



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: BMD Workbench, Inc.
OHR000111591
Seneca County
Notice of Violation

April 6, 2011

Mr. Kurt Smith
BMD Workbench, Inc.
2166 South State Route 231
Tiffin, Ohio 44883-4402

Dear Mr. Smith:

On January 14, 2011, Amy Heller met with Mr. Bill Kuhn of your facility and conducted a compliance evaluation inspection of BMD Workbench, Inc. (hereafter referenced as BMD), 2166 South State Route 231 in Tiffin, Ohio. The purpose of the investigation was to determine your 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). Additionally, on January 20, 2011, Ms. Heller re-visited your facility to meet with you to discuss your process in-depth. She also called to discuss other items on February 10, 2011, prior to my involvement.

BMD is in the business of stripping, refinishing and repair of wood furniture. BMD uses dichloromethane (also known as methylene chloride) to strip the wood pieces. This stripping takes place on a metal work table.

The first step in the restoration process is to remove old paints/stains. Dichloromethane is applied to the piece and it is scrubbed. The dichloromethane is captured for re-use in a 5-gallon bucket located at the end of the work table. The work table is sloped so that the dichloromethane is easier to capture in the bucket. The solvent that is captured is used over and over and is occasionally replenished.

Sludge (from stripping the pieces) is generated (1-2 times a year) from the use of the solvent on the metal work table. The used solvent is strained and sludge settles in the solvent collection bucket and put into a container (1/2 of a 55-gallon drum). About 10-15 gallons of sludge is generated on an annual basis. Each gallon, however, is mixed in with approximately 10 gallons of sawdust. This amounts to approximately 100-150 gallons of hazardous waste generated per year. This waste has been historically disposed of as solid waste and is picked up by American Disposal.

After the piece is cleaned with dichloromethane, the piece is then power-washed which generates a wastewater. The wastewater goes from the power wash area where it is collected in a trough (holds approx. 40 gallons). The trough is pumped over to the filter when it is full. Solids are separated off through the filtering process. The liquid that goes through the filter is captured in a holding tank. From the holding tank it is pumped to another tank where air

stripping takes place. Wastewater remaining in this tank after the air stripping process is complete is discharged to the sanitary sewer. Any wastewater that did not discharge due to gravity feed goes through the filter again. The City of Tiffin conducted a pretreatment inspection and determined that there are no outstanding issues. All of the tanks and the filter system are considered part of your pretreatment system and are regulated under the Clean Water Act. Therefore, this process is exempt from the Resource Conservation and Recovery Act (RCRA) and is not regulated by Ohio EPA's Division of Hazardous Waste Management. The filters generated from your pretreatment system are considered a waste. These filters would be considered hazardous waste as they are contaminated with hazardous wastewater and solids. The filters and filter solids are currently disposed of as solid waste.

BMD also uses a spray gun to repaint and refinish some pieces. The gun is cleaned with a very small amount of lacquer thinner. The solvent is re-used over and over until it eventually evaporates.

At the time of inspection, BMD was operating as a conditionally exempt small quantity generator. This means that you generate less than approximately 25 gallons of hazardous waste in any given month.

The following violations of Ohio's hazardous waste laws were found. 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. Unlawful Transportation, ORC § 3734.02(F):

No person shall transport or cause to be transported any waste identified or listed under the hazardous waste laws to a facility that is not a permitted hazardous waste facility. BMD caused hazardous waste solvent sludge and pre-treatment filters to be transported by American Disposal.

BMD generated approximately 100-150 gallons of hazardous waste sludge (F002) per year. Additionally, BMD generated hazardous waste filters (F002) from the wastewater pre-treatment process. Both of these waste streams were unlawfully transported off-site by American Disposal and disposed of as solid waste.

BMD must submit information to me documenting how these two hazardous wastes (solvent sludge and filters) will be managed and disposed of in the future.

2. Waste Evaluation, OAC Rule 3745-52-11:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

- a) **BMD has never evaluated the solvent sludge that is generated from the work table.** This sludge is mixed with sawdust and disposed of as solid waste.

This sludge is generated from the cleaning of the pieces on the metal work table.

This waste is considered to be hazardous waste because it consists of the spent solvent, dichloromethane. Due to the way the solvent is used, it is considered to be a listed hazardous waste and will carry the waste code F002.

To abate this portion of the violation, BMD must choose an option below and respond to Ohio EPA with your course of action.

BMD does not know at this time whether this solvent sludge contains metals such as lead, chromium, etc. from the removal of various paints, stains and finishes. You must have the sludge analyzed for metals using the SW-846 Method 1311, Toxicity Characteristic Leaching Procedure (TCLP), for RCRA metals **OR**

You can assume the waste has some metals in it and use knowledge to say that it contains lead which carries a waste code -D008, chromium - D007 and barium - D005. (Since the waste is already hazardous, this would be simply adding additional waste codes for heavy metals based on the possibility that they could be in the sludge).

- b) BMD has never evaluated the pretreatment filters that are generated to remove solids from wastewater prior to the air stripping process.**

The filters are considered to be hazardous waste because they contain some amount of spent solvent, dichloromethane, carried over from the pressure washing process. Due to the way the solvent is used at your facility, the filters are considered to be a listed hazardous waste and will carry the waste code F002.

To abate this portion of the violation, BMD must choose an option below and respond to Ohio EPA with your course of action.

BMD does not know at this time whether the filters contain metals such as lead, chromium, etc. from the removal of various paints, stains and finishes. You must have the filters analyzed for metals using the SW-846 Method 1311, Toxicity Characteristic Leaching Procedure (TCLP), for RCRA metals **OR**

You can assume the filters have some metals in it and use knowledge to say that it contains lead, which carries a waste code -D008, chromium - D007 and barium - D005. (Since the waste is already hazardous, this would be simply adding additional waste codes for heavy metals based on the possibility that they could be in the sludge).

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In regards to both wastes, you must no longer dispose of these as solid waste until a waste evaluation/determination has been completed in agreement with Ohio EPA.

In regards to any fluorescent lamps or other lamps/lighting that you may use in your facility, you must begin recycling them at least one time per year. The other option if you choose to not recycle is to manage them as hazardous waste. Recycling used/burned out lamps under the Universal Waste Rules allows you to keep bulbs in a properly labeled, closed container (or package in which new bulbs came) for up to one year before you must recycle them. Most businesses recycle lamps under these rules so that they do not have to manage them as hazardous waste. I have enclosed a fact sheet on the rules and what you need to do in the future. I have also enclosed a list of recyclers. Please contact me if you have any questions.

Suggestions:

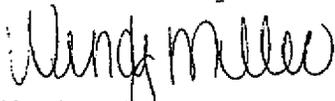
- ☞ Close all product containers that are not in use to avoid losing material
- ☞ Keep hazardous waste in a closed and labeled container to avoid accidental spills
- ☞ Contact our non-regulatory compliance assurance person, Ron Nabors at 419-373-3147 to see if he has suggestions for your small business operations. (ways to reduce water usage, less volatile chemicals, better efficiency, etc)

You can find copies of rules, recycling lists, fact sheets and other information on the division's web page at <http://www.epa.ohio.gov/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>.

I have enclosed copies of the checklist completed during the inspection as well as some relevant fact sheets.

If you have any questions, please contact me at (419)373-3114.

Sincerely,



Wendy Miller
Division of Hazardous Waste Management

/cs

Enclosures

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO

ec: ~~NWDO-BMD:Workbench\inc.rFile~~
Amy Heller, DAPC, NWDO
Wendy Miller, DHWM, NWDO
NWDO Follow-up File