



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

Re: Amish Wares
Richland County
Complaint # 3225
Notice of Violation

February 19, 2013

Mr. Vern Christian
322 Garver Road
Mansfield, Ohio 44903

Dear Mr. Christian:

On February 6, 2013, the Ohio Environmental Protection Agency (Ohio EPA) conducted a complaint investigation and compliance evaluation inspection at the Amish Wares, located at 322 Garver Road, Mansfield, Ohio. I represented Ohio EPA, Division of Materials and Waste Management (DMWM) and was accompanied by Andrea Barnes with the Richland County Health Department. Amish Wares was represented by Stacy Whitehair. I inspected Amish Wares 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). During the inspection I also helped identify ways to prevent pollution by reducing waste. This letter will explain the validity of the complaint, the violation found, and what you need to do to correct that violation.

Amish Wares occupies a building located on a residential property at 322 Garver Road, Mansfield, Ohio. Amish Wares specializes in the painting, assembly, packaging, and shipping of decorative metal stars and wooden wagon wheels. The initial complaint was received by Ohio EPA on January 22, 2013. The complainant alleged the dumping of waste paint outside of the building located on site.

During the February 6, 2013, investigation and compliance evaluation, areas of the interior and exterior of the building were observed and an overall understanding of operations and processes conducted was obtained. As previously mentioned, the primary operations that generate waste are painting, minor assembly, and shipping of metal decorative stars and wooden wagon wheels. A very small amount of metal drill cuttings are generated through drilling small holes in stars, according to Ms. Whitehair, due to the small amount none of the shavings have had to be disposed of. A suggestion was made to collect and recycle any metal from the drilling and/or minor assembly. Any access packaging materials, such as cardboard or packing fillers are recycled or reused. The primary waste streams are wastes related to painting operations at the facility. The paints that are used are primarily indoor/outdoor paints; each paint/paint color has a separate paint gun making the need for cleaning of the guns minimal to non-existent. Paint is stored in 1-gallon containers and all paint is used until the containers are empty, once empty the residual is allowed to dry and the containers are recycled. During the inspection a new filtration system was being installed in the paint booth, according to Mrs. Whitehair the old system was inadequate. Mrs. Whitehair indicated that, previously, filters from the paint booth were disposed in the trash.

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The building was illuminated with multiple small CFL bulbs, which had been recently updated, therefore no bulbs had been disposed of. During a February 12, 2012, phone conversation you indicated that when bulbs would be changed you would like to take the waste lamps directly to Home Depot for proper management. This practice is acceptable, but I have also included guidance regarding the proper management and disposal of waste lamps, should you decide to store and manage multiple lamps at once as opposed to taking them directly to Home Depot. No used oil is generated at Amish Wares.

During the complaint investigation/compliance evaluation inspection, no evidence of the dumping of waste paint was observed, therefore, I was unable to confirm the validity of the January 22, 2013 complaint.

During the compliance evaluation inspection, I found the following violation of Ohio's hazardous waste laws:

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

A person, who generates waste, as defined in OAC Rule 3745-51-02, must determine if that waste is a hazardous waste.

Amish Wares is in violation of OAC Rule 3745-52-11 for not determining if paint filters are hazardous. Depending on the process, types of paints, design of the filtration system, and other factors, paint filters have the potential to be a hazardous waste. Amish Wares has an obligation to determine if the filters are hazardous and manage them appropriately.

To abate this violation Amish Wares must properly evaluate used paint filters for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311) and volatile organics (SW-846 Method 8260). Ohio EPA is requesting a response from Amish Wares, providing sample results and how Amish Wares intends to manage the paint filters.

Area of Concern:

Additionally, as previously indicated Mrs. Whitehair as well as yourself indicated that the spray guns are never cleaned and that all paint is used. If any waste paint or residual from the cleaning of the paint guns is generated Amish Wares has a responsibility to evaluate and properly manage this waste stream.

Ohio EPA will issue an EPA ID number to track our inspection activity. Amish Wares cannot use this tracking number for manifesting hazardous waste shipments. If Amish Wares wants to use an EPA ID number for manifesting and other hazardous waste, used oil, or universal waste activities, you must complete and submit a Notification of Regulated Activity form (EPA form 9029, revised 11/2002) to Ohio EPA. You can obtain this form by contacting DMWM Central Office, at (614) 644-2977 or on Ohio EPA's website at www.epa.ohio.gov. This form can also be submitted electronically.

