OhioEPA

State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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: Fabcor Inc.
OHD 987057106
Auglaize County
Hazardous Waste
Partial Return to Compliance

June 6, 2007

CERTIFIED MAIL

Mr. Jon Hoying, Vice President
Fabcor Inc.
P.O. Box 58
350 South Ohio Street
Minster, Ohio 45865

Dear Mr. Hoying:

I conducted a follow-up inspection of Fabcor Inc. on June 4, 2007. You provided documentation of the following: 1. A list of hazardous wastes and waste numbers; 2. Container inspection records; 3. A personnel training record; and 4. A hazardous waste manifest from March 6, 2007. I also observed your hazardous waste management procedures in the paint booth and paint storage shed, and your used oil and universal waste management procedures. Based on your documentation and my observations, I have made the following conclusions (violations are numbered the same as the NOV):

1. Waste Evaluation
OAC Rule 3745-52-11

Fabcor Inc. (FI) failed to adequately evaluate all of its waste properly, according to this rule. Therefore, FI was required to do the following:

A. Acknowledge that the waste paint and cleaning solvent is, at least, the listed hazardous waste F003 & F005. In your March 10, 2006, response you state "From our data thus far we have identified the following hazardous waste codes: F003, F005, D001 & D002." Please explain what waste has the waste code D002 and why.

The list of hazardous wastes and waste numbers indicates that a very small quantity of your wastes have the waste number D002. You explained that they include catalysts which are acidic.

The following hazardous wastes have the waste number D002 at your facility: Wash Primer Catalyst Reducer, Industrial Wash Primer, V-66-V-44 Hardener, Paint Lok System and Standox Etching Activator. These wastes are collected in a separate 5-gallon pail. This response is acceptable. Therefore, this violation is abated.

B. Obtain a representative sample of the waste paint and cleanup solvents at the facility, according to OAC 3745-51-20. You must evaluate the sample, through laboratory analysis, for all appropriate characteristics, including TCLP metals, MEK (methyl ethyl ketone) and benzene, and submit the results of the laboratory analysis to Ohio EPA as soon as it is available. Your results must document if the waste has other characteristics of hazardous waste and what it is restricted from land disposal for.

Please submit, with your laboratory data, a brief narrative of the sampling event, which includes: process generating the waste, point in the process the sample was obtained, sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

FI must have this sampling conducted within 30 days.

C. Evaluate all types of spent bulbs from your facility. You and Mr. Eilerman reported that FI crushes spent bulbs to reduce their volume and these crushed bulbs are stored in an open drum. You and Mr. Eilerman explained that fluorescent bulbs are used in the office areas and other types are used in the plant. Please list the types and makers of all bulbs used in your facility.

I have reviewed all the information you submitted, in the past, regarding the various types of lamps used at FI, including fluorescent lamps, metal halide lamps and tungsten halogen lamps. Ohio EPA has determined that you must either:

i. Obtain a representative sample of each category and type of lamp (including all components of the lamp) from each manufacturer and have each representative sample analyzed for all applicable TCLP characteristics; OR

ii. Manage the spent lamps as a Universal Waste (through recycling).

FI is now managing spent lamps as universal waste. In order to comply with Ohio Administrative Code Rules 3745-273-14(E) and 3745-273-15(C), FI must submit photographic documentation that each container of universal waste lamps is labeled with the words "Universal Waste-Lamps" and the date that lamps are placed into it.

This documentation must be provided within 30 days.

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

FI poured its hazardous waste (F003 & F005) into open five gallon pails in the paint shed and purposely allowed the solvent to evaporate.

FI has become an unpermitted hazardous waste treatment and disposal facility by: treating and disposing of xylene, toluene, ethylbenzene, and methyl isobutyl ketone (F003 & F005) to the air in the paint storage shed. This was the procedure for at least three years. FI must immediately cease unpermitted treatment and disposal of its hazardous waste.

On June 4, 2007, you provided a copy of hazardous waste manifest #001965096 documenting the shipment of five 55-gallon drums of waste paint and cleanup solvents to Petro-Chem in Detroit, Michigan. On this day you also provided a copy of the container inspection record which documents that it has been revised to include a check for container labeling and that container inspections have been performed since March 3, 2006.

FI must do the following, within 60 days:

1. Revise the FI hazardous waste management procedure to include, at least, a description of the hazardous wastes and their characteristics and hazards (This description can be made complete once FI has received the analytical results from the evaluation of the waste paint and cleanup solvents required above); a statement that the hazardous waste container(s) must be kept closed, except when waste is added; and a description of how the waste container is to be labeled.

2. Revise the training outline to include, at least, the items to be included in the revised hazardous waste management procedures (as required above).

3. Conduct new training, based on the revised training outline, for all of its painters and waste handlers.

4. Submit documentation that training has been completed by all painters and waste handlers.

Since FI has violated ORC Section 3734.02(E) & (F) by becoming an unpermitted treatment 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.

FI also is subject to all applicable general facility standards, found in OAC Chapters 3745-54 and 55, until such time as FI has demonstrated that it has ceased operations as a treatment and disposal facility. Additionally, at any time, Ohio EPA may assert its right to have FI begin facility-wide cleanup, pursuant to the Corrective Action process under Ohio law.

Ohio EPA considers these violations to be serious violations, ones for which further enforcement action may be taken. If you have any questions about my inspection or this letter, please feel free to call me 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

Don North
District Representative
Division of Hazardous Waste Management

/llr

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
NWDO, DHWM, Auglaize County, Fabcor File
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.

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Ohio EPA
JUN - 6 2007
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Sent To: Jon Noyes - Fabcor, INC.
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City, State, ZIP+4: Minster, Ohio 45865

PS Form 3800, August 2006 — See Reverse for Instructions

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Mr. Jon Noyes, Vice President
Fabcor, INC.
P.O. Box 58
350 South Ohio Street
Minster, Ohio 45865

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