



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

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MAILING ADDRESS:

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

October 15, 2010

MARIA TETTERIS
AMKO SERVICE CO DOVER OPS
Praxair Inc
435 Donner Ave, Ste 430
Monessen, PA 15062

**Re: 2009 Hazardous Waste Annual Report Requirement – Notice of Violation
AMKO SERVICE CO DOVER OPS, DOVER - OHD017998022**

Dear MARIA TETTERIS:

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 AMKO SERVICE CO DOVER OPS during the 2009 calendar year. The amounts reported, 5.95 tons and 520.00 tons respectively for a total of 525.95 tons, indicate that this site was a large quantity generator in 2009. Enclosed are printouts of the shipment information. Because I have not received a Hazardous Waste Annual Report for 2009, AMKO SERVICE CO DOVER OPS 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. Generating hazardous waste above the threshold quantity for only one month will subject a site to the Annual Report requirement. OAC Rule 3745-52-41 requires a generator who ships any hazardous waste off-site to prepare and submit to the Ohio EPA a Hazardous Waste Annual 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, AMKO SERVICE CO DOVER OPS must complete and submit to Ohio EPA a 2009 Hazardous Waste Annual 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. The 2009 forms and instructions can be found in Adobe Acrobat PDF format at http://www.epa.ohio.gov/dhwm/ann_report/ann_report_2009.aspx. This same web site contains detailed information about filing electronically using the eDRUMS service in Ohio EPA's eBusiness Center (eBiz) at <https://ebiz.epa.ohio.gov/login.jsp>. The Responsible Official who will sign the report must have an eBiz account and PIN before they can apply for the service. Obtaining a PIN requires mailing to Ohio EPA a notarized signature and receiving

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

the PIN by return US mail. I encourage you to file electronically because it is efficient, easy to use, and prevents many common errors due to built-in error checking and validation.

AMKO SERVICE CO DOVER OPS 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 AMKO SERVICE CO DOVER OPS was not a large quantity generator in 2009, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that AMKO SERVICE CO DOVER OPS did not generate more than the threshold quantity of hazardous waste in any month during 2009. If you believe that the information supplied by Michigan 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 or maryann.silagy@epa.state.oh.us. 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
614-644-2891

enclosures

cc: Central File
DHWM, SEDO

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.

2009 Michigan Manifest Data for Ohio Generators

09/30/2010

A density of 8.34 lbs/gal is assumed when
the unit of measure is gallons, yards, or liters

Quantity and Unit	Tons	Mgmt Method	Waste Code(s)
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OHD017998022 AMKO SERVICE CO DOVER OPS**10/15/2009****006202447JJK**

MID048090633 26 T 26.00 H132 F001 F002 D040

006202448JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202449JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202450JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202451JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202452JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202453JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202454JJK

MID048090633 26 T 26.00 H132 F001 F002 D040

006202456JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202457JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

10/16/2009**006202455JJK**

MID048090633 23 T 23.00 H132 F001 F002 D040

006202458JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202459JJK

MID048090633 27 T 27.00 H132 F001 F002 D040

006202460JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

10/20/2009**006202464JJK**

MID048090633 23 T 23.00 H132 F001 F002 D040

10/21/2009**006202461JJK**

MID048090633 23 T 23.00 H132 F001 F002 D040

006202462JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202463JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202465JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

006202466JJK

MID048090633 23 T 23.00 H132 F001 F002 D040

10/22/2009

2009 Michigan Manifest Data for Ohio Generators

09/30/2010

A density of 8.34 lbs/gal is assumed when
the unit of measure is gallons, yards, or liters

Quantity and Unit	Tons	Mgmt Method	Waste Code(s)
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OHD017998022 AMKO SERVICE CO DOVER OPS

006202467JJK

MID048090633	27 T	27.00	H132	F001	F002	D040
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006202474JJK

MID048090633	23 T	23.00	H132	F001	F002	D040
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Total Tons for Generator **520.00**

Ohio Waste Receipt Records for Specific Customers

10/14/2010

Customer ID	Customer Name	WR Pg	Mgmt Method	Quantity, Unit, and Density (if provided)	Form Code
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OHD017998022

2009

Reported by **OHD020273819** *Vickery Environmental Inc***AMKO SERVICE CO DOVER**

3470 DAVIS RD NW, DOVER OH 44622

TCE CONTAMINATED WATER D040 F001 F002	185.00.1.00	H134	5 T	W113
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5.00 Total Tons for this ReceiverReported by **OHD093945293** *Veolia ES Technical Solutions LLC***AMKO SERVICE COMPANY**

3470 DAVIS ROAD NW, DOVER OH 44622

3642S LAQUER/THINNER/CLEANING D001 F003	1,477.00.1,20	H061	400 P	W203
HAZ WATER D040 F001 F002	1,477.00.2,94	H061	800 P	W219
SHOT BLAST DUST D007	1,477.00.3,20	H141	400 P	W319
LAB PACK D001	1,477.00.4,21	H061	300 P	W001
LAB PACK D003	1,477.00.5,95	H141	5 P	W001

0.95 Total Tons for this Receiver**5.95** Total Tons for the Year

From: <Robert_Gajewski@Praxair.com>
To: "MaryAnn Silagy" <maryann.silagy@epa.state.oh.us>
Date: 10/20/2010 12:30 PM
Subject: AMKO Dover Ohio 2009 Haz Waste Report

MaryAnn

I tracked down the "520 tons" and "5 tons" of hazwaste that was associated with our Dover facility. Although Dover was closed down in 2009, we are still remediating a haz waste area.

The "520 tons" are for contaminated soil (22 manifests) and the "5 tons" are for contaminated liquid.

I contacted the environmental firm that is handling the remediation and lo and behold - they had the manifests.

When I start to complete the 2009 report, would you be able to assist me if I had any questions or hit a roadblock?

Thanks again for your assistance

Tomorrow - Your Reward for Working Safely Today

Robert Gajewski
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From: <Robert_Gajewski@Praxair.com>
To: "MaryAnn Silagy" <maryann.silagy@