



Environmental Protection Agency

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

File copy

RTC'd 7 violations
Eval. 002
Ent. 002

RTC'd 1 violation

January 24, 2012

Mr. Lester Jones
Hamilton Caster & Manufacturing Company
1637 Dixie Highway
Hamilton, Ohio 45011-4807

**RE: RTC/ new NOV/RTC
Hamilton Caster & Manufacturing Company
OHD004232344**

Dear Mr. Jones:

On January 10, 2012 I conducted an inspection of the Hamilton Caster & Manufacturing Company (hereafter HCMC). The purpose of my inspection was to determine your progress in returning to compliance (RTC) for those violations of Ohio's hazardous waste rules as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). The violations were cited in my letter to you dated November 10, 2011. My inspection was scheduled in advance and it was deferred for longer than usual because of the Holiday vacation schedules and our mutual agreement that it was preferable for both you and your second shift supervisor, Tim McGuire, to be present. My inspection consisted of an initial meeting during which you presented the changes in training and operating procedures you have implemented. This was followed by a physical inspection of Plants 1 and 2 where I paid particular attention to those areas where wastes are stored including satellite accumulation areas (SAA) and the preparedness and prevention items. We finished with a meeting during which we discussed my preliminary determinations.

I am pleased to be able to tell you that I have determined that the actions you have taken have been adequate to demonstrate that you have abated the violations. Specifically, this letter returns you to compliance with the following:

- ✓1) OAC 3745-52-34(D)(4)
- ✓2) OAC 3745-52-34(D)(4)
- ✓3) OAC 3745-66-73(A)
- ✓4) OAC 3745-66-74
- ✓5) OAC 3745-273-13(D)(1)
- ✓7) OAC 3745-279-22(C)
- ✓8) OAC 3745-52-34(D)(5)(c)

Mr. Lester Jones, Hamilton Caster & Manufacturing Company
January 24, 2012
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I have retained the numbering used in my first letter. Note that I returned you to compliance with violation 6 (OAC 3745-273-14(E)) in the first letter.

However, I found the following new violation of the hazardous waste rules:

OAC 3745-52-34(D)(5)(b) requires that SQGs post emergency information next to the telephone.

I determined that your facility has a sufficient number of telephones near the two waste storage areas and the satellite accumulation areas to meet the intent of OAC 3745-65-32(B) which requires an emergency communication device be available. However, the proper information was not posted near the phones.

☞ On January 20 you provided me an e-mail .pdf copy of the new signs that you will post by all the telephones in your facility. In addition to internal telephone extensions for non-emergency use, the signs list Lester Jones as the emergency coordinator. The signs also include the locations of fire extinguishers, spill control equipment and the phone number of the fire department.

No further actions are required on your part to be returned to compliance for this violation.

Enclosed you will find a copy of the small quantity generator checklist. Note that I have added my observations and the actions that you took to correct the violations in **bold type**.

Thank you for the efforts you have made to return to compliance. Please feel free to call me at (937) 285-6090 if you have any questions or if I can assist you in any way.

Sincerely,



Tom Ontko
Hazardous Waste Inspector
Southwest District Office

Enclosures: SQG checklist

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.

TO\bp

**SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: =100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: = 1,000 Kg. (~300 gallons) of waste in a calendar month or =1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used: safety glasses, safety shoes

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes	<input type="checkbox"/>
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes	<input type="checkbox"/>
3.	Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]	No	<input type="checkbox"/>
4.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]	No	<input type="checkbox"/>
5.	Does the generator accumulate hazardous waste?	Yes	<input type="checkbox"/>

NOTE: If the SQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements might still apply, e.g. manifest, marking, LDR, etc.

6.	Has the generator accumulated hazardous wastes <u>in excess of</u> (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]	No	<input type="checkbox"/>
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NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

7.	Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)]	No	<input type="checkbox"/>
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NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

8.	Does the generator treat hazardous waste in a:		
	a. Container that meets 3745-66-70 to 3745-66-77?	No	<input type="checkbox"/>
	b. Tank that meets 3745-66-101?	No	<input type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	No	<input type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	No	<input type="checkbox"/>

HC does not conduct waste treatment

MANIFEST REQUIREMENTS

9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)(1)]	Yes	<input type="checkbox"/>
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]	No	<input type="checkbox"/>
	a. Does the contractual agreement specify the type of waste and frequency of shipment?	N/A	<input type="checkbox"/>
	b. Is the transport vehicle owned and operated by the reclaimer?	N/A	<input type="checkbox"/>
	c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	N/A	<input type="checkbox"/>

NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.

11.	Have items 1 through 20 of each manifest been completed? [3745-52-20(A)(1)] & [3745-52-27(A)]	Yes	<input type="checkbox"/>
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<i>NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations, items (21) through (35) must also be complete. [3745-52-20(A)(1)]</i>		
12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input type="checkbox"/>
<i>NOTE: The generator may designate on the manifest one alternative facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]</i>		
13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	N/A <input type="checkbox"/>
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)]	Yes <input type="checkbox"/>
<i>NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.</i>		
15.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]	N/A <input type="checkbox"/>
16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]	Yes <input type="checkbox"/>
<i>NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.</i>		
PREPAREDNESS AND PREVENTION		
17.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]	Yes <input type="checkbox"/>
18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]	
	a. Name and telephone number of emergency coordinator?	Yes <input type="checkbox"/>
	b. Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes <input type="checkbox"/>
	c. Telephone number of local fire department?	Yes <input type="checkbox"/>
19.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)] Since the last inspection, HCMC has implemented a training plan that covers the following topics: use of the new funnels for the waste accumulation drum; labeling and storing universal waste lamps and used oil; inspections of the accumulation areas and emergency equipment; keeping records of inspections. I consider the training adequate to demonstrate that employees are in fact familiar with waste handling procedures as demonstrated by the lack of violations in this inspection.	Yes <input type="checkbox"/>
20.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]	N/A <input type="checkbox"/>
21.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]	Yes <input type="checkbox"/>
22.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:	
	a. Internal Alarm system? [3745-65-32(A)] A pressurized air horn is available in the 'caster office'.	Yes <input type="checkbox"/>
	b. Emergency communication device? [3745-65-32(B)]	Yes <input type="checkbox"/>
	c. Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes <input type="checkbox"/>

		The indoor areas are served by automatic sprinklers. The facility has multiple fire extinguishers in areas where ignitable wastes are stored and also where wastes are moved from the SAAs to the accumulation areas.	
	d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Twice annual inspections are performed by Hamilton Fire Department.	Yes
23.		Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes
	a.	Are inspections recorded in a log or summary? [3745-65-33] The forms for the weekly accumulation area inspections include emergency equipment. Records for fire extinguishers and sprinklers are maintained but I didn't look thru them.	Yes
24.		Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (<i>unless the device is not required under OAC 3745-65-32</i>)? [3745-65-34(A)]	Yes
25.		If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (<i>unless not required under OAC 3745-65-32</i>)? [3745-65-34(B)]	N/A
26.		Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes
27.		Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Twice annual inspections are performed by HFD.	Yes
28.		Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	N/A

SATELLITE ACCUMULATION AREA REQUIREMENTS

29.		Does the generator ensure that satellite accumulation area(s):	
	a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes
	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	N/A
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes
	f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes
30.		Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	No
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	N/A
	b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	N/A

Painters continue to manage 5-gallons of spent solvent under the SAA rules at the two painting areas. As in the first inspection, these drums are properly managed.

I also inspected 2 SAA drums of paint waste in the 'rig cell area' that are managed under the SAA rules.

There was a typo in my first checklist dated 11/1/11-I left out the word "not". The correct sentence is "I determined that this drum does NOT satisfy the requirements that SAA containers be at or near the point of generation or under the control of the operator." This is the same drum that was cited as not being properly closed in the first inspection.

USE AND MANAGEMENT OF CONTAINERS		
31.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes
32.	Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes
33.	Are hazardous wastes stored in containers which are:	
a.	Closed (except when adding/removing wastes)? [3745-66-73(A)] HCMC purchased and implemented a new funnel with a closing cover for adding waste to the drums of ignitable wastes. The funnel screws into the large bung-hole and can be opened with one hand	Yes
b.	In good condition? [3745-66-71]	Yes
c.	Compatible with wastes stored in them? [3745-66-72]	Yes
d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes
<i>NOTE: Record location on process summary sheets and photograph the area.</i>		
34.	Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days.	Yes
a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes
35.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	N/A
36.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]	N/A
37.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]	N/A
<p>HCMC manages waste under the SQG accumulation rules in two places-behind Plant 1 (paint waste, D001) and behind Plant 2 (paint waste and cutting waste). The cutting waste was again being properly managed under the used oil rules again.</p> <p>Both accumulation areas are bermed and under roof but areas do not have walls or protection on all four sides. Not far down from the Plant 2 storage area is a storm drain. A leak into the bermed area followed by a hard rain could result in discharge to the storm drain if either the roof or the side walls failed.</p>		
PRE-TRANSPORT REQUIREMENTS		
38.	Does each generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]	Yes
39.	Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes
40.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes

Other notes-Universal waste lamps were properly packaged and labeled.

The turnings scrap is stored outside of Plant 2 in an open-top dumpster. There is a potential for rain water to wash residual cutting fluids into the same storm drain mentioned in item #37.