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For your convenience I have included copies of: Fluorescent Lamps: What You Should Know, Identifying Your Hazardous Waste, and a list of laboratories that are able to conduct the required tests to determine if the paint filters and any other waste streams are hazardous. I recommend that you review these documents and contact me if you have any questions.

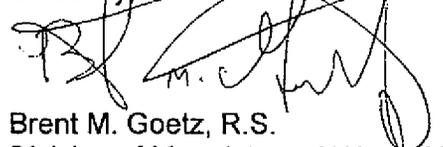
Amish Wares needs to take the necessary measures to return to compliance with Ohio's environmental laws. Amish Wares is requested to provide information documenting compliance within **14 days** of receipt of this letter. Due to the nature of the violation and the timeframe needed to generate a used paint filter, sample the paint filter, and obtain analytical data a response indicating a timeframe for when the paint filter will be sampled and laboratory data will be provided to Ohio EPA would be an adequate response within the 14 day timeframe. Note that this will not return Amish Wares to compliance, only the adequate laboratory data will suffice.

All correspondence and documentation can be sent to my attention at Ohio EPA NWDO or via email to brent.goetz@epa.ohio.gov.

Please be advised that the violation cited above will continue until the violation has 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 the violation, Amish Wares is requested to submit written correspondence of 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) 373-4114.

Sincerely,



Brent M. Goetz, R.S.
Division of Materials and Waste Management

/cg

Enclosures

pc: Andrea Barnes, Richland County Health Department
Lisa Gifford, DMWM, NWDO
Colleen Weaver, 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.

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|---|---|-----------------------|
| Send to Central Office <input checked="" type="checkbox"/> | Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM | For Ohio EPA use only |
|---|---|-----------------------|

Completed verification forms required to be submitted to CO should be e-mailed to RCRAInfoData@epa.state.oh.us.

| | | | | | | | | | |
|---|---|---|----------------------------------|-----------------------------------|------------------------------------|---------------------------------|------------------------------------|--------------------------------|--------------------------------|
| Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html | EPA ID Number: Name: Amish Wares Website: (Optional) Street Address: 322 Garver Road City, Town, or Village: Mansfield State: OH County Name: Richland Zip Code: 44903 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private <input checked="" type="checkbox"/></td> <td style="border: none;">County <input type="checkbox"/></td> <td style="border: none;">District <input type="checkbox"/></td> <td style="border: none;">Federal <input type="checkbox"/></td> <td style="border: none;">Indian <input type="checkbox"/></td> <td style="border: none;">Municipal <input type="checkbox"/></td> <td style="border: none;">State <input type="checkbox"/></td> <td style="border: none;">Other <input type="checkbox"/></td> </tr> </table> | Private <input checked="" type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> |
| Private <input checked="" type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> | | |

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| Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address | First Name: Vern MI: Last Name: Christian Title: Owner Phone Number: (419) 756-1941 Phone Number Extension: E-Mail Address: Fax Number: Fax Number Extension: Street or P.O. Box: 322 Garver Road City, Town or Village: Mansfield State: Ohio Zip Code: |
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|---|--|---|-----------------------------------|----------------------------------|-----------------------------------|------------------------------------|---------------------------------|------------------------------------|--------------------------------|--------------------------------|---|----------------------------------|---------------------------------|-----------------------------------|----------------------------------|---------------------------------|------------------------------------|--------------------------------|--------------------------------|
| Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page | Name of Site's Legal Owner: Vern Christian Date Became Owner (mm/dd/yyyy): 7/13/1998 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Owner Type: <input checked="" type="checkbox"/></td> <td style="border: none;">Private <input type="checkbox"/></td> <td style="border: none;">County <input type="checkbox"/></td> <td style="border: none;">District <input type="checkbox"/></td> <td style="border: none;">Federal <input type="checkbox"/></td> <td style="border: none;">Indian <input type="checkbox"/></td> <td style="border: none;">Municipal <input type="checkbox"/></td> <td style="border: none;">State <input type="checkbox"/></td> <td style="border: none;">Other <input type="checkbox"/></td> </tr> </table> Street or P.O. Box: 322 Garver Road City, Town or Village: Mansfield Owner Phone #: State: Ohio Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): <table style="width:100%; border: none;"> <tr> <td style="border: none;">Operator Type: <input type="checkbox"/></td> <td style="border: none;">Private <input type="checkbox"/></td> <td style="border: none;">County <input type="checkbox"/></td> <td style="border: none;">District <input type="checkbox"/></td> <td style="border: none;">Federal <input type="checkbox"/></td> <td style="border: none;">Indian <input type="checkbox"/></td> <td style="border: none;">Municipal <input type="checkbox"/></td> <td style="border: none;">State <input type="checkbox"/></td> <td style="border: none;">Other <input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: Operator Phone #: State: Country: Zip Code: | Owner Type: <input checked="" type="checkbox"/> | Private <input type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> | Operator Type: <input type="checkbox"/> | Private <input type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> |
| Owner Type: <input checked="" type="checkbox"/> | Private <input type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> | | | | | | | | | | | |
| Operator Type: <input type="checkbox"/> | Private <input type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> | | | | | | | | | | | |

