State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

August 22, 2007

JAMES L BERINGER JR
BERINGER PLATING INC
1211 DE VALERA AVE
AKRON, OH 44310

Re: 2006 Hazardous Waste Annual Report Requirement
BERINGER PLATING INC - OHD004190815

Dear JAMES L BERINGER JR:

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 BERINGER PLATING INC during the 2006 calendar year. The total amount reported indicates that BERINGER PLATING INC was a large quantity generator in 2006. Since I have not received a Hazardous Waste Annual Report for 2006, BERINGER PLATING INC 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 BERINGER PLATING INC 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.

To abate the violation of OAC Rule 3745-52-41, BERINGER PLATING INC 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.

BERINGER PLATING INC 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 BERINGER PLATING INC 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 BERINGER PLATING INC 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, NEDO

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: OHD004190815
Generator Name: Beringer Plating Inc
Address: 1211 DeValera Ave
Akron, OH 44310-
Total Tons Shipped: 23.49

Receiving Facility

US EPA ID: OHD980568992
Name: Envirite of Ohio, Inc.
Customer Name: BERINGER PLATING
Customer Address: 1211 Devalera Avenue
AKRON, OH 44310-

Waste Description: CHROMIUM CONTAMINATED DEBRIS **Page:** 275 **Subpage:** 2
System Type: H141 **Form:** W002 **Quantity:** 1100.00 P **Density:** 0 S.G.
F006

Waste Description: METAL HYDROXIDE SLUDGE **Page:** 275 **Subpage:** 1
System Type: H129 **Form:** W501 **Quantity:** 22.94 T **Density:** 0 S.G.
F006