



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Referral #2419
Deco Tools
OHD 005041132
Lucas County
Hazardous Waste
Partial Return to Compliance 4

March 12, 2007

Mr. Mike Bollenbacher
President
Deco Tools, Inc.
1541 Coining Drive
Toledo, Ohio 43612

Dear Mr. Bollenbacher:

On March 5, 2007, I returned to Deco Tools (Deco) to verify compliance with the violations first cited in a Notice of Violation (NOV) letter to you, dated September 21, 2005. Based on the information that you provided, and my observations on March 5, 2007, I have made the following conclusions (the numbering used in the first PRTC letter, dated February 3, 2006, is used in this one):

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

4. Caraflex Cleanup (D002 & D008): On March 3, 2006, Mr. Rob Rill of Jones & Henry Laboratory took the one gallon plastic container of Caraflex Cleanup waste back to the laboratory to have it analyzed. Please submit a copy of the analytical results for this waste. Clearly indicate if it is hazardous waste or not and what characteristics it possesses, if it is hazardous waste.

Attached to your response letters is the analysis of this waste demonstrating that it is also hazardous for lead (D008). Please submit a photograph of this waste container. **On March 5, 2007, I observed and photographed the 55-gallon drum for accumulating Caraflex. I also observed and photographed a 5-gallon container used to accumulate Caraflex contaminated brushes. These wastes have been properly evaluated. Therefore, this violation has been corrected.**

9. Grinding Room Waste/Debris: This waste is non-hazardous, based on the November analysis. There is some leachable lead, though, so Deco should periodically sample and analyze the waste. Please describe your plan for periodic sampling and analysis of this waste.

You explained in your January 19, 2007, letter that you planned to have this waste sampled and analyzed in January or February 2007. Your January 31, 2007, e mail message instructed Mr. Keith Holub to arrange for the sampling by the end of February 2007. This sampling has been scheduled for February 16, 2007. Deco should provide the analytical results as soon as they are available.

On March 1, 2007, you submitted the analytical results for this waste. According to the analytical results, this waste is non-hazardous. There is some leachable lead in this waste, though, so Deco should periodically sample and analyze the waste. This waste has been properly evaluated. Therefore, this violation has been corrected.

10. Sand Blast Waste (D008): This waste was non-hazardous, based on the November analysis. There is some leachable lead, though, so Deco should periodically sample and analyze the waste. Please describe your plan for periodic sampling and analysis of this waste.

You explained in your January 19, 2007, letter that you planned to have this waste sampled and analyzed in January or February 2007. Your January 31, 2007, e mail message instructed Mr. Keith Holub to arrange for the sampling by the end of February 2007. This sampling has been scheduled for February 16, 2007. Deco should provide the analytical results as soon as they are available.

On March 1, 2007, you submitted the analytical results for this waste. According to the analytical results, this waste is now hazardous for lead (D008). This waste has been properly evaluated. On March 5, 2007, I observed and photographed the accumulation container, now labeled with the words "Hazardous Waste". Therefore, this violation has been corrected.

11. Fluorescent Bulbs: These bulbs are now being handled as Universal Waste. Compliance with Universal Waste rules will be checked during a future inspection.

On March 5, 2007, I observed your accumulation of Universal Waste Lamps. These lamps will be recycled. Therefore, this violation has been corrected.

12. Out-of-Service Plating Tanks:

A: Nickel Bright Tank Waste Liquid and Crystals, Tank #1 (D007)
This waste is a hazardous waste. It has the characteristic of D007 for chromium. On March 3, 2006, MWC Ohio removed the hazardous waste and cleaned the tank. Also on March 3, 2006, you provided a copy of the hazardous waste manifest demonstrating that this waste was sent to Chemtron Corporation of Avon, Ohio. The condition of the tank will be checked during a future inspection.

I observed this tank on March 5, 2007. This waste was properly evaluated. Therefore, this violation has been corrected.

B: Nickel Strike Tank Waste Liquid and Crystals, Tank #2 (D002, D007 & D008) This waste is a hazardous waste. It has the characteristics of D002 (corrosivity), D007 (chromium) and D008 (lead). On March 3, 2006, MWC Ohio removed the hazardous waste and cleaned the tank. Also on March 3, 2006, you provided a copy of the hazardous waste manifest demonstrating that this waste was sent to Chemtron Corporation of Avon, Ohio. The condition of the tank will be checked during a future inspection.

I observed this tank on March 5, 2007. This waste was properly evaluated. Therefore, this violation has been corrected.

13. Caustic Cleaner Tank Residue (D008) This waste is a hazardous waste. It has the characteristic of D008 (lead). On March 3, 2006, MWC Ohio removed the hazardous waste and cleaned the tank. Also on March 3, 2006, you provided a copy of the hazardous waste manifest demonstrating that this waste was sent to Chemtron Corporation of Avon, Ohio. The condition of the tank will be checked during a future inspection.

I observed this tank on March 5, 2007. This waste was properly evaluated. Therefore, this violation has been corrected.

14. Mask Shop Floor Sweepings This waste is non-hazardous, based on the November analysis. There is some leachable lead, though, so Deco should periodically sample and analyze the waste. Please describe your plan for periodic sampling and analysis of this waste.

