



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

September 25, 2009

DAVID B KING
KING OHIO FORGE
820 STEINER AVE
KENTON, OH 43326

**Re: 2008 Hazardous Waste Annual Report Requirement – Notice of Violation
KING OHIO FORGE, KENTON - OHD004558383**

Dear DAVID B KING:

My review of customer data from Ohio Treatment, Storage, and Disposal Facilities (TSDFs) and manifest data from Michigan's Department of Environmental Quality has revealed that one or more shipments of hazardous waste were received from KING OHIO FORGE during the 2008 calendar year. The amounts reported, 49.21 tons and 26.86 tons respectively for a total of 76.07 tons, indicate that this site was a large quantity generator in 2008. Enclosed are printouts of the shipment information. Because I have not received a Hazardous Waste Annual Report for 2008, KING OHIO FORGE 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 or visiting our web site noted below 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, KING OHIO FORGE must complete and submit to Ohio EPA a 2008 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.ohio.gov/dhwm/ann_report.aspx

KING OHIO FORGE 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.

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

Ohio EPA is an Equal Opportunity Employer

Breth
10/18/10
2570

Receiving facilities and transporters are under a similar requirement. If you need copies of the original manifest(s), contact them for assistance.

If KING OHIO FORGE was not a large quantity generator in 2008, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that KING OHIO FORGE did not generate more than the threshold quantity of hazardous waste in any month during 2008. 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) 644-2891. Your prompt attention to this matter is appreciated.

Sincerely,



Mary Ann Silagy
Environmental Specialist 2
Regulatory and Information Services
Division of Hazardous Waste Management
maryann.silagy@epa.state.oh.us

enclosures

cc: Central File
DHWM, NWDO
Amanda Sturm, AAG EES
Terrence S. Finn, Esq., Roetzel & Andress

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: OHD004558383
Generator Name: King Ohio Forge
Address: 820 Steiner Ave
Kenton, OH 43326-
Total Tons Shipped: 49.21

Receiving Facility

US EPA ID: OHD001926740
Name: Hukill Chemical Corporation
Customer Name: King Ohio Forge- Kenton
Customer Address: 820 Steiner Ave.
Kenton, OH 43326-

Waste Description: Waste Oil and water-Hazwater **Page:** 1016 **Subpage:** 19910
System Type: H141 **Form:** W206 **Quantity:** 98424.00 P **Density:**
D012 D017 D023 D025 D027 D031 D040 D043 D006 D015 D018 D019 D028 D029 D032 D034 D035 D004 D014 D020 D022 D033 D041 D001 D024
D026 D042 D005 D021 D039 D007 D011 D013 D008 D009 D016 D030 D036 D037 D038

2008 Michigan Manifest Data for Ohio Generators

09/10/2009

Handler names are from RCRAInfo

8.34 lbs/gal density assumed

Quantity and Unit	Tons	Mgmt Method	Waste Code(s)
----------------------	------	----------------	---------------

OHD004558383 KING OHIO FORGE

05/08/2008

001853245FLE

MID980991566	24000 P	12.00	H111	D001	D004	D005	D006	D007	D008
--------------	---------	-------	------	------	------	------	------	------	------

001853246FLE

MID980991566	29720 P	14.86	H111	D001	D004	D005	D006	D007	D008
--------------	---------	-------	------	------	------	------	------	------	------

Total Tons for Generator 26.86