OhioEPA

State of Ohio Environmental Protection Agency

**Northwest District Office**

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

Re: Crawford County
Compliance Evaluation Inspection
Hydraulic Technologies, LLC
OHR 000 029 785
Return to Compliance

June 4, 2008

Mr. Scott Thornsberry, Plant Manager
Hydraulic Technologies, LLC
850 South Street
Galion, Ohio 44833

Dear Mr. Thornsberry:

Thank you for your April 15, 2008, email submission of the sign-in records of the remaining hazardous waste training conducted at your facility.

The status of the violations cited as a result of the November 27, 2007, compliance evaluation inspection is as follows:

1. **OAC Rule 3745-65-16(A)(1-3), (B), (C), (D)(1-4) and (E): Personnel Training**

   Facility personnel must successfully complete training on hazardous waste management procedures. This training must be conducted within six months after the date the employee is hired and an annual review of the training must be completed thereafter. The owner or operator must maintain records including, but not limited to, job title, job description and training of each employee. Records must be retained for current personnel until closure of the facility and former personnel for at least three years from the date the employee last worked at the facility.

   Hydraulic Technologies (HT) failed to conduct personnel training. There was no training plan available to review at the time of the inspection. HT violated all the applicable requirements of this rule as follows:

   a. OAC Rule 3745-65-16(A)(1-3) – HT did not conduct personnel training for employees involved in the handling or management of hazardous waste at the facility. This personnel training must be directed by a person trained in hazardous waste management procedures.

This training shall include, but is not limited to, hazardous waste management procedures, instruction in safe equipment operation, emergency procedures, and the implementation of the contingency plan. It must also familiarize employees with procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment.

b. OAC Rule 3745-65-16(B) – HT did not provide adequate training on hazardous waste management procedures within six months of beginning employment at HT.

c. OAC Rule 3745-65-16(C) – HT personnel involved in the management of hazardous waste have not received annual refresher hazardous waste management training. Ohio EPA defines annual as at least once every 365 days.

d. OAC Rule 3745-65-16(D)(1-4) – HT does not maintain personnel training records which include, but are not limited to, employee name, job title, job descriptions, and type and amount of introductory and continuous training for employees responsible for waste handling and spill response duties.

e. OAC Rule 3745-65-16(E) – HT did not maintain training records on current and former employees.

In the letter received by the Ohio EPA on February 20, 2008, you adequately addressed items:

d & e – By submitting a record retention policy and copies of job titles and training requirements for personnel involved in the management of hazardous waste.

c – By submitting a statement regarding your refresher training procedure.

Items a and b remain outstanding.

***On February 19, 2008, you emailed me your training presentation which has been reviewed and found to be adequate.***

In order to abate the remaining violations, HT must do the following:

- Since Ohio EPA has approved the training program, HT shall immediately conduct training for all personnel handling and managing hazardous waste. HT should submit sign-in sheets containing all appropriate personnel signatures showing that they have successfully completed this training.

- HT shall include a statement as to a timeline for training new employees (i.e., within six months from date of hire).

***On April 15, 2008, you emailed me copies of the sign-in sheets of all employees that attended the required training. This violation has been abated.***

2. **OAC Rule 3745-65-52(D): Content of Contingency Plan – Emergency Coordinator List**

A contingency plan must list names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinator, and this list must be kept up to date.

HT failed to keep an up-to-date list of qualified emergency coordinators.

To abate this violation, HT must update the contingency plan with an up-to-date list of potential emergency coordinators and send me a copy of the updated list.

***On February 20, 2008, Ohio EPA received an updated list of potential emergency coordinators. This violation has been abated.***

3. **OAC Rule 3745-65-52(E): Content of Contingency Plan – Emergency and Location of Emergency Equipment**

A contingency plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communication and alarm systems, and decontamination equipment) where this equipment is required. This list must be kept up to date. In addition, the contingency plan must include the location and physical description of each item on the list, and a brief outline of its capabilities.

HT failed to include the information described above in their contingency plan.

To abate this violation, HT must update their contingency plan to include a detailed description of all emergency equipment and its location. As discussed during our visit, you may abate this violation by including a facility-wide diagram noting the locations of all emergency equipment. Please send to me an updated copy of your contingency plan.