You explained in your January 19, 2007, letter that you planned to have this waste sampled and analyzed in January or February 2007. Your January 31, 2007, e mail message instructed Mr. Keith Holub to arrange for the sampling by the end of February 2007. This sampling has been scheduled for February 16, 2007. Deco should provide the analytical results as soon as they are available.

On March 1, 2007, you submitted the analytical results for this waste. According to the analytical results, this waste is non-hazardous. There is some leachable lead in this waste, though, so Deco should periodically sample and analyze the waste. This waste has been properly evaluated. Therefore, this violation has been corrected.

**2. Unpermitted Hazardous Waste Treatment, Storage & Disposal
ORC Section 3734.02(E)&(F)**

In the September NOV, Ohio EPA stated that Deco had become an unpermitted hazardous waste treatment, storage and disposal facility by: disposing of MEK (F005) to the air in the silver painting spray booth; disposing of acetone (F003) to the air in the primer/finish painting booth; disposing of MEK contaminated filters (F005) from the silver painting booth in the trash; disposing of spent fluorescent bulbs (D009) in the trash; and disposing of waste still bottoms (F005 & F003) in the trash. This had been the procedure for years. Deco was required to immediately cease unpermitted treatment, storage and disposal of its hazardous waste.

As a result of the sampling performed on November 17, 2005, Ohio EPA has also determined that Deco has also become an unpermitted hazardous waste treatment, storage and disposal facility by: storing hazardous waste Nickel Bright Tank Waste Liquid and Crystals (D007), Nickel Strike Tank Waste Liquid and Crystals (D002, D007 & D008), and Caustic Cleaner Tank Residue (D008) for longer than 180 days.

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Deco must submit to me a legible copy of the manifest(s), signed by a representative of the permitted treatment, storage or disposal facility, that documents the proper off-site shipment of all its hazardous waste. Deco must also provide documentation that describes the procedures that will be taken, immediately, to ensure that unpermitted treatment, storage and disposal does not happen again.

Attached to your January 19, 2007, letter are copies of two Bills of Lading for hazardous paint waste in cubic yard boxes. The paint waste was unused and in 1-gallon cans that were placed into the orange cubic yard boxes. You reported that Deco has not shipped any other hazardous waste, therefore, you have no other hazardous waste manifests to submit, at this time.

On March 5, 2007, you explained that the box used to accumulate paint cans is lined and all the containers are closed when placed into the box. You provided a list of the waste placed into the box, which was sent off-site on January 16, 2007.

On March 5, 2007, you provided a Generator Certification form for Heritage Crystal Clean. This form indicates that you have instructed them to consider Deco to be a small quantity generator, so that they will always use a hazardous waste manifest for transporting Deco's waste.

You also reported in your January 19, 2007, letter that you provided training to employees in March of 2006 to ensure that Deco remains in compliance with the hazardous waste management rules.

Since Deco has violated ORC Section 3734.02(E) & (F) by becoming an unpermitted treatment, storage and disposal facility (TSD), it is subject to OAC Rules 3745-55-10 through 3745-55-48 and 3745-55-97. Therefore, you may be required to submit a closure plan. A closure plan describes the steps necessary to investigate the extent of contamination and to clean up all contamination found. These violations of ORC Section 3734.02(E)&(F) remain outstanding, however, no further action is needed at this time.

**5. Training
OAC Rule 3745-52-34(D)(5)(c)**

The generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

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Deco should now have information which would properly identify its wastes. Past information has identified new hazardous wastes and new unpermitted hazardous waste management practices. Therefore, Deco must immediately submit a training plan that includes all its hazardous wastes and their hazards, proper waste handling procedures and emergency procedures and provide training to all applicable employees. Deco must also submit a record that demonstrates that all applicable employees have received hazardous waste management training.

Attached to your March 13, 2006, letter is a copy of your training outline. This outline is sufficient to meet the requirements of this rule. You stated that you provided your employees with training from this outline in March of 2006, but that you did not record your employees attendance. Therefore, in your January 19, 2007, letter you explained that you will perform the training again and have each employee sign a document showing their attendance. Please submit this document as soon as it is available.

On March 5, 2007, you provided a copy of the training attendance sheet indicating that all employees have received hazardous waste management training in February and March of 2007. Therefore, this violation has been corrected.

The following violations were previously corrected:

1. OAC Rule 3745-52-11, # 1, 2, 3, 5, 6, 7 & 8.
3. OAC Rule 3745-52-20
4. OAC Rule 3745-52-34(D)(5)(b)
6. OAC Rule 3745-52-34(C)(1)(b)
7. OAC Rule 3745-52-34(A)(2)&(3)
8. OAC Rule 3745-66-71 & OAC Rule 3745-66-73
9. OAC Rule 3745-66-74

Due to the nature of the violations at your facility, Deco has been referred to Ohio EPA's Central Office for consideration of escalated enforcement.

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If you have any questions about this letter, please call me immediately at (419) 373-3074. You can find copies of the rules and other information about used oil and hazardous waste management on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Sincerely,



Don North
District Representative
Division of Hazardous Waste Management

/csl

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
Brad Murphy, DHWM, CO
NWDO, DHWM, Deco File, Lucas County

ec: Don North, 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.