VIOLATIONS CITED? Yes No

| | |
|---|--|
| TYPE OF HANDLER - MARK "X" AS APPROPRIATE | |
| <input checked="" type="checkbox"/> Not a HW Generator | <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment. |
| <input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator | |

| TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES) | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

| UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY)) | |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more) | |

| CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES | |
|--|--|
| <input type="checkbox"/> Batteries | |
| <input type="checkbox"/> Pesticides | |
| <input type="checkbox"/> Mercury containing equipment | |
| <input type="checkbox"/> Lamps | |

| USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S)) | |
|--|--|
| <input type="checkbox"/> Used Oil Generator | |
| <input type="checkbox"/> Used Oil Transporter | |
| <input type="checkbox"/> Used Oil Transfer Facility | |
| <input type="checkbox"/> Used Oil Processor | |
| <input type="checkbox"/> Used Oil Re-refiner | |
| <input type="checkbox"/> Off-Specification Used Oil Burner | |
| <input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil | |
| <input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications | |

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

| | |
|---|--|
| <input type="checkbox"/> College or University | |
| <input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university | |
| <input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university | |

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

| | | | |
|------------|------------------------------|--|--------------------------------------|
| Announced | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Containers | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

| | | |
|----------------------|----------------------|--|
| Name of Inspector(s) | Name of Inspector(s) | Date of Inspection/Time (mm/dd/yyyy) (hh:mm) |
| Brent Goetz | | 01/06/2013 |

Comments:
Need to analyze paint filters to determine if they are hazardous and then manage appropriately

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Amish Wares Facility Type: LQG SQG CESQG TSD Date of Inspection: 2/6/13 EPA ID#:

| Waste Generated | | | On- or Off-Site Management | | P2 Activities | |
|---|--|--|---|---|--|---|
| Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc) | Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic. | QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area | Type of On-Site Treatment (recycle, wwt, etc) | Name, state, and type of activity occurring at the off-site facility. | Current P2 Activities | P2 Opportunities |
| 1 | Minor Assembly | small amount of scrap metal | Very minimal, mostly shavings on on table around small drill press. Some larger pieces of metal taken for recycling | | Milliron 2384 Springmill Road, Mansfield, Ohio | Cleanup and recycle shavings with other recyclable materials. |
| 2 | Packaging | Cardboard and packing fillers | Cardboard Recycled, Packing fillers reused | | Milliron 2384 Springmill Road, Mansfield, Ohio | |
| 3 | Painting | Empty 1-gallon Paint Cans | 1 to 2 cans per month. Any residue in the empty cans are allowed to dry inside and then cans are recycled. | | Milliron 2384 Springmill Road, Mansfield, Ohio | |
| 4 | Lighting | Spent Lamps | Spent lamps were not being generated during the inspection. Owner would like to take lamps directly to Home Depot for proper management | | | Facility could manage spent lamps as universal waste and store and recycle lamps on their own |

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|---|----------|---------------|--|--|--|--|---|
| 5 | Painting | Paint Filters | Varies depending on volume of materials being painted. Previously up to one filter per day was being generated and disposed in the MSW. New filtration system is being added and not nearly as many filters will be generated. | | | | Facility is directed to analyze and determine if the filters are hazardous. |
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REMARKS GENERAL INFORMATION

General Process Information:

Regulatory/Enforcement History (if applicable):

Additional P2 remarks and information:

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.
 Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other: