



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Sandusky County
Compliance Evaluation Inspection
Crown Battery Manufacturing Company
OHD 005 043 054
Notice of Violation

September 30, 2008

Mr. Robert L Michael, Sr., Safety & Environmental Director
Crown Battery Manufacturing Company
1445 Majestic Drive
Fremont, Ohio 43420

Dear Mr. Michael:

Thank you for accompanying me during Ohio EPA's September 10, 2008, compliance evaluation inspection of Crown Battery Manufacturing Company (CBM) located at 1445 Majestic Drive, Fremont, Ohio. I inspected CBM 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). The inspection included observations of your company's operations and a review of written documentation.

CBM is a manufacturer of lead-acid batteries. CBM manufactures batteries for the automotive, commercial, and marine industries. The waste streams generated at the facility include spent sulfuric (D002, D008), parts washer spent solvent (continued used program), used oil, and spent fluorescent light bulbs. CBM was a large quantity generator of hazardous waste at the time of this inspection.

The following violations were found during this inspection. 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**:

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.

CBM has failed to properly evaluate the spent fluorescent bulbs generated at the facility.

CBM is currently disposing of their fluorescent bulbs in the trash. CBM 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 must be conducted through one of three options: **1)** CBM may apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation [manufacturer analytical information – Toxicity Characteristic Leaching Procedure (TCLP) test results],

or 2) CBM may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. CBM must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs.

CBM must sample the fluorescent bulbs to determine the concentration of mercury (D009), cadmium (D006) and lead (D008) as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846. CBM may run a total concentration for this constituent as a screening tool.

If the concentration is detected for mercury, lead or cadmium at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level; or 3) a combination of options 1 and 2.

If the bulbs are determined to be hazardous through a proper waste evaluation, CBM 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).

Instead of taking samples for analysis as described above, CBM may recycle their bulbs if they are hazardous or non-hazardous by managing them as universal waste. Ohio EPA would encourage this option as a pollution prevention alternative. Please refer to the information I gave you on how to manage light bulbs as universal waste.

To abate this violation, CBM must inform me in writing as to how the facility plans to manage the spent fluorescent light bulbs and other spent light bulbs.

2. **OAC Rule 3745-66-91 to 3745-66-99: Tank System Requirements**

Tank system requirements apply to owner or operators of facilities that use tank systems for storing or treating hazardous waste.

At the time of the inspection, CBM did not have any of the required tank information located on-site available for review for the two 1500 and the two 1000 gallon hazardous waste storage tanks that were installed in 2006. I am enclosing a copy of the Tank System Requirements Checklist for your review.

To abate this violation, CBM must submit all applicable tank information, including but not limited to, design and installation assessment certified by an independent, qualified, registered professional engineer; secondary containment, spill and overfill controls; labeling, and daily inspection logs. Ohio EPA will review the submitted tank documentation for compliance with the regulations. Additional violations may be cited once our review has been completed. You will be notified of any additional violations in a separate letter.

3. **OAC Rule 3745-279-24: Off-site Shipments of Used Oil**

Generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers, except as provided in OAC Rule 3745-279-24 paragraphs (A) to (C).

CBM did not ensure that its used oil was being picked up by a transporter who has obtained a U.S. EPA identification number or that the transporter was exempted to do so as provided in OAC Rule 3745-279-24 paragraphs (A) to (C).

To abate this violation, CBM must identify a facility that has obtained a US EPA ID# and it's allowed to manage used oil. CBM must include a statement to the fact that its used oil would be sent to this facility from now on.

As we discussed during the inspection, you may be able to find other ways to reduce the waste your company generates. If you would like more information on topics concerning pollution prevention, you can visit <http://www.epa.state.oh.us/ocapp/ocapp.html>. If you find additional 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. In addition, you may possibly reduce your regulatory requirements.

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 <http://www.MPa.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 at <http://www.epa.state.oh.us/dhwm>.

Enclosed, you will find a copy of the checklists that I completed during the inspection. Should you have any questions, please feel free to contact me at (419)373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

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Enclosures

pc: Colleen Weaver, Supervisor, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO File: Crown Battery Manufacturing Company, Sandusky County
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.