State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456

July 30, 2004

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RETURN RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. WMD 04-13

SigArms, Inc.
18 Industrial Drive
Exeter, New Hampshire 03833

Attn: Mr. Tim Scullin, Chief Financial Officer

Re: SigArms, Inc.
Exeter, New Hampshire
EPA ID # NHD986472322

Dear Mr. Scullin:

On April 21, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of SigArms, Inc. ("SigArms"). The purpose of the inspection was to determine SigArms' compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

1. Env-Wm 502.01 - Hazardous Waste Determination

   At the time of the inspection, SigArms had not performed site-specific waste determinations for the following facility wastes:

   A. "Aqueous Parts Washer Solvent" generated in the Manufacturing Area;

   B. "Tumbler Sludge" generated in the Tumbling Area;

   C. "NaOH Solids (PPE)" generated in the Blueing Room; and

   D. "Tumbler Waste Water" generated in the Tumbling Area.

   Env-Wm 502.01 requires that all generators of waste determine if their waste is a hazardous waste. Waste determined to be hazardous must be handled pursuant to the requirements of the Hazardous Waste Rules.

DES requests that SigArms perform hazardous waste determinations for the wastes identified above. These determinations should be made using analytical testing. This testing should include, at a minimum, Toxicity Characteristic Leaching Procedure for RCRA metals under Env-Wm 403.06, and Corrosivity under Env-Wm 403.04. SigArms will need to provide the results of the hazardous waste determinations, along with any other supporting data, such as chemical analyses, to DES.

SigArms may declare any of the above-mentioned wastes to be hazardous based on knowledge of the wastes, and forego the expense of the testing. In the event wastes are determined to be hazardous, SigArms must manage the wastes in accordance with the State of New Hampshire Hazardous Waste Rules. This includes, but is not limited to, proper storage of marked, closed, containers on impervious surfaces, assigning appropriate hazardous waste number(s) to the waste, as well as delivery of waste for disposal to a facility authorized to handle the hazardous waste. Alternatively, if the wastes are determined to be non-hazardous, SigArms may dispose of them as a solid waste.

In submittals dated May 24, 2004 and June 24, 2004, Mr. Eric Saunders, Director of Safety and Security, provided the requested hazardous waste determinations.

A. The "Aqueous Parts Washer Solvent" was determined to be non-hazardous and may continue to be disposed of as a solid waste.

B. The "Tumbler Sludge" was determined to be a non-hazardous waste and may be managed as a solid waste.

C. The "NaOH Solids (PPE)" was determined to be a NH02 hazardous waste due to Blueing Salts (NaOH, $NaNO_2$, and $NaNO_3$) contamination. The "NaOH Solids (PPE)" must be handled pursuant to the requirements of the Hazardous Waste Rules, Env-Wm 100-1100.

D. The "Tumbler Waste Water" waste determination remains forthcoming. Please provide the results of the hazardous waste determination, along with any other supporting data, such as Material Safety Data Sheets (MSDS) and/or chemical analyses, to DES.

2. Env-Wm 506.01(a) and Env-Wm 506.01(b)(4)- Environmental Health Requirements

At the time of the inspection, DES confirmed that NH02 Hazardous Waste "Sodium Hydroxide Solid" had spilled onto the floor of the "Blueing Room" which resulted in human exposure to hazardous waste. According to facility personnel, there was no mechanism in place to control the spills and drips onto the floor.

Env-Wm 506.01(b)(4) requires that generators prevent exposure of humans or the environment to harmful quantities of hazardous waste or its constituents.

DES requested that SigArms immediately prevent hazardous waste spills and drips. DES also requested that SigArms remove the NH02 hazardous waste Sodium Hydroxide Solid from the Blueing Room floor and subsequently deliver it to a permitted facility authorized to handle the hazardous waste.

A May 24, 2004 e-mail submittal from Mr. Eric Saunders, provided documentation substantiating that the NH02 Hazardous Waste "Sodium Hydroxide Solid" had been cleaned, and that sheet metal "drip trays" had been installed to prevent further spillage to the Blueing Room floor. No further action is required.

3. Env-Wm 507.01(a)(3) and Env-Wm 509.03(d) – Storage Requirements

At the time of the inspection, one (1) 55-gallon satellite accumulation container of hazardous waste "NaOH Solids (PPE)" located in the Blueing Room was not closed (See the attached Inventory).

Env-Wm 507.01(a)(3), which is referenced by Env-Wm 509.03(d), requires generators to ensure that containers storing hazardous waste be closed at all times, except when waste is being added to or removed from the containers.

DES requests SigArms to ensure that containers storing hazardous waste are closed at all times, except when adding or removing waste from the containers.

4. Env-Wm 509.02(a)(1) - Inspection Requirements

At the time of the inspection, SigArms had not conducted or documented inspections of the hazardous waste storage area at the facility for a total of one-hundred-fifty-six (156) weeks over a 3-year time period.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, General Inspection Requirements, requires full quantity generators to conduct and document inspections of the facility, including the hazardous waste storage area(s).

DES requests that SigArms record in an inspection log or summary, inspections of its hazardous waste storage areas. After conducting your first inspection, please submit a copy of the inspection log reporting the results to DES. The specific elements to include in weekly hazardous waste container inspections are listed in the enclosed FQG Records Review Module.

5. Env-Wm 509.02(a)(2) – Personnel Training

A review of SigArms' personnel training program revealed the following deficiencies:

A. The former Emergency Coordinator Richard Howard had not taken part in initial hazardous waste training and/or annual hazardous waste training reviews for years 1999, 2000, 2001, and 2002.

B. SigArms' facility training records failed to document a training program which includes a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for emergency coordinators. Env-Wm 509.02(a)(2) also requires full quantity generators to maintain at the facility, specific documents and records related to personnel training.

DES requests that SigArms conduct and document hazardous waste training and annual updates for the Emergency Coordinators and employees responsible for hazardous waste management. DES also requests that SigArms maintain, as part of the personnel training program, documents of hazardous waste job titles, job descriptions, and names of employees filling each position and correct any deficiencies as identified in the enclosed Full Quantity Generator Module. Lastly, DES requests that SigArms submit a copy of this personnel training program to DES.

6. Env-Wm 509.02(a)(5) – Contingency Plan

At the time of the inspection, SigArms' contingency plan was confirmed to be incomplete. Specific deficiencies are listed in the attached Contingency Plan Module.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requests that SigArms revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

7. Env-Wm 509.03(b) – Satellite Storage Training

A review of SigArms personnel training program revealed that five (5) employees responsible for managing the facility's hazardous waste satellite containers had not received initial hazardous waste training.

Env-Wm 509.03(b), which references Env-Wm 509.02(a)(2) and 40 CFR 265.16, Personnel Training, requires full quantity generators to ensure that employees responsible for the management of hazardous waste satellite containers receive hazardous waste training. The hazardous waste training interval shall be every 3-years after the date of initial training.

DES requests that SigArms conduct and document hazardous waste training, and 3-year reviews, for all employees responsible for the management of hazardous waste satellite containers.

8. Env-Wm 509.03(g) – Satellite Storage Container Marking

At the time of the inspection, the following satellite storage containers of hazardous waste were not marked with the words "hazardous waste" and words that identify the contents of the container.

A. One (1) 55-gallon container of "NaOH Solids (PPE)" located in the Blueing Room; and

B. One (1) box of "D008 Lead Solids" located in the Indoor Firing Range.

Env-Wm 509.03(g) requires all satellite storage containers used for the storage of hazardous waste be marked with the following information at the time they are first used to store wastes: the words "hazardous waste" and words that identify the contents of the container.

DES requests that SigArms properly mark all hazardous waste satellite storage containers at the time they are first used to store waste with: the words "hazardous waste" and words that identify the contents of the container.

9. Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, twenty-three (23) 55-gallon containers of used oil destined for recycling were not labeled with the words "Used Oil for Recycle."

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requests that SigArms label all containers of used oil destined for recycling with the words "Used Oil for Recycle" at all times during accumulation and storage.

10. Env-Wm 807.06(b)(7) - Standards for Generators of Used Oil Being Recycled

At the time of inspection, DES confirmed that an used oil determination had not been conducted for used oil generated in the facility "CNC and Drill Machines."

Env-Wm 807.06(b)(7) requires generators to conduct an initial used oil determination by analyzing it for all of the parameters specified in Env-Wm 807.02 and Env-Wm 807.03 (exclusive of PCBs if no source of PCBs is present).

DES requested that SigArms conduct an initial used oil determination for the parameters outlined in Env-Wm 807.02 and Env-Wm 807.03. These parameters include arsenic, cadmium, chromium, lead, flash point, and total halogens. DES also requested SigArms to provide the results of the used oil determination to DES.

May 10, 2004 and June 11, 2004 e-mail submittals from Mr. Eric Saunders and Veridium Environmental, provided documentation substantiating that SigArms' used oil was characterized as "off-specification used oil for recycle." No further action is required.

11. Env-Wm 1102.03(c)(1) – Universal Waste Management

At the time of the inspection, one (1) box of universal waste lamps located in the Hazardous Waste Storage Area was not closed.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that SigArms ensure that containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

At the time of the inspection, Mr. Eric Saunders closed the one (1) box of universal waste lamps located in the Hazardous Waste Storage Area. No further action is required.

DES believes the remaining deficiencies can be corrected and a report describing the corrective measures taken by SigArms can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against SigArms, including issuing an order requiring that deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may reinspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during this or subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Eric Abrams, Waste Management Specialist IV
DES/WMD
P.O. Box 95
Concord, New Hampshire 03302-0095

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at http://www.des.state.nh.us/hwcs/, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff are available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942 or toll free at (1-866) HAZ-WAST (in-state only).

Should you have any questions regarding this letter, please contact the lead inspector, Eric K. Abrams or Tod G. Leedberg, RCRA Compliance Supervisor at 271-2942. Specific questions regarding water related issues may be directed to Mary Jane Meier of DES's Water Division at 271-5553, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

John J. Duclos, Supervisor
Hazardous Waste Compliance Section
Waste Management Division

cc: DB/RCRA/NOPV/Archives
Anthony P. Giunta, P.G., Director, Waste Management Division
Gretchen R. Hamel Esq., Administrator, DES Legal Unit
Eric Saunders, Director of Safety and Security, SigArms

E-mail: JJD/SD/MM/PM

Enclosure: Inspection Modules