



STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOUTHEAST MICHIGAN DISTRICT OFFICE



JENNIFER M. GRANHOLM  
GOVERNOR

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DIRECTOR

FILE COPY

October 25, 2004

Mr. Jim Elswick  
Electro Plating Service, Inc.  
945 East Ten Mile Road  
Madison Heights, MI 48071

Dear Mr. Elswick:

SUBJECT: MID 042 444 587

On October 12, 2004, staff of the Department of Environmental Quality (DEQ) conducted an inspection of Electro Plating Service, Inc., (hereafter Facility), located at 945 East Ten Mile Road, Madison Heights, Michigan, to evaluate compliance of that Facility with Part 111, Hazardous Waste Management (Part 111) and Part 121, Liquid Industrial Wastes (Part 121) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); Subtitle C of the federal Resource Conservation and Recovery Act of 1976, as amended, and any administrative rules or regulations promulgated pursuant to these Acts. A copy of the completed inspection form can be obtained by contacting this office.

As a result of the inspection, staff of the DEQ has determined that the above Facility is in violation of the following:

1. A person shall not establish, conduct, manage, maintain, or operate a treatment, storage, or disposal (TSD) facility within this state without a construction permit and an operating license in accordance with Sections 11123(1) & 11118(1) & Rule 306(1) of Part 111. Being a large quantity generator (LQG) of hazardous waste, it has been determined that the Facility is illegally storing hazardous waste by exceeding the 90-day storage time limit from the date the waste (F006 filter cake) began accumulating, until it is shipped off-site by a credentialed/registered transporter and disposed at a licensed TSD facility. A review of manifest documentation indicated the F006 waste filter cake had only been disposed once per year for the past 2 years. ***Immediately, provide this office documentation, such as a completed shipping manifest, showing that all of the waste currently stored on site over 90 days has been properly disposed.*** The Facility was reminded of the need for the immediate disposal of this waste in a subsequent October 15, 2004 telephone conversation with a Facility representative. Provide this office with documentation which demonstrates the Facility's commitment to the ongoing and future continued compliance with the aforementioned storage regulations. Please note this violation was previously identified during a November 4, 1996 inspection by DEQ staff and referenced in a letter of warning to the Facility dated December 20, 1996.
2. The Facility is in violation of Rule 306(3): 40 CFR 262.34(b): by not applying for and receiving an extension to accumulate hazardous waste longer than 90 days.

3. The Facility is in violation of Rule 302: 40 CFR 262.11: A LQG must characterize waste to determine if it is hazardous waste prior to disposal. It was stated that the fluorescent and high intensity discharge lamps are currently disposed in the solid waste trash. The Facility is to determine based on knowledge backed by documentation, or analytical testing (metals profile) if each model of lamp disposed is hazardous for mercury or lead and send a copy of the test results to this office for review. Or as an alternative, the Facility may manage the spent lamps as "universal waste" by collecting them for recycling (please see the informational sheet that was left with the Facility). If this management method is chosen, no testing needs to be done and in the response to this letter, document where the spent lamps will be sent for recycling.
4. The Facility is in violation of Rule 306(1)(b): 40 CFR 262.34(a)(2): A generator who accumulates/stores hazardous waste on-site must clearly mark each container with the date the accumulation began.
5. The Facility is in violation of Rule 306(1)(c): 40 CFR 262.34(a)(3): A generator who accumulates/stores hazardous waste on-site must clearly mark each container with the words "HAZARDOUS WASTE".
6. The Facility is in violation of Rule 306(1)(b): A generator who accumulates/stores hazardous waste on-site must clearly mark each container with the primary hazardous waste number (U.S. Environmental Protection Agency waste number).

With regard to violation numbers 4 through 6 above, the two super-sacks" being utilized to store the waste filter cake (F006), and the hopper used to transfer the waste filter cake were observed to be unlabeled with the required markings. The Facility is to ensure current and future compliance with the labeling requirements for hazardous waste. Please note this violation was previously identified during a November 4, 1996 inspection by DEQ staff and referenced in a letter of warning to the Facility dated December 20, 1996.

7. The Facility is in violation of 40 CFR 265.174: A generator must inspect hazardous waste containers on a weekly basis for leaks, defects and other non-compliant conditions.
8. The Facility is in violation of Rule 306(1)(a)(i): A generator must document the weekly inspection of hazardous waste containers. These inspection records must be maintained on-site as part of the operating record for 3 years. Please note this violation was previously identified during a November 4, 1996 inspection by DEQ staff and referenced in a letter of warning to the Facility dated December 20, 1996.

