



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

July 20, 2011

Mr. Brian Bokovoy
Emerald Materials Hilton Davis
2235 Langdon Farm Road
Cincinnati, Ohio 45237

**RE: Emerald Materials Hilton Davis
OHD004240313
Return to Compliance**

Dear Mr. Bokovoy:

On July 1, 2011 I received your mailed reply to my June 7 notice of violation letter. Your reply consisted of a written description of the new procedures you will put in place to keep the satellite accumulation area locked except when workers from the Pilot Plant lab need to enter.

My review of the documentation allows me to conclude that you have adequately demonstrated abatement of the violation of OAC 3745-52-34-(C)(1).

As you recall, I also pointed out several potentially serious deficiencies in your program which I believe could have environmental consequences and that may lead to compliance issues in the future. I want to mention those issues again to emphasize their importance.

Employee training

Facility personnel are required to be trained in hazardous waste management procedures relevant to the positions in which they are employed. At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies. The rule specifically requires that the training familiarize employees with emergency procedures, emergency equipment and emergency systems.

I did not review your pre-packaged 'active learner' computer-based training in enough detail to determine that your program is inadequate, but I note again that you were not able to describe how your employees were trained to use the proper waste codes when labeling containers of hazardous waste.



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Container dating

I went over the proper way to date containers when their management standards transition from being managed under the satellite accumulation area rules to being accumulated under the container management standards. Please contact me by phone if you would like to discuss this in more detail.

Manifest tracking

I went over this in detail in my NOV letter and I again urge you to implement whatever procedures are necessary to route the designated facility copy of the manifest to the original generator copy.

Please feel free to call me at (937) 285-6090 if you have any questions about this letter or if I can help you in any way to understand and comply with the hazardous waste rules of the State of Ohio.

Sincerely,



Tom Ontko
Hazardous Waste Inspector
Southwest District Office
Division of Materials & Waste Management

cc: DMWM Data Entry/Facility File

NOTICE:

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.

TO\bp