***On February 20, 2008, Ohio EPA received a diagram with the description and locations of emergency equipment. This violation has been abated.***

4. **OAC Rule 3745-52-34(C)(1)(a): Accumulation of Hazardous Waste – Satellite Accumulation Requirements – Closed Containers**

A large quantity generator of hazardous waste may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste at or near the point of generation that is under the control of the operator of the process generating the waste according to paragraph (A) of Rule 3745-66-73 of the Administrative Code; a container holding hazardous waste ***shall always be closed during storage***, except when it is necessary to add or remove waste, and shall be marked either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

HT failed to keep the satellite accumulation 55-gallon drum of hazardous waste near the ***Large Bore Paint Area*** closed and labeled.

***This violation was abated during the November 27, 2007, inspection.***

5. **OAC Rule 3745-52-34(C)(1)(b): Accumulation of Hazardous Waste – Satellite Accumulation Requirements – Labeling Containers**

A large quantity generator of hazardous waste may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste at or near the point of generation that is under the control of the operator of the process generating the waste according to paragraph (A) of Rule 3745-66-73 of the Administrative Code; a container holding hazardous waste ***shall always be closed during storage***, except when it is necessary to add or remove waste, and ***shall be marked either with the words "Hazardous Waste" or with other words that identify the contents of the containers.***

HT failed to keep the satellite accumulation 55-gallon drum of hazardous waste near the ***Large Bore Paint Area*** marked with the words "Hazardous Waste" or other identifying words.

HT closed and labeled the container on the date of our inspection. ***This violation has been abated.***

6. **OAC Rule 3745-270-09(A): Land Disposal Restrictions – Special Rules for Wastes that Exhibit a Characteristic**

If the initial generator of a waste determines that his waste displays a characteristic (and is not D001 nonwastewater treated by CMBST, RORGS, or POLYM in Table 1 of Rule 3745-270-42 of the Administrative Code ), he must determine underlying hazardous constituents (as defined in Rule 3745-270-02 of the Administrative Code) in the characteristic waste.

HT failed to send, with the initial shipment of waste, a written notification to each treatment or storage facility. Furthermore, HT failed to determine underlying hazardous constituents (UHCs) for its waste (D001, D007, D008, F003, F005) prior to sending it to be incinerated. To abate this violation, HT shall determine the UHCs for its hazardous waste and send me a copy of this documentation.

This information must also be sent to HT's treatment or storage facility; so, also send to me documentation that this has been completed.

***On February 20, 2008, Ohio EPA received copies of the analytical data of the UHC determination of the paint waste. This violation has been abated.***

7. **OAC Rule 3745-270-07(A)(2): Land Disposal Restrictions – Paperwork**

If the waste or contaminated soil does not meet the treatment standard, with the initial shipment of waste to each treatment or storage facility, the generator must send a one-time written notice to each treatment or storage facility receiving the waste, and place a copy in the generator's files. The notice must include the information in Column A of Table 1 of this rule.

HT failed to send, with the initial shipment of waste, a written notification to each treatment or storage facility. Furthermore, HT failed to have available for review the documentation for its hazardous waste stream (D001, D007, D008, F003, F005) included in Column A of Table 1 of ***OAC Rule 3745-270-07***. To abate this violation, HT must send a copy of this documentation to the treatment or storage facility that receives the waste, and also to me at Ohio EPA, NWDO.

***On February 20, 2008, Ohio EPA received copies of a land disposal restriction notification for the paint waste. This violation has been abated.***

8. **OAC Rule 3745-273-13(D)(1): Universal Waste Lamps – Storage**

A small quantity handler of universal waste must contain any lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

HT failed to keep storage containers of universal waste lamps closed.

***This violation was abated during our inspection.***

9. **OAC Rule 3745-273-15(C): Universal Waste Lamps – Length of Storage**

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.

During our inspection you stated that HT tracks length of accumulation by dating the storage container when a universal waste lamp is first put in it.

HT failed to write the date a universal waste lamp first was put in one of the storage containers.

***This violation was abated during our inspection.***

You can find copies of the rules and other information on the division's web page at http://www.epa.state.oh.us/dhwm.

Should you have any questions, please feel free to contact me at (419) 373-3015.

Sincerely,

Edgar V. Pulido
Division of Hazardous Waste Management

/llr

pc: Colleen Weaver, Supervisor, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO File: Hydraulic Technologies, LLC; f.k.a. Hydraulic Technologies, Inc., Crawford 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.