



Environmental
Protection Agency

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

Re: U.S. Metalcraft
OHD063704373
Allen County
Hazardous Waste
**Notice of Violation/
Return to Compliance**

November 23, 2011

Mr. Steve Birkmeier
U.S. Metalcraft, Inc.
101 South Franklin Street
Delphos, Ohio 45833

Dear Mr. Birkmeier:

Thank you for accompanying me during Ohio EPA's November 15, 2011, compliance evaluation inspection (CEI) of U.S. Metalcraft, Inc. (USM) located at 101 South Franklin Street, in Delphos, Ohio. I inspected USM 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). My inspection included observations of facility operations and a review of written documentation. This letter will explain the result of the inspection.

USM manufactures outdoor monument flower vases and urns. All products are made of die cast aluminum and are cast off-site by another company located in Piqua, Ohio. Simple machining like de-burring and some grinding/polishing is performed at USM's facility, however, most grinding and polishing is done at another facility in Michigan. Aluminum dust from dust collectors is recycled at Omni Source in St. Marys, Ohio. Defective aluminum pieces are also recycled at Omni Source. USM has been performing powder coating since 1968. This process consists of repeated steps of preheating, powder coating, curing with a final bake step.

USM was not generating hazardous waste at the time of my inspection and does not appear to be a hazardous waste generator at any other time during the year. USM does not generate used oil. USM generates the following non-hazardous and universal wastes:

1. Waste Lamps: Spent fluorescent lamps are placed in the trash.

Mr. Steve Birkmeier
November 23, 2011
Page 2

2. Waste Rags: USM uses toluene and mineral spirits applied to rags to wipe down some paint coats from vases. These rags are not hazardous waste and are placed in the facility trash.

As a result of my inspection, I found the following violation of Ohio's hazardous waste laws. This violation was abated on November 16, 2011.

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

A generator must determine whether its waste is hazardous by testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24. USM has failed to evaluate its spent lamps (all types), according to this rule, and they have been placed into the trash. In order to abate this violation, USM must evaluate its spent lamps. **Instead** of obtaining a sample of the lamps and having the sample analyzed in a laboratory, USM may elect to manage its spent lamps (all types) as Universal Waste (for recycling). The requirements for Universal Waste lamps include:

- Immediately prevent spent lamps from being placed into the trash;
- Place spent lamps into containers that are structurally sound (boxes for example);
- Label the containers with the words "Used Lamps";
- Document the length of time that the spent lamps are stored (place a date on the boxes);
- Store spent lamps for no longer than one year;
- Inform all employees with the responsibility to collect spent lamps of these requirements; and
- Ship the spent lamps to a lamp recycler (please refer to the list of recyclers that I have enclosed with this letter).

On November 16, 2011, I received an email message from you. You explained that you have instituted a lamp recycling program and explained it to employees. Attached to the message is a photo documenting that you have provided a container for waste lamps and properly labeled and dated the container. **Therefore, this violation was abated on November 16, 2011.**

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer.

Mr. Steve Birkmeier
November 23, 2011
Page 3

Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. I have enclosed copies of the following documents to assist you in properly managing your spent lamps: Fluorescent Lamps: What You Should Know and Computer, Fluorescent Lamp and Ballast Recyclers. I recommend that you review these documents carefully and contact me if you have any questions. The first document describes the rules you must follow in order to manage lamps as a universal waste.

You may be able to further 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 your treatment and disposal costs and you may possibly reduce your regulatory requirements. I have enclosed copies of Pollution Prevention Opportunities, a worksheet that can help you recognize opportunities for reducing waste and conserving energy at your business, and the fact sheet Management of Electronic Waste from Businesses. Please review this information and contact me if you have any questions.

I encourage you to schedule a pollution prevention assessment for your business because there are often many opportunities for businesses like yours to reduce waste and save money. If you wish to talk about an assessment or if you have other questions about pollution prevention, please feel free to contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 644-3469. There is no charge for an assessment.

The Division of Materials and 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 link: http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage. Please feel free to share this information with your colleagues.

Enclosed you will find copies of all checklists completed during the inspection. If you have any questions, please feel free to contact me at (419) 373-3074.

Mr. Steve Birkmeier
November 23, 2011
Page 4

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

Sincerely,



Don North
District Representative
Division of Materials and Waste Management

/llr

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, DMWM, NWDO (w/ original attachments)

ec: Colleen Weaver, DMWM, NWDO (scanned copy including checklists)
Don North, DMWM, 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.

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
---	---	-----------------------

Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: OHD063704373		Website: (Optional)
Site Location Information	Name: U.S. Metalcraft, Inc.		
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	Street Address: 101 S. Franklin Street		State: OH
	City, Town, or Village: Delphos		Zip Code: 45833
	County Name: Allen		
	Private <input checked="" 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"/>	

Facility Representative	First Name: Steve		MI:	Last Name: Birkmeier	
Additional names can be recorded in number 12	Title:				
Only provide address information if it is different than the site address	Phone Number: 419-692-4962		Phone Number Extension:		
	E-Mail Address:				
	Fax Number:		Fax Number Extension:		
	Street or P.O. Box:				
	City, Town or Village:				
	State:		Zip Code:		

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):		
	Operator 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:	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK 'X' IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

- | | |
|--|---|
| <input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
- Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
- Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
- Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

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 | |
| Containers | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

Name of Inspector(s) _____ Name of Inspector(s) _____

Don North

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)

11/15/2011

Comments:

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: U.S. Metalcraft
Facility Type: LQG SQG CESQG TSD
Date of Inspection: 11-15-11
EPA ID#: OHD063704373

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 applic.</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	Facility lighting	Waste Lamps Few occassionally	None		Recycling	
2	Cleaning vases	Waste Rags Few accumulated in safety container	None		Discarded in trash	
3	Defects in manufacturing	Waste vases Few occassionally	None	Omni Source St Marys, Ohio	Recycled	
4	Grinding and polishing	Aluminum dust Less than 200 pounds	None	Omni Source St Marys, Ohio	Recycled	
5						
6						
7						

8							
9							

REMARKS **GENERAL INFORMATION**

General Process Information:

Regulatory/Enforcement History (if applicable):

Additional P2 remarks and information:

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: