



State of Ohio Environmental Protection Agency

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Southwest District

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

March 21, 2008

Mr. Gary Selby
88 ABW / CEV
Bldg. 89, 5490 Pearson Road
Wright-Patterson AFB, OH 45433-5332

**Re: Notice of Violation and Return to Compliance
WPAFB Area A/C OH2570090066, Greene County, LQG**

Dear Mr. Selby,

On February 20, 2008 Ohio EPA received correspondence dated February 15, 2008 from Mark L. Mays, Chief of Environmental Management Division at WPAFB. The purpose of the correspondence was to notify Ohio EPA that a hazardous waste generated at WPAFB Area A/C was received at WPAFB's permitted TSD within Area B that was not accompanied by a hazardous waste manifest.

As a result of our review of WPAFB's February 15, 2008 correspondence, Ohio EPA has found the following violation of Ohio's hazardous waste laws and regulations.

**Manifests
OAC 3745-52-20**

This regulation requires a generator who transports or offers for transportation hazardous waste for off site treatment, storage, or disposal to prepare a uniform hazardous waste manifest before transporting the hazardous waste off site.

According to WPAFB's February 15, 2008 correspondence a sub-contractor had generated a hazardous waste at Area A/C which was later found at Area B without a uniform hazardous waste manifest inferring that the generator of hazardous waste transported or offered for transportation a hazardous waste from Area A/C to Area B for treatment, storage, or disposal without preparing a uniform hazardous waste manifest. Since WPAFB is the owner and operator of Area A/C, WPAFB is considered the generator. Therefore WPAFB Area A/C was in violation of OAC 3745-52-20 for offering for transportation a hazardous waste for off site treatment, storage, or disposal without first preparing a uniform hazardous waste manifest.

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WPAFB is returned to compliance for this violation, because there is no further action required to abate this violation.

As the result of our review Ohio EPA has found the following general concern. To address this concern, **within 30 days of this letter**, provide Ohio EPA a written response as requested below.

General Concern -

Ohio EPA wants to determine if WPAFB has a procedure in place to help minimize the possibility of reoccurrence of a similar incident. Ohio EPA requests WPAFB to provide an explanation of any policies, procedures, or other methods which are presently in place to assist with ensuring that subcontractors working on base are made aware of appropriate procedures to be followed when generating or managing a hazardous waste. If so provide an explanation or a copy of these policies or procedures. Determine if personnel of APM and Keen and Cross who generated hazardous waste had been made aware of the appropriate procedures they were to follow prior to beginning their work. If so explain the method used to communicate this and explain if this was documented.

This concludes Ohio EPA's findings. If you have any questions about this letter or how to comply with hazardous waste regulations, please call me at (937) 285-6082. Ohio 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.

Sincerely,



Brian Gitzinger
District Representative
Division of Hazardous Waste Management

cc: ~~Diana Crawford, DHWM, SWDO~~

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