



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

**RE: Minuteman Press
Lucas County
DMWM, NWDO
Complaint 3203
Return to Compliance**

March 22, 2013

Mr. Steve Heaney
Minuteman Press
5847 Secor Road
Toledo, Ohio 43623

Dear Mr. Heaney:

Thank you for submitting the response to the Ohio Environmental Protection Agency's (Ohio EPA's) November 1, 2012, Notice of Violation (NOV) letter. Your response was received via email on March 13, 2013, and was dated March 13, 2013. The response included analytical results from the sampling of the ink/solvent waste stream.

Minuteman Press (MP) generates waste ink/solvent from cleaning the ink presses at the facility. At this time, MP is considered a non-generator of hazardous waste however, this could change in the future depending on the management activities associated with the waste generation as described below.

Prior to my October 11, 2012, complaint investigation and compliance evaluation inspection, MP was letting the waste ink/solvent evaporate and then disposing of the leftover sludge and container in with other trash to be disposed of at the local landfill. During the October 11, 2012, inspection, I explained that letting the solvent evaporate into the air was inappropriate since the Material Safety Data Sheet (MSDS) showed the solvent has a flashpoint of 105 degrees Fahrenheit. MP was subsequently cited in violation of Ohio Administrative Code (OAC) 3745-52-11, for failure to adequately evaluate the ink/solvent waste.

I conducted a site visit at the facility on November 30, 2012, to discuss the proper accumulation process for the waste ink/solvent in order to obtain a representative sample of the waste for the waste evaluation. At the time of my site visit, I noted that the ink/solvent waste was still being managed in a way that the waste was left to evaporate. During this site visit, I explained that the waste ink/solvent generated from the ink press should not be allowed to evaporate in the trays or in the waste container.

I instructed MP that after each ink press cleaning, to immediately scrape all waste from the ink trays into the waste ink/solvent container and that ink/solvent container should be kept closed at all times unless waste was being added to the container. This would ensure minimal evaporation of the waste ink/solvent.

My next site visit was on February 26, 2013, to help MP take a sample of the waste ink/solvent. When I arrived to the site, the waste ink/solvent container was closed. As I was not present during the time when the waste ink/solvent was generated, I cannot attest to the method in which the waste was generated and/or accumulated. However, I was told by MP employees that my previous instructions on the proper accumulation of the waste ink/solvent were followed. The content of the waste container indicated that approximately 2.5 gallons of waste ink/solvent was generated in a little less than 3 months. I was assisted by MP employees in obtaining a representative sample of the contents of the waste ink/solvent container. This sample was left at MP to be sent to the lab of MP's choice for chemical analysis.

Violation:

1. Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste

Determination: "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

MP failed to adequately evaluate the waste ink/solvent to determine if it is a hazardous waste in accordance with OAC Rule 3745-52-11.

On March 13, 2013, Ohio EPA received analytical results from MP. These results from Belmont Labs show that the waste ink/solvent is a non-hazardous waste. The flashpoint of this waste is shown to be greater than 152 degrees Fahrenheit.

Due to the low flashpoint of the solvent utilized at MP, please note that if waste management activities during the generation of the waste between, November 30, 2012 and February 26, 2013, allowed for evaporation of the waste, then the sample obtained on February 26, 2013, is not a representative sample of the waste stream. If this waste stream was allowed to evaporate, then MP's ink/solvent waste may still be considered hazardous waste. Also, if MP generates this waste stream in the future and the ratio of solvent increases, then MP will need to re-evaluate the waste stream as the increased amount of solvent may lower the flashpoint enough to make the waste a hazardous waste.

During the October 11, 2012, inspection, you stated that MP disposes of the ink/solvent waste in the trash to be ultimately disposed of in a solid waste landfill. Please be advised that OAC Rule 3745-27-19(E)(8)(b) states that the owner or operator shall not dispose of bulk liquids or non-containerized liquids at a sanitary landfill without authorization from the director.

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Therefore, MP cannot dispose of this material in the solid waste landfill and needs to find an alternate disposal method for this waste. If you have additional questions concerning the solid waste rules and regulations, please contact Sue Hardy at (419) 373-3043.

This violation is considered abated on March 13, 2013.

Should you have any questions, please call me at (419) 373-3065.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/cg

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Lisa Gifford, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO
Sue Hardy, DMWM, 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.