



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

Re: Kiemle-Hankins
OHD005418173
Wood County
Hazardous Waste
**Notice of Violation/Partial Return
to Compliance**

November 2, 2012

Mr. Josh Brown, Safety Director
Kiemle-Hankins
P. O. Box 507
Toledo, Ohio 43697

Dear Mr. Brown:

On October 17, 2012, Wendy Miller and I conducted a compliance evaluation inspection at Kiemle-Hankins (K-H) located at 94 H Street, Ampoint in Perrysburg, Ohio. We inspected K-H 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). Pollution prevention options were also discussed during this inspection. This letter will explain the violations we found and what you need to do to correct these violations.

During our visit we toured your facility, observed your operations and reviewed applicable paperwork. K-H repairs medium to large electric motors. Used oil is stored in drums and is generated when the repaired motor is tested. DISC Environmental picks up the used oil for recycling. The repaired motors are re-painted in one of two on-site paint booths. Calculations done by the facility indicate that they spray four gallons of paint per month in the large paint booth and less than one gallon per month in the small paint booth. The facility changes the paint booth filters in the large booth approximately once every three months. The small paint booth is used less often and the filters are changed approximately once every six months. The spent paint booth filters are managed as a solid waste. The motors are painted using aerosol cans and spray guns. The empty aerosol cans are sent with the scrap metal to Toledo Shredding to be recycled. The spray guns are cleaned by spraying paint thinner through the gun directly into the paint booth.

The facility has a vapor degreaser that generates spent trichloroethylene (D040, F001, F002). The spent solvent is shipped off-site to Chemtron Corporation where the spent solvent is bulked and the trichloroethylene is recovered for reuse. K-H also generates spent fluorescent bulbs, which are managed as solid waste.

At the time of our inspection, K-H was operating as a conditionally exempt small quantity generator (CESQG) of hazardous waste.

We found the following violations of Ohio's hazardous waste laws:

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

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

- a) At the time of the inspection, K-H did not have waste evaluation documentation for the spent paint booth filters. K-H has historically disposed of this spent material as a non-hazardous/solid waste via Modern Disposal. K-H must immediately cease disposing of the waste paint booth filters as non-hazardous waste until a proper waste evaluation has been completed.

K-H must obtain a representative sample of the spent paint booth filter waste stream and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). To abate this portion of the violation, K-H must submit a copy of the analytical results to Ohio EPA.

- b) At the time of the inspection, K-H did not have waste evaluation documentation for the spent paint solvent. K-H was cleaning the paint spray guns by using PPG pro-master paint thinner and spraying the spent solvent directly into the paint booth. The spent PPG pro-master paint thinner is a characteristic hazardous waste due to a flashpoint of 108°F, which is below the regulatory limit of 140°F. Having a flashpoint below 140°F makes the spent solvent hazardous for ignitability (D001). K-H must begin collecting this waste stream in a container. K-H must immediately cease disposing of any spent paint solvent as non-hazardous waste until a proper waste evaluation has been completed. To abate this portion of the violation, K-H must submit a copy of the analytical results or documentation to support your future waste management plans for this waste stream to Ohio EPA.

A copy of the following fact sheets Identifying your Hazardous Waste, and Handling Paint Waste from your business, is included with this letter. I recommend that you review this information and contact me if you have any questions.

- c) In addition, K-H failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

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. A copy of Fluorescent Lamps: What You Should Know, was given to you at the time of our inspection. I recommend that you review this document and contact me if you have any questions.

On October 24, 2012, I spoke with Bob Clifton who stated that K-H plans to manage the spent fluorescent bulbs as universal waste. K-H has set up an account with Gross Electric to broker the spent bulbs to Environmental Recycling in Bowling Green, Ohio, where they will be recycled. K-H conducted universal waste employee training on 10/23/12, and submitted a copy of the sign-in sheet to document employee attendance.

With this information, this portion (c) of the violation has been abated.

2. OAC Rule 3745-279-22(C)(1): Labeling:

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "Used Oil."

K-H had six 55-gallon drums of used oil located in the warehouse and shop areas that were not properly labeled "Used Oil".

K-H must properly label all of the 55-gallon drums with the words "Used Oil" and submit photographic documentation to demonstrate compliance. A copy of the fact sheet, The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, was given to you at the time of our inspection. Please review this information and contact me if you have any questions.

On October 24, 2012, K-H submitted, via electronic mail, photographic documentation showing the six 55-gallon drums of used oil now properly labeled "Used Oil".

With this information, this violation has been abated.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Enclosed you will find a copy of the checklists that were completed during the inspection.

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K-H needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **14 days** of receipt of this letter, K-H 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 melissa.boyers@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, K-H is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Materials and Waste Management

/llr

Enclosures

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

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)
Melissa Boyers, DMWM, NWDO

Notice:

Ohio's 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.