



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

November 14, 2012

**MORGAN COUNTY
MIBA BEARINGS US LLC
DMWM/SEDO
OHD004288056**

Ms. Heidi Suhoski
Miba Bearings US LLC
5037 N. State Route 60
McConnelsville, OH 43756

Dear Ms. Suhoski:

I received your responses to my July 27, 2012 Notice of Violation letter in a letter received August 14, 2012, and e-mails dated September 19, 2012 and October 1, 2012. The documentation you submitted included: photos, waste analysis data, training sign in sheets, a revised contingency plan, spill response equipment log, weekly inspection logs of the satellite storage locations, and daily tank inspection logs.

My review of this documentation reveals that Miba has adequately demonstrated abatement of the following violations discovered during the inspection conducted on June 6 and 11, 2012. For clarity these abated violations are numbered consistently with the numbering used in Ohio EPA's letter dated July 27, 2012.

- (3) **OAC Rule 3745-52-20(A)(1), Manifest - General Requirements**
- (4) **OAC Rule 3745-52-34(A)(2), Accumulation Time of Hazardous Waste**
- (5) **OAC Rule 3745-52-34(A)(3), Accumulation Time of Hazardous Waste**
- (6) **OAC Rule 3745-52-34(C)(1), Accumulation Time of Hazardous Waste**
- (7) **OAC Rule 3745-52-34(C)(1)(a), Accumulation Time of Hazardous Waste**
- (10) **OAC Rule 3745-65-33, Testing and Maintenance of Equipment**
- (12) **OAC Rule 3745-65-52(C), Content of Contingency Plan**
- (13) **OAC Rule 3745-65-52(D), Content of Contingency Plan**
- (17) **OAC Rule 3745-66-73(A), Management of Containers**
- (18) **OAC Rule 3745-66-74, Inspections** (see the General Comments section of this letter for more information about this violation)
- (19) **OAC Rule 3745-66-95(B), Inspections**

For the following violations, Miba has failed to submit adequate documentation and/or responses and remains in violation of the Ohio Administrative Code (OAC). Miba must submit documentation demonstrating abatement of these outstanding violations to this office within 15 days of receipt of this letter. For clarity these violations are numbered consistently with the numbering used in Ohio EPA's letter dated July 27, 2012.

- (2) **OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

Ohio EPA's July 27, 2012 Notice of Violation letter directed Miba to evaluate floor wash water; the mixture of used oil, floor wash water, and parts washer solvent; oil vacuum pump filters from the Pero degreaser; oil vacuum pump filters from the Synthec plasma cleaner; and spent parts washer solvent waste to determine if it is a listed or characteristic hazardous waste, and submit the evaluations to this office for review. You provided some analysis results for these waste streams (with the exception of the mixture of used oil, floor wash water, and parts washer solvent, for which you only provided a chain of custody) but have not responded with your evaluation of whether or not each waste stream is a hazardous waste and if so, what hazardous waste codes apply based on your analysis results and generator knowledge.

In order to return to compliance with this rule, you must provide analysis results for the mixture of used oil, floor wash water, and parts washer solvent. You must also respond with your evaluation of whether or not each waste stream in question is a hazardous waste and if so, what hazardous waste codes apply based on your analysis results and generator knowledge.

- (8) **OAC Rule 3745-52-34(C)(1)(b), Accumulation Time of Hazardous Waste:** A generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste in containers at or near any point of generation where wastes initially accumulate, provided he marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

Miba was cited in violation of this rule for the tip hopper of floor washing debris and the satellite accumulation container labeled "dross/slag only" located in the casting area. Miba provided an adequate response regarding the tip hopper of floor washing debris but provided no response for the casting area satellite accumulation container labeled "dross/slag only."

In order to return to compliance with this rule, Miba must mark the casting area satellite accumulation container with the words "Hazardous Waste" or other words accurately identifying its contents. To demonstrate your compliance, submit a photograph of the properly labeled container to this office.

- (9) **OAC Rule 3745-65-16(A)(2), Personnel Training:** Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code. The owner or operator must ensure that this program includes all the elements described in the document required under paragraph (D)(3) of this rule.

