses and phone numbers of persons qualified to act as emergency coordinator.
- (g) **3745-65-52(E):** The facility does not have a contingency plan that lists emergency equipment.
- (h) **3745-65-52(F):** The facility does not have a contingency plan that includes an evacuation plan.
- (i) **3745-65-53(A):** The facility does not maintain a contingency plan.
- (j) **3745-65-53(B):** The facility has not submitted a contingency plan to all local police departments, fire departments, hospitals, Ohio EPA and local emergency response teams that may be requested to provide emergency services.
- (k) **3745-65-55:** The facility did not designate an emergency coordinator.

NTI submitted a copy of the facility contingency plan. You stated that the contingency plan existed, though it was not presented to the Ohio EPA inspector during the inspection.

***These violations have been abated.***

**6. Rule 3745-52-34(C)(1)(b): Accumulation Time of Hazardous Waste - Satellite Accumulation - Labeling**

A generator which accumulates hazardous waste at or near the point of generation must mark his container either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

NTI failed to properly label several satellite accumulation containers inside and outside of the paint booths.

To abate this violation, NTI must properly label the above mentioned containers and provide to me photographic documentation that it has been done.

NTI stated that containers inside the paint booth contain solvent that is used to clean the robotic spray guns. This solvent is re-used as a cleaning solution and, therefore, is not a hazardous waste until deemed to be so. You added that the containers will be labeled "Purged Solvent." Ohio EPA agrees with this assessment.

***This violation has been abated.***

7. **OAC Rule 3745-52-34(A)(2): Use and Management of Containers - Dating**

The date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container.

NTI failed to write the date accumulation of hazardous waste started on the labels on containers collecting the hazardous waste dust (D007) from the Torit System. NTI stated that it has treated these containers as satellite accumulation.

According to 3745-52-35(C)(1), a generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste in containers at or near the point of generation where waste originally accumulates, which is under the control of the operator of the process generating the waste. The area in question does not comply with any of the highlighted points. Therefore, the accumulation area underneath the Torit System is not considered a satellite accumulation area.

To abate this violation, NTI must immediately start regarding this area as a 90-day accumulation area and comply with all regulations that apply. Photographic documentation showing that all containers have been properly dated must be submitted to me.

NTI agreed to label the Torit System dust containers and treat the area of accumulation as a 90-day storage area. NTI included copies of four (4) weeks of weekly inspection logs.

***This violation has been abated.***

8. **OAC Rule 3745-66-73(A): Use and Management of Containers - Storage**

A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

NTI failed to have two five-gallon containers inside the paint booth closed at all times except when waste is being added to them. NTI stated that the container must be kept opened to allow the automatic paint robotic arm to discharge the solvent while it is flushing during paint changes. This is not acceptable.

To abate this violation, NTI must modify its current painting operation to keep the five-gallon containers closed at all times except when waste is being put into them. NTI must submit to me a written explanation of the changes.

As referenced in violation No. 6, the "Purge Solvent" is not considered hazardous waste. NTI agreed to keep the containers closed at the end of the day.

***This violation has been abated.***

9. **OAC Rule 3745-66-74: Use and Management of Containers - Inspections**

The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

NTI failed to conduct inspections of hazardous waste accumulation areas which included the areas mistakenly considered satellite accumulation underneath the Torit Systems and the 90-day accumulation areas.

To abate this violation, NTI must conduct weekly inspections (every 7 days or fewer) of the hazardous waste accumulation areas and record such inspections in an inspection log or summary. A copy of the inspection log or summary (eight weeks' worth) must be sent to me.

NTI submitted copies of weekly inspection logs.

***This violation has been abated.***

10. **OAC Rule 3745-273-13(D)(1): Storage of Waste Lamps**

A small quantity handler of universal waste must contain lamps in containers that are closed, structurally sound, compatible with the contents of the lamps and lack evidence of leakage, spillage or damage. For more specific information, refer to the following document that was given to you during the inspection: Universal Waste Rules for Handlers of Lamps, June 2005.

NTI failed to keep the storage containers of the universal waste lamps closed.

NTI put lids on the universal waste storage containers and submitted photographic documentation.

***This violation has been abated.***

11. **OAC Rule 3745-273-14(E): Labeling of Waste Lamp Storage Containers**

A small quantity handler of universal waste must label the container or package in which such lamps are contained with one of the following phrases: "Universal Waste Lamp(s)," "Waste Lamp(s)," or "Used Lamp(s)."

NTI failed to label the universal waste lamp containers storing the spent lamps.

NTI properly labeled the containers of spent lamps. NTI submitted photographic documentation of the labeled containers.

***This violation has been abated.***

12. **OAC Rule 3745-273-15(A): Accumulation of Waste Lamps - Time Limits**

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, unless the requirement is necessary to facilitate its proper recovery, treatment or disposal.

NTI accumulated universal waste lamps longer than twelve months.

NTI submitted an explanation on how it is planning to meet the twelve-month accumulation limit. A copy of a sample tracking form was also submitted.

***This violation has been abated.***

13. **OAC Rule 3745-273-15(C): Accumulation of Waste Lamps - Record Keeping**

A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

NTI failed to have a method to determine how long the waste was accumulated.

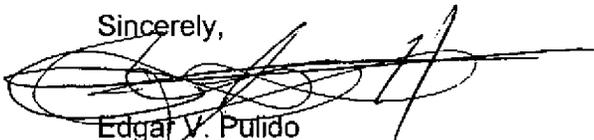
NTI submitted an explanation on how it is planning to meet the twelve-month accumulation limit. A copy of a sample tracking form was also submitted.

***This violation has been abated.***

The documentation submitted by NTI demonstrates that it has adequately ***abated*** all violations discovered during Ohio EPA's January 26, 2007, inspection.

Should you have any questions or if I can be of assistance, please contact me at (419)373-3015.

Sincerely,



Edgar V. Pulido  
Division of Hazardous Waste Management

/cs  
pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
DHWM, NWDO File: Newman Technology, Inc. >  
ec: Ed Pulido, 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.