



State of Ohio Environmental Protection Agency

Northwest District Office

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Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Bethel Engineering
Auglaize County
Complaint # 2606
NOV

February 7, 2007

Mr. David Whitaker
Bethel Engineering & Equipment Inc.
13830 McBeth Road
New Hampshire, Ohio 45870

Dear Mr. Whitaker:

Thank you for meeting with Colleen Weaver and me on January 3, 2007. We were at your facility located at 13830 McBeth Road in New Hampshire to conduct a compliance inspection following a fire in your outdoor wood burner. The purpose of our inspection was to determine your 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). This letter will explain the violations found and what you will need to do to return to compliance.

Bethel Engineering manufactures paint systems for clients. This includes related steel fabrication jobs. Bethel generates some solvent/paint waste from paint gun cleaning. You also generate shot blast dust that is recycled at OmniSource. Cartridge filters are also part of the shot dust collection system.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information **within 30 days** of your receipt of this letter:

1) Waste Evaluation, OAC Rule 3745-52-11:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste. At the time of our inspection, there were 36 1-gallon cans of various paint related wastes that you intended to burn. You did not evaluate these wastes.

On January 16, 2007, I received an inventory of these cans as well as corresponding Material Safety Data Sheets. It appears that all of these materials are considered hazardous waste based on their ignitability (waste code D001). Additionally, two of the paint wastes in your inventory contained metals.

You must also have the hazardous waste codes for barium (D005) and chromium (D007) on any shipping manifests, etc. All of these paint related wastes (unless they are solids) must be disposed of as hazardous waste at a permitted treatment, storage, or disposal facility.

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The 5-gallon container of roofing material from your barn should also be included in this waste shipment. At the time of our inspection, you also indicated that you will potentially be getting rid of some unwanted/unused solvents from the paint booth area. These would also be considered ignitable wastes.

To abate this portion of the violation, you must submit to me a hazardous waste manifest showing that all hazardous wastes were properly shipped off-site. If you intend to donate any of these items as mentioned in your response, please document the organization you have given to, the amount and type of material, and how they plan to use the materials. You must submit this information to me.

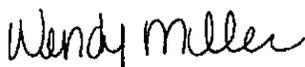
Additionally, Ohio EPA requires that you run analytical on your shot blast dust. You stated that the documentation showing metal constituents in the shot is no longer available to you by Omnisource. You must have analytical showing the metal constituents in the dust. The best analytical to run would be using SW-846, Method 1311, Toxicity Characteristic Leaching Procedure (TCLP). Most laboratories are familiar with running TCLP.

To abate this portion of the violation, you must submit analytical for your shot blast dust. I also would like to know how your dust cartridges are managed as well. If you have been managing these as solid waste and do not have analytical for the cartridges, you should have them analyzed as well.

You can find copies of rules, recycling lists, fact sheets and other information 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>

If you have any questions, please call me at (419) 373-3114.

Sincerely,



Wendy A. Miller
Division of Hazardous Waste Management

/llr

pc: Troy Anderson, EMA
DHWM-NWDO File
Cindy Lohrbach, DHWM-NWDO
Colleen Weaver, DHWM-NWDO
ec: John Pasquarette, 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.