



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

January 24, 2005

FILE COPY

Mr. Gary Sayers, President
Electro Plating Services, Inc.
945 East Ten Mile Road
Madison Heights, MI 48071

Dear Mr. Sayers:

SUBJECT: MID 042 444 687, Second Letter of Warning (LOW)

This correspondence is written to acknowledge receipt of your letters dated October 29, 2004, and November 24, 2004, which itemize actions taken by Electro Plating Services, Inc., (hereafter Facility), located at 945 East Ten Mile Road, Madison Heights, Michigan, to correct the violation(s) in one or more of the following: 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; 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. These violations were observed by staff of the Department of Environmental Quality (DEQ) during an inspection conducted on October 12, 2004, and the Facility was notified of these violations in a LOW dated October 25, 2004.

Staff of the DEQ has reviewed the Facility's submittal for compliance with the regulations. As a result of the review, staff of the DEQ has determined that the Facility is still in violation of the following:

9. The Facility is in violation of all the personnel training requirements of 40 CFR 265.16: A large quantity generator (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)

The Facility's first response to violation number 9 above, from the original LOW dated October 25, 2004, is incomplete and does not address the requirements in their

entirety. The Facility needs to provide this office and maintain records of JOB TITLES. Also, a DESCRIPTION of the duties and functions of a person holding that job title is needed. If part of the described duties of that job description includes the management of hazardous waste, such as loading/unloading hoppers or filling out and signing a disposal manifest, then that person (LIST NAMES) must have Resource Conservation and Recovery Act training. Also, an annual refresher training session is required. TRAINING RECORDS, which describe the topics covered by the training (TYPE and AMOUNT), and a record of each person who took the initial training and refreshers, must be retained as part of the Facility's record keeping. The training must be performed by a person trained in hazardous waste management with CREDENTIALS. In the past, the Facility used Clayton Environmental Consultants to accomplish the training. The Facility has several options, which have been discussed in a telephone conversation, for in-house or off-site training. In response to this letter, address the elements described in this paragraph and provide this office with a time frame and commitment date for accomplishing the training. Identify who will be performing the training and follow-up by sending copies of the training records for the employees who are required to be trained.

10. 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.

The Facility's first response to the original LOW did not include an evacuation plan for the Facility. This plan needs to be added to the contingency plan portion of the Oakland County local emergency planning commission. It need to show entrance and exit routes (primary and alternative), gathering places for head counts, head count procedures and must include the signal or alarm that will be used to announce an evacuation. Please provide this office with a copy of the evacuation plan for review by DEQ staff. After determining its adequacy in meeting the regulatory requirements, the Facility must send a copy of the approved and updated plan to all the relevant 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 **February 18, 2005**. The DEQ will evaluate the response and 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. If you have any questions, feel free to contact me.

Sincerely,



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

cc: Dr. Benedict N. Okwumabua, DEQ