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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 24, 2009

ROBERT MICHAEL SR
CROWN BATTERY MANUFACTURING CO
1445 MAJESTIC DR
FREMONT, OH 43420

**Re: 2008 Hazardous Waste Annual Report Requirement – Notice of Violation
CROWN BATTERY MANUFACTURING CO, FREMONT - OHD005043054**

Dear ROBERT MICHAEL SR:

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 CROWN BATTERY MANUFACTURING CO during the 2008 calendar year. The amounts reported, 231 tons and 3.02 tons respectively for a total of 234.02 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, CROWN BATTERY MANUFACTURING CO 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, CROWN BATTERY MANUFACTURING CO 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

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

B44
10/18/10



CROWN BATTERY MANUFACTURING CO 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 CROWN BATTERY MANUFACTURING CO 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 CROWN BATTERY MANUFACTURING CO 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

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: OHD005043054

Generator Name: Crown Battery Manufacturing Co

Address: 1445 Majestic Dr
Fremont, OH 43420-0990

Total Tons Shipped: 231.00

Receiving Facility

US EPA ID: OHD020273819

Name: Vickery Environmental Inc

Customer Name: CROWN BATTERY MANUFACTURING CO

Customer Address: 1445 MAJESTIC DR
FREMONT, OH 43420-0990

Waste Description: SPENT SULFURIC ACID

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Subpage: 1

System Type: H134 Form: W103 Quantity: 209.00 T Density:

D002 D008

Waste Description: TREATED PLANT WATER

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Subpage: 2

System Type: H134 Form: W101 Quantity: 22.00 T Density:

D002 D008

✓ GM1

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)
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OHD005043054 CROWN BATTERY MANUFACTURING CO

12/24/2008

004483783JJK

EQ	MID980991566	1600 P	0.80	H141	D001	
Detroit	MID980991566	400 P	0.20	H111	D002	D008
	MID980991566	4000 P	2.00	H111	D008	

12/30/2008

004483729JJK

Petro-	MID980615298	20 P	0.01	H141	D001	
Chem	MID980615298	10 P	0.01	H141	D001	D011
	MID980615298	5 P	0.00	H141	D002	
	MID980615298	5 P	0.00	H141	D002	

Total Tons for Generator 3.02

From: MaryAnn Silagy
To: Sr, Robert Michael
CC: LNorman965@aol.com
Date: 9/29/2009 12:11 PM
Subject: Re: 2008 Hazardous Waste Annual Report Ref: OHD005043054

Hi Bob,

Thanks for contacting me about the HW Annual Report for Crown Battery. General annual report info can be found on our web page at these 2 links:

http://www.epa.ohio.gov/dhwm/ann_report.aspx

and

http://www.epa.ohio.gov/dhwm/ann_report/ann_report_2008.aspx

An annual report for a haz waste generator consists of 3 forms:

- the Site ID form:

<http://www.epa.ohio.gov/portals/32/annualreport/SiteIDformMay2007.pdf>

- a GM form for each waste stream, and an OI form listing each transporter and recv'g facility once (no matter how many GM forms they would apply to). The GM and OI form can be found together in one .PDF file at this link:

http://www.epa.ohio.gov/portals/32/annualreport/Form_gm_oi07.pdf

Please note that if the Annual Report requirement is triggered by exceeding the 2200 lbs/month generation threshold for any calendar month, ALL hazardous waste generated in that calendar year must be included on the report. In the case of Crown Battery for 2008, we included a waste summary from Vickery and also from 2 Michigan facilities (EQ-Detroit and Petro-Chem), so these wastes at a minimum must be included on the report, but you should also include all other hazardous waste generated in 2008 and shipped to any other TSDF.

Please don't hesitate to call or write if any other questions arise as you fill out these forms... Mary Ann.

MaryAnn Silagy, Annual Report Coordinator

Ohio EPA - Division of Hazardous Waste Management
50 W Town St, Ste 700
PO Box 1049
Columbus, OH 43216-1049

maryann.silagy@epa.state.oh.us

office: 614/644-2891

fax: 614/728-1245

>>> "Robert Michael Sr" <BMichaelsr@crownbattery.com> 9/29/2009 10:23 AM >>>

Mary Ann:

Received your letter of violation dated September 24, 2009 for not submitting the 2008 Hazardous Waste Annual Report. I have all the signed manifests and signatures for receipts of each shipment to Vickery Environmental Inc. 3956 State Route 412, Vickery, OH 43464. Please forward the required form so I can immediately complete the report so this violation may be abated.

Last week we just installed and started up a sulfuric acid purification/reclaim system that will recapture, purify and add the acid to our new batteries. This process will return us to a small hazardous waste generator status.

Respectfully,

Bob Sr.

Bob Michael Sr.
Safety & Environmental Manager

CROWN BATTERY MFG. CO.
1445 Majestic Drive
Fremont, OH 43420
Phone (419) 334-7181 Ext. 110
Fax (419) 334-7416
bmichaelsr@crownbattery.com