Miba's August 14, 2012 letter states that training will be done and Miba will submit a training roster and training topics covered. Miba provided a training roster by e-mail

dated October 1, 2012 but did not provide any information about what was covered in the training. Miba must submit documentation of the training content.

- (11) **OAC Rule 3745-65-52(A), Content of Contingency Plan:** The contingency plan must describe the actions facility personnel must take to comply with rules 3745-65-51 and 3745-65-56 of the Administrative Code in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.

Miba has made revisions to the contingency plan addressing some of the requirements of this rule. However, page 14 of the revised plan defines "report immediately" as within 30 minutes of knowledge of reportable release. This definition of immediately does not meet the standard of OAC Rule 3845-65-56(A) and must be removed from the contingency plan.

- (14) **OAC Rule 3745-65-52(E), Content of Contingency Plan:** The contingency plan must include a list of all emergency equipment at the facility such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), 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 a physical description of each item on the list, and a brief outline of its capabilities.

Revisions were made to the contingency plan to include more information about Miba's spill kits but the information is still not detailed enough to meet all of the rule requirements. In order to return to compliance with this rule Miba must revise the contingency plan to include a physical description of each emergency equipment item, a brief outline of its capabilities, and its location. The revised contingency plan does state that spill kits are located in shipping, receiving, plating, and the DI building. Please describe or map the specific location of the spill kits within each of these areas, so that in an emergency, personnel referring to the plan will be able to locate the needed equipment from its location description in the plan.

- (15) **OAC Rule 3745-65-52(F), Content of Contingency Plan:** The contingency plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

The rule requires that the plan describe the evacuation routes and alternate evacuation routes. Miba has revised the contingency plan to include evacuation maps as attachments to the contingency plan but makes no mention of the maps in the text of the document. The plan should be revised to reference the location of the maps so that when referring to the plan during an emergency the reader will know that they are in the plan and can quickly find and use them.

- (16) **OAC Rule 3745-65-53(B), Content of Contingency Plan:** A copy of the contingency plan and all revisions to the plan shall be: Submitted to all local police departments, fire departments, hospitals, and Ohio EPA and local emergency response teams, that may be requested to provide emergency services.

Miba's August 14, 2012 letter states documentation that the revised plan was submitted to local authorities was found in attachment #19. The letter and attachments that Ohio EPA received did not include an attachment labeled #19. Please provide this attachment.

- (22) **OAC Rule 3745-279-22(D), Used Oil Storage Requirements for Generators:** Upon detection of a release of used oil a generator must clean up and manage properly the released used oil and other materials.

At the time of the inspection, the secondary containment for the three outdoor used oil tanks had an oily sludge in it from past used oil releases that had not been cleaned up.

Miba has provided a photograph documenting that the secondary containment has been cleaned up and lab results which indicate that the material was hazardous waste. However Miba has not provided an explanation of their waste evaluation for the material or documentation of how the oil waste material was disposed.

The following violation will remain until addressed through Ohio EPA's enforcement process:

- (1) **ORC § 3734.02(E) and (F), Establishing and Operating a Hazardous Waste Facility**

General Comments

- (18) **OAC Rule 3745-66-74, Inspections:** The owner or operator must inspect areas where containers are stored, at least once during the period from Sunday to Saturday, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

Miba's response for this violation provided attachment #21 which was weekly inspection logs for satellite accumulation. This was a violation for not inspecting the less than 90-day container accumulation areas on a weekly basis for leaks and for deterioration caused by corrosion or other factors. Miba's August 14, 2012 response letter also included an attachment #22, which was daily inspections of the 90 day areas. Ohio EPA used this information to return Miba to compliance for this violation. Please note that hazardous waste storage tanks are required to be inspected daily, less than 90-day container accumulation areas must be done weekly, and there is no inspection requirement for satellite accumulation.

Miba needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Miba is requested to provide

Miba Bearings US LLC

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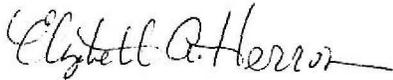
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documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to Elizabeth.Herron@epa.ohio.gov.

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, Miba is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please contact me by telephone at (740) 380-5248 or by e-mail at Elizabeth.Herron@epa.ohio.gov.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Materials and Waste Management

EH/mr

cc: Mykal Mercer, SEDO, DAPC

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.