



State of Ohio Environmental Protection Agency

BG 002
JLG

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

August 10, 2007

Ryan Philburn
D&D Classic Bright Works Inc.
1311 B South Street
Piqua, Ohio 45356

**Re: Return to Compliance
D & D Classic Bright Works Inc, LQG, Miami County**

Dear Mr. Philburn,

On April 26, 2007 I received D&D Classic Bright Works (D&D's) response to Ohio EPA's March 28, 2007 Notice of Violation (NOV) letter. Your response included an explanation how D&D addressed each violation and general concern within the NOV. On June 28, 2007 I conducted a Return to Compliance (RTC) inspection of D&D. Based upon the inspection and my review of the response, D&D has adequately demonstrated abatement of all violations and general concerns noted in Ohio EPA's March 28, 2007 NOV.

During the RTC inspection on June 28, 2007 Ohio EPA determined that D&D is in fact an episodic Large Quantity Generator (LQG) of hazardous waste rather than a Small Quantity Generator (SQG). Since D&D is an LQG, it must comply with the following additional requirements.

- 1) OAC 3745-65-16 (A) (2) Personnel training – D&D must develop a personnel training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions. See OAC 3745- 65-16 for the requirements of a personnel training plan. Links to each regulation can be found at http://www.epa.state.oh.us/dhwm/laws_regs.html
- 2) OAC 3745-65-51 (A) Contingency Plan - D&D must develop and maintain a written contingency plan to minimize hazards to human health or the environment from fires, explosions or unplanned releases (spills) of hazardous waste. See OAC 3745-65-52 for an explanation of what is to be in a contingency written plan. Enclosed is an example of a written contingency plan.
- 3) OAC 3745-52-41 (A) Annual Report – D&D must submit an annual report to Ohio EPA each year by March 1st which denotes the types, quantities, and fate of hazardous waste generated at D&D. The instructions for completing an annual

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report are located here: http://www.epa.state.oh.us/dhwm/ann_report.html. If you require further assistance with annual reporting, please call our central office.

As discussed June 28, 200, D&D should continue to sample and analyze waste streams to determine if they are hazardous waste. If you have further questions about this letter or how to comply with the regulations, please feel free to 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: Dinah Crawford, DHWM, SWDO

BG/plh