Regarding violation numbers 7 and 8 above, a review of records indicated that the Facility had been keeping an inspection log but had discontinued complying with this requirement. In response to this letter, provide this office with documentation which demonstrates that the Facility is currently in compliance and is committed to maintaining compliance with this requirement in the future.

9. The Facility is in violation of all the personnel training requirements of 40 CFR 265.16: A LQG of hazardous waste is required to train employees whose job duties include the management of hazardous waste or any related documents. Also, the Facility must keep the training records on-site as part of the operating record and make the records

available for inspection. The Facility must comply with the following training and record keeping requirements

- Job titles: 40 CFR 265.16(d)(1)
- Job descriptions: 40 CFR 265.16(d)(2)
- Name of employee filling each job: 40 CFR 265.16(d)(1)
- Description of type and amount of introductory and continued training:  
40 CFR 265.16(d)(3)
- Training designed so facility personnel can respond to emergencies:  
40 CFR 265.16(a)(3)
- Records of training: 40 CFR 265.16(d)(4)
- Records showing training of new personnel within 6 months of hire:  
40 CFR 265.16(b)
- Records showing personnel take part in annual refresher training:  
40 CFR 265.16(c)
- Training is being done by person(s) trained in hazardous waste management procedures: 40 CFR 265.16(a)

Regarding violation number 9 above, provide this office with the appropriate documentation to demonstrate compliance and a commitment to continued compliance with these requirements. Please note this violation was previously identified during a November 4, 1996 inspection by DEQ staff and referenced in a letter of warning to the Facility dated December 20, 1996.

10. The Facility is in violation of 40 CFR 265.31: The Facility must be maintained and operated in a manner that prevents fire, explosion and release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. During the inspection, it was observed that the area underneath the plating line, on the floor below the plating baths, had poor house keeping and this area needed to be addressed. On the West wall were unorganized containers, many of them presumed to be empty with small pails of what looked like solid debris. Dried up releases or residues on the floor. Standing near the South bay door and looking North under the plating lines solid debris; empty and full containers were seen to be disorganized and scattered. It appeared that some wastes from the plating baths above had dripped down onto the floor and had coated the sides of containers and congregated on the floor. These areas have been neglected and need to be addressed by the Facility. Provide this office with documentation demonstrating, such as photographs and manifests Etc. depicting a satisfactory response to this violation. Characterize any collected residues during the clean up activities and manage in accordance with the regulations. Label and organize containers, remove empty containers and dispose of excess debris.
11. The Facility is in violation of 40CFR 265.52(d): A LQG contingency plan must have the most current names, addresses and telephone numbers (office and home) of the emergency coordinators. The plan required revision.
12. The Facility is in violation of 40 CFR 265.52(e): A LQG contingency plan must have a list of the emergency equipment on-site and available for use. The plan must list its location within the Facility, a physical description and a brief description of its capabilities. The plan reviewed lacked this information.

13. The Facility is in violation of 40 CFR 265.52(f): A LQG contingency plan must include an evacuation plan with the signals that will be used to alert personnel and evacuation routes, primary and alternate listed. No evacuation plan was observed.

Regarding violation numbers 11 through 13 above, submit a copy of the revised contingency plan for review by DEQ staff. Once approved, it must be distributed to the local authorities.

The Facility must respond to the violations noted in this letter. Please submit documentation to this office regarding those actions taken to address the violations by **November 29, 2004**. Except for violation number 1 (see above underlined portion) which must be responded to immediately. The DEQ will evaluate the response, determine the Facility's compliance status and notify you of this determination.

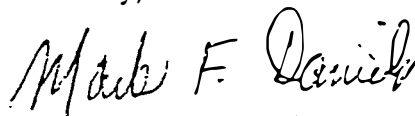
This letter of warning does not preclude, nor limit, the DEQ's ability to initiate any other enforcement action, under state or federal law, as deemed appropriate.

Enclosed, for your information, are the following handouts: Waste minimization; recycling fluorescent bulbs; and polychlorinated biphenyl (PCB) ballasts. Pollution Incident Prevention Plan (PIPP) guidance can be viewed at the following website:

<http://www.deq.state.mi.us/documents/deq-ead-tas-pipp5summary.pdf>.

If you have any questions, please feel free to contact me.

Sincerely,



Mark F. Daniels  
Environmental Quality Analyst  
Waste and Hazardous Materials Division  
734-953-1477

Enclosures

cc: Mr. Gary Sayers, Electro Plating Service, Inc.  
Dr. Benedict N. Okwumabua, DEQ