OhioEPA

State of Ohio Environmental Protection Agency

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P.O. Box 1049
Columbus, OH 43216-1049

October 3, 2007

MARK K JOHNSON
MANSFIELD WAREHOUSING & DISTRIBUTION
P O BOX 938
MANSFIELD, OH 44901

Re: 2006 Hazardous Waste Annual Report Requirement
MANSFIELD WAREHOUSING & DISTRIBUTION, DELAWARE - OHD000376665

Dear MARK K JOHNSON:

My review of manifest data from the Michigan Department of Environmental Quality (MI DEQ) has revealed that one or more shipments of hazardous waste were shipped by MANSFIELD WAREHOUSING & DISTRIBUTION to receiving facilities in Michigan during the 2006 calendar year. The total is approximately 97 tons as shown on the enclosed printout. This total indicates that MANSFIELD WAREHOUSING & DISTRIBUTION was a large quantity generator of hazardous waste in 2006. Since I have not received a Hazardous Waste Annual Report for 2006, MANSFIELD WAREHOUSING & DISTRIBUTION may be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC).

A large quantity generator is defined as a site which generates in any single month more than 1000 kg (2200 lbs) of non-acute hazardous waste or more than 1 kg (2.2 lb) of acutely hazardous waste. This includes wastes from one-time generation as well as wastes from ongoing production processes. It may take only one month of generating above the threshold quantity to subject a site to the Annual Report requirement. The generator is responsible for contacting Ohio EPA in order to obtain the reporting forms.

OAC Rule 3745-52-41 requires a generator who ships any hazardous waste off-site to prepare and submit to the Ohio EPA an **Annual Hazardous Waste Report** and to describe and certify efforts that were made to minimize hazardous wastes. These reports are due March 1 of each year and contain information about the activities of the previous calendar year. Only small quantity generators (between 220 and 2200 lb/mo of non-acutely hazardous wastes) and conditionally exempt small quantity generators (less than 220 lb/mo of non-acutely hazardous wastes) are exempt from the Annual Report requirement as described in OAC Rule 3745-52-44.

To abate the violation of OAC Rule 3745-52-41, MANSFIELD WAREHOUSING & DISTRIBUTION must complete and submit to Ohio EPA a 2006 Annual Hazardous Waste Report within 30 days of receipt of this letter. Failure to respond to this Notice of Violation may result in referral to the Compliance Assurance Section for consideration of escalated enforcement. The reporting forms and instructions are on our Web site at http://www.epa.state.oh.us/dhwm/ann_report.html.

MANSFIELD WAREHOUSING & DISTRIBUTION should have on file the manifest records necessary for completion of the reports. OAC Rule 3745-52-40 requires generators to keep a signed copy of each manifest for a period of at least three years from the date the waste was accepted by the initial transporter. Receiving facilities and transporters are under a similar requirement; if you need copies of the original manifest(s), contact them for assistance.

If MANSFIELD WAREHOUSING & DISTRIBUTION was not a large quantity generator in 2006, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that MANSFIELD WAREHOUSING & DISTRIBUTION did not generate more than the threshold quantity of hazardous waste in any month during 2006. If you believe that the manifest information supplied by MI DEQ is in error, please call me to discuss the discrepancy.

A letter that acknowledges receipt of the report will be sent to you after it is processed. I can answer questions concerning the Annual Report at (614) 644-2923. Your prompt attention to this matter is appreciated.

Sincerely,

Paula Canter

Paula Canter
Environmental Specialist 3
Regulatory and Information Services
Division of Hazardous Waste Management
paula.canter@epa.state.oh.us

cc: Central File
DHWM, CDO

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.

Michigan DEQ 2006 Manifest records for Ohio generators as of late August 2007

8.34 lbs/gal and 1 cubic yard = 1 ton assumed for conversion of volume to weight.

Manifest Date & Number	Receiver ID	Mgmt Method	Gallons	Cubic Yards	Pounds	Tons (Converted)		
OHD000376665								
06/27/2006								
MI10098033	MID074259565		0	0	44000	*22.00*	D016	D028
06/28/2006								
MI10098034	MID074259565		0	0	44000	*22.00*	D016	D028
06/29/2006								
MI10098035	MID074259565		0	0	44000	*22.00*	D016	D028
06/30/2006								
MI10098032	MID074259565		0	0	32000	*16.00*	D016	D028
07/05/2006								
MI10098054	MID074259565		0	0	30000	*15.00*	D016	D028

97.00 Total Tons for **OHD000376665**