

024



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING 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

P.O. Box 1049
Columbus, OH 43216-1049

September 24, 2009

ROBERT H WOLKE
FEDERAL MOGUL CORPORATION
150 FISHER AVENUE
VAN WERT, OH 45891

**Re: 2008 Hazardous Waste Annual Report Requirement – Notice of Violation
FEDERAL MOGUL CORPORATION, VAN WERT - OHD005049184**

Dear ROBERT H WOLKE:

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 FEDERAL MOGUL CORPORATION during the 2008 calendar year. The amounts reported, 35.42 tons and 3.63 tons respectively for a total of 39.05 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, FEDERAL MOGUL CORPORATION 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, FEDERAL MOGUL CORPORATION 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 Korteski, Director

BH
10/14/10
2570

FEDERAL MOGUL CORPORATION 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 FEDERAL MOGUL CORPORATION 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 FEDERAL MOGUL CORPORATION 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: OHD005049184
Generator Name: Federal Mogul Corp
Address: 150 Fisher Ave
Van Wert, OH 45891-
Total Tons Shipped: 35.42

Receiving Facility

US EPA ID: OHD005048947
Name: Systech Environmental Corporation
Customer Name: FEDERAL MOGUL CORP.
Customer Address: 150 Fisher Ave
Van Wert , OH 45891-

Waste Description: ✓ Organic Solvents, Waste Derived Fuel Marketer, Ignitable

Page: 76

Subpage: 76076

System Type: H091 ✓ Form: W204 ✓ Quantity: 35.42 T Density:

D035 F005 D001 F003 ✓

GM2

Quantity and Unit Tons Mgmt Method Waste Code(s)

OHD005049184 FEDERAL MOGUL CORPORATION

02/01/2008

000954494FLE

MID980991566	178	P	0.09	H141	D001
✓MID980991566	✓505	P	0.25	✓H111	✓D009 - GM6 ✓
MID980991566	784	P	0.39	H111	D002

05/20/2008

001050009FLE

MID980991566	1036	P	0.52	H111	D002
✓MID980991566	✓50	P	0.03	✓H141	✓D001 - GM8 ✓
MID980991566	293	P	0.15	H141	D001
MID980991566	227	P	0.11	H141	D001 D035 F005 F003

08/26/2008

001762640FLE

MID980991566	423	P	0.21	H111	D002
MID980991566	180	P	0.09	H141	D001

12/05/2008

001761764FLE

MID980991566	94	P	0.05	H141	D001
MID980991566	380	P	0.19	H141	F003 F005 D001 D035
MID980991566	2477	P	1.24	H111	D002
✓MID980991566	✓635	P	0.32	✓H111	✓D008 - GM5 ✓

Total Tons for Generator 3.63

1 = IN
 2 = OHV
 3 - 607-141
 4 - 4770 141
 5 ✓ MI
 6 ✓ MI
 7 - 745 141
 8 - ✓