



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, OH 43216-1049

August 22, 2007

FACILITY MANAGER
DAYTON POWER & LIGHT JM STUART STATION
1065 WOODMAN DR
DAYTON, OH 45432

**Re: 2006 Hazardous Waste Annual Report Requirement
DAYTON POWER & LIGHT JM STUART STATION - OHD000721407**

Dear FACILITY MANAGER:

My review of customer data from Ohio Treatment, Storage, and Disposal Facilities (TSDFs) has revealed that one or more shipments of hazardous waste were received from DAYTON POWER & LIGHT JM STUART STATION during the 2006 calendar year. The total amount reported indicates that DAYTON POWER & LIGHT JM STUART STATION was a large quantity generator in 2006. Since I have not received a Hazardous Waste Annual Report for 2006, DAYTON POWER & LIGHT JM STUART STATION may be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC). Please see the enclosed printout detailing the hazardous wastes received from DAYTON POWER & LIGHT JM STUART STATION during 2006.

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.

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

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To abate the violation of OAC Rule 3745-52-41, DAYTON POWER & LIGHT JM STUART STATION 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. You may access the reporting forms and instructions on our website at http://www.epa.state.oh.us/dhwm/ann_report.html.

DAYTON POWER & LIGHT JM STUART STATION 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 DAYTON POWER & LIGHT JM STUART STATION 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 DAYTON POWER & LIGHT JM STUART STATION did not generate more than the threshold quantity of hazardous waste in any month during 2006. If you believe that the information supplied by Ohio TSDFs 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
ec: DHWM, SEDO

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.

Generator Facility

Generator US EPA ID: OHD000721407
Generator Name: Dayton Power & Light Co JM Stuart Station
Address: 745 US Rte 52
Manchester, OH 45144-
Total Tons Shipped: 15.53

Receiving Facility

US EPA ID: OHD045243706
Name: Envirosafe Services of Ohio, Inc.
Customer Name: DAYTON POWER & LIGHT COMPANY - J M STUAR
Customer Address: SR52 - 4 MILES EAST OF ABERDEE
ABERDEEN, OH 45101-

Waste Description: LEAD CONTAMINATED PAINT CHIPS AND DEBRIS Page: 50 Subpage: 1
System Type: H132 Form: W002 Quantity: 6020.00 P Density:
D008

Receiving Facility

US EPA ID: OHD980821862
Name: Klor Kleen
Customer Name: Dayton Power & Light
Customer Address: 745 U.S. Route 52
Manchester, OH 45144-

Waste Description: Lead Page: 25 Subpage: 1
System Type: H141 Form: W505 Quantity: 24964.00 P Density: 8.34 Lbs. / Gal.
D008

Receiving Facility

US EPA ID: OHD083377010
Name: Environmental Enterprises Inc
Customer Name: Dayton Power & Light Co.
Customer Address: 745 US 52
Manchester, OH 45144-

Waste Description: Styrene Based Product / Astro 3109 Part 1 Page: 404 Subpage: 1
System Type: H141 Form: W210 Quantity: 72.00 P Density:
D003 D001

