OhioEPA

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 6, 2008

DONALD E KEMPER
MINSTER MACHINE CO THE
240 W FIFTH ST
MINSTER, OH 45865

evol 007
enf 007
KD

Re: 2007 Hazardous Waste Annual Report Requirement
MINSTER MACHINE CO THE, MINSTER - OHD005035969

Dear DONALD E KEMPER:

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 MINSTER MACHINE CO THE during the 2007 calendar year. The total amount reported is approximately 18.26 tons as shown on the enclosed printout. This total indicates that MINSTER MACHINE CO THE was a large quantity generator in 2007. Because I have not received a Hazardous Waste Annual Report for 2007, MINSTER MACHINE CO THE 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, MINSTER MACHINE CO THE must complete and submit to Ohio EPA a 2007 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.

MINSTER MACHINE CO THE 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 MINSTER MACHINE CO THE was not a large quantity generator in 2007, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that MINSTER MACHINE CO THE did not generate more than the threshold quantity of hazardous waste in any month during 2007. 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

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

enclosure

cc: Central File ✓
DHWM, NWDO

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.

Annual Reports - NOV Candidate Report for 2007

Generator Facility

Generator US EPA ID: OHD005035969
Generator Name: Minster Machine Co
Address: 240 W Fifth St
Minster, OH 45865-1065
Total Tons Shipped: 18.26

Receiving Facility

US EPA ID: OHD004274031
Name: Perma-Fix of Dayton Inc
Customer Name: MINSTER MACHINE
Customer Address: 240 WEST FIFTH STREET
MINSTER, OH 45865-

Waste Description: COOLANT CONTAMINATED W/LEAD **Page:** 1101 **Subpage:** 102
System Type: H135 **Form:** W113 **Quantity:** 36520.00 P **Density:**
D008