



Pennsylvania Department of Environmental Protection

208 West Third Street, Suite 101
Williamsport, PA 17701-6448
January 4, 2001

37-00030-02
030-05980

Northcentral Regional Office

Fax 570-327-3420

NOTICE OF VIOLATION

Larry Harmon
Safety Light Corp.
4150-A Old Berwick Road.
Bloomsburg, PA 17815

Re: Hazardous Waste Inspection
PAD987387750
November 30, 2000
S. Centre Twp., Northumberland County

Dear Mr. Harmon:

As a result of a November 30, 2000, inspection at the referenced facility, the Department of Environmental Protection (DEP) has determined that you are in violation of the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. Section 6018.101 and the Hazardous Waste Management Rules and Regulations found at 25 Pa. Code and 40 CFR Chapters 260 to 270, as follows:

1. Waste paint filters and paper towels, generated from the cleaning of paint spray guns and the cleaning of paint off paint screens, were being disposed of with the plant trash. The spray guns are cleaned by adding solvent (Randolf Product Co. T112 Solvent Thinner and Durachem Reducer #415 solvent blend) to the guns and spraying the solvent directly into the paint filters, which are located in a paint booth. Paint screens are cleaned by placing the screens over paper towels and applying solvent (VT #3) to the screens to remove the paint. Rags are used during the cleaning process and the solvent goes through the screens onto the paper towels. Based on the information obtained from the MSDS for the solvents used in both cleaning processes, it has been determined that the solvents are listed hazardous waste.

The above condition constitutes a violation § 6018.403(a) of the Solid Waste Management Act which states: "It shall be unlawful for any person or municipality who generates, transports or stores hazardous waste to transfer such waste unless such person or municipality complies with the rules and regulations of the department and the terms or conditions of any applicable permit or license and any applicable order issued by the department."

The waste solvents used to clean the spray guns and print screens are considered listed hazardous waste. In addition, because the rags and paint filters have come in contact with the solvent, during a cleaning process, both waste streams are also considered listed hazardous waste. It is recommended that the facility cease disposing of these wastes (rags, paint filters) with the plant trash and make the appropriate arrangements to properly store these wastes onsite and dispose of them at a permitted TSD facility.

2. Maryland Hazardous Waste Manifest (MDC 0833269) dated November 1, 2000, displayed Safety Light Corp. offered for transport the following: 275 gallons of D001 Waste Flammable Liquids, 55 gallons of D001 Waste Xylenes, 165 gallons of D001 Waste Toluene and 70 pounds of D001 Waste Flammable Liquids. The Department was informed that this waste was generated in August of 2000, when the lacquer storage building was cleaned out. Based on the amount of waste displayed on the manifest, Safety Light Corp. became a Large Quantity Generator (LQG) of hazardous waste when the waste was generated and failed to submit a subsequent notification to the Department or EPA indicating the change of generator status.

The above condition constitutes a violation of 25 Pa Code § 262a.12(b)(4) which states: "In addition to the requirements incorporated by reference, a generator shall submit a subsequent notification to the Department if the type of regulated activity that takes place at the generator facility changes."

It is recommended that the facility submit a subsequent notification to the Department whenever their generator status changes.

3. It was brought to the Department's attention that fluorescent light bulbs were being disposed of with the plant trash. Be advised, some fluorescent light bulbs may be characteristically hazardous for mercury.

The above condition constitutes a violation of 40 CFR § 262.11, as incorporated by reference at 25 Pa Code § 262a.10 which states in part: "A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if the waste is a hazardous waste..."

It is recommended that the facility cease disposing of the fluorescent bulbs with the plant trash. A determination should be made to determine if the bulbs are characteristically hazardous for mercury. If they are, it is recommended that they be managed as such or as a universal waste.

4. 176 X 55-gallon containers and 26 XB25 boxes of radioactive waste are located southeast of the tritium production area. This waste was removed from two silos which were previously located south of the main building. The Department was informed that some of the waste may be mixed waste because of elevated levels of lead and VOC's. Safety Light Corp. has failed to make an accurate determination on the contents within the containers.

The above condition constitutes a violation of 40 CFR § 262.11, as incorporated by reference at 25 Pa Code § 262a.10 which states in part: "A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if the waste is a hazardous waste..."

It is recommended that an accurate hazardous waste determination be made on all of the solid waste in the containers.

5. The above referenced solid waste is not being stored in secondary containment. In addition, there are no labels accurately identifying the contents in the containers.

The above condition constitutes a violation 25 Pa Code § 265a.175 which states in part: "Container storage areas shall have a containment system capable of collecting holding spills, leaks and precipitation. The containment system shall..." It is also a violation of § 6018.403(b)(2) of the Solid Waste Management Act, which states: "It shall be unlawful for any person or municipality who generates, transports, stores, treats or disposes of hazardous waste to fail to label any containers used for the storage, transportation or disposal of such hazardous waste so as to identify accurately such waste."

It is recommended that the waste be stored within secondary containment and labels be placed on the containers accurately identifying the contents within the containers.

6. Between 15 and 20, 55-gallon containers were located south of the tritium production building. Mr. Fritz mentioned that the drums contained drilling core soil generated in 1990 from the Chemical Nuclear Project. The waste has been onsite for greater than one year. Mr. Fritz also mentioned that they intend to mix this waste with the solid waste generated from the silos.

The above constitutes a violation of § 6018.103 of the solid Waste Management Act, Definition for Storage, which states in part: "The containment of any waste on a temporary basis in such a manner as not to constitute disposal of such waste. It shall be presumed that the containment of any waste in excess of one year constitutes disposal..." In addition, it is a violation of 40 CFR § 262.11, as incorporated by reference at 25 Pa Code § 262a.10 which states in part: "A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if the waste is a hazardous waste..."

It is recommended that the facility make an accurate hazardous waste determination on the contents within these containers and make the appropriate arrangements for the disposal of this solid waste.

You are officially notified of both the existence of the violations as well as the need to provide for prompt correction. Failure to correct the violations may result in legal proceedings against you under the Solid Waste Management Act. Under the Act, each day of the violation is considered a distinct and separate offense and will be handled accordingly.

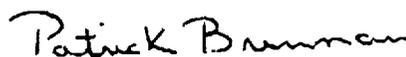
January 4, 2001

Within fourteen (14) days of receipt of this notice, please submit a proposed plan and schedule to DEP for the correction of the violations.

This Notice of Violation does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any or all violations of law arising prior to or after the issuance of this letter or the conditions upon which this letter was based, nor shall this letter be construed so as to waive or impair the rights of the Department of Environmental Protection heretofore or hereafter existing.

Should you have any questions about the above matter, please feel free to contact me at 570 327-3727.

Sincerely,



Patrick Brennan
Solid Waste Specialist
Waste Management Program

cc: EPA
Central Office (Ed Karmilovich)
Compliance (Dennis Harney)
Regional File
Field File

PHB/pg