



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

Re: Kiemle-Hankins
OHD005418173
Wood County
Hazardous Waste
Return to Compliance

January 23, 2013

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

Dear Mr. Brown:

Thank you for your November 26, 2012, and January 7, 2013, responses to Ohio EPA's November 2, 2012, Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. Kiemle-Hankins (K-H) submitted hazardous waste handling plans and waste evaluation documentation. My review of the documentation submitted reveals that K-H has adequately demonstrated abatement of all of the violations cited in the November 2, 2012, NOV/PRTC.

The following is a summary of the violations cited in the November 2, 2012, NOV/PRTC as a result of Ohio EPA's October 17, 2012, inspection and your compliance with respect to each:

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.

On January 7, 2013, K-H submitted the waste analysis results for the spent paint booth filters. The submitted analytical results indicate that the spent paint booth filters are a non-hazardous waste. These filters may be managed as a solid waste.

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

- 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.

On December 21, 2012, I spoke with Josh Brown who stated that K-H plans to manage the spent PPG pro-master paint thinner as a hazardous waste due to the flashpoint of 108°F. K-H will begin collecting the spent solvent and have outlined the new procedure for employees in the submitted hazardous waste handling plan submitted on November 26, 2012.

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

- 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.

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.

This portion (c) of the violation was previously abated on October 24, 2012.

All portions of this violation have been addressed. Therefore, this violation has been completely 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".

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".

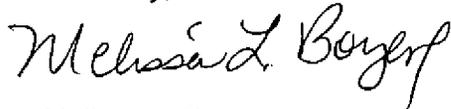
This violation was previously abated on October 24, 2012.

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/>.

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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

/cg

pc: Lisa Gifford, 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.