



**Environmental
Protection Agency**

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

Re: Haulette Manufacturing
OHD987013786
Mercer County
Hazardous Waste
Notice of Violation

March 30, 2012

Mr. Fred Kremer
Haulette Manufacturing Inc.
8271 US 127N
Celina, Ohio 45822

Dear Mr. Kremer:

Thank you for accompanying me during Ohio EPA's March 15, 2012, compliance evaluation inspection (CEI) of Haulette Manufacturing Inc. (HMI), fka Schuck Manufacturing, located at 8271 US 127N, in Celina, Ohio. I inspected HMI 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 results of the inspection.

HMI builds racks to hold parts mainly for the automotive industry. It cuts, forms, welds, drills and paints metal tubing in the manufacturing process. HMI was operating as a hazardous waste conditionally exempt small quantity generator at the time of my inspection.

HMI generates the following waste:

1. Water Soluble Cutting Fluid: The cutting fluid is lost through carry-out and evaporation so it is not a waste shipped off-site. Rather it is replaced as it is lost.
2. Used Oil: HMI generates approximately two 55-gallon drums of used oil each year.
3. Waste Paint & Solvent (D001): HMI paints the racks with two airless spray paint systems. Univar Aromatic 100, containing petroleum naphtha, cumene, 1, 2, 4-trimethylbenzene and xylenes, is used to clean the guns and occasionally purge the lines. The cleaning solvent is accumulated in 5-gallon pails outside each of the two spray booths. The 5-gallon pails are emptied into a 300 gallon tote.
4. Universal Waste Lamps: HMI recycles its waste metal halide and fluorescent lamps through Paysen Electric in Celina.

As a result of my inspection, I found the following violations of Ohio's hazardous waste laws and determined the following general concern:

1. Off-site Shipments of Used Oil by Generators - OAC Rule 3745-279-24

Generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers. During the inspection, you explained that HMI generates approximately two 55-gallon drums of used oil per year and that they have been picked up by an unknown person without an EPA ID Number. The used oil has not been analyzed to determine if it is on-specification or off-specification.

HMI must ensure that its used oil is only being taken to a registered used oil collection center or recycler by a transporter with a US EPA ID#. HMI has failed to have its used oil transported by a used oil transporter with a US EPA ID#. In order to correct this violation, HMI must either obtain a laboratory analysis of each shipment of its used oil and comply with all the requirements for a used oil marketer and transporter OR identify at least one registered used oil recycler that could be used to manage your used oil. Please explain to me how you will correct this violation and maintain compliance with this rule.

**2. Universal Waste Packaging - Lamps
OAC Rule 3745-273-13(D)(1)**

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.

HMI does not consistently place waste lamps (all types) in closed containers. In order to correct this violation, HMI must immediately place all spent lamps (all types) into containers or packages that are structurally sound and adequate to prevent breakage of the spent lamps; close each container; and submit photographic documentation that this has been done.

**3. Universal Waste Labeling - Lamps
OAC Rule 3745-273-14(E)**

Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste Lamps", "Waste Lamps" or "Used Lamps".

HMI does not consistently label the boxes of waste lamps with one of the required phrases. In order to correct this violation, HMI must properly label each spent lamp container and submit photographic documentation that this has been done.

**4. Accumulation Time for Universal Waste - Lamps
OAC Rule 3745-273-15(C)**

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.

HMI is not able to demonstrate the length of time the universal waste lamps were accumulated. In order to correct this violation, HMI must place a date on each container once a universal waste lamp is placed into it and submit photographic documentation that this has been done.

**5. Universal Waste Employee Training
OAC Rule 3745-273-16**

A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste of the proper procedures. The information shall describe proper handling and emergency procedures appropriate to the type of universal waste handled at the facility.

HMI has not adequately informed its employees handling universal waste lamps of the proper handling procedures. In order to correct this violation, HMI must list the employees who may manage used lamps, describe how it will inform (train) its universal waste lamp handlers in proper handling procedures and document when this is accomplished. The training must include compliance with all rules for the handling of universal waste lamps and batteries and the corrective actions for all violations of universal waste rules, cited above.

General Concern:

1. HMI should immediately evaluate the paint and containers which it has moved out of the paint trailer, determine if any of the material is waste, evaluate the waste to determine if it is hazardous waste, ship the hazardous waste to a permitted hazardous waste facility within 180 days, if more than 100 kg (about 25 gallons) of hazardous waste for the month is generated and submit photographic documentation that this has been accomplished. If hazardous waste is shipped off-site, HMI must submit a copy of the manifest to Ohio EPA.

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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. 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.

As a used oil generator you are required to store used oil in containers or aboveground tanks that are in good condition (no severe rusting, apparent structural defects or deterioration) and not leaking. Containers, aboveground tanks and fill pipes for underground tanks must be labeled with the words "Used Oil." If leaks are detected, the generator must stop the release; contain the release; clean up and manage properly the released used oil and other materials related to the release; and, if necessary, repair or replace any leaking containers or tanks prior to returning them to service. I have enclosed, copies of the following used oil fact sheets: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, and Used Oil Recyclers. Please review these carefully and contact me immediately if you have any questions.

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.

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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.

HMI needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, HMI is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to don.north@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, HMI is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

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. 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

/cg

Enclosure

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

ec: Colleen Weaver, DMWM, NWDO
Don North, DMWM, NWDO

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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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 Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number:		Website: www.bergmantool.com (Optional)						
	Name: Bergman Tool & Machine Company								
	Street Address: 8066 Industrial Drive		State: OH						
	City, Town, or Village: Maria Stein		Zip Code: 45860						
County Name: Mercer		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 Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Jon		MI:	Last Name: Bergman	
	Title: Co-Owner				
	Phone Number: 419-925-4963			Phone Number Extension:	
	E-Mail Address: bergtool@bright.net				
	Fax Number: 419-925-4399			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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE		
<input 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 checked="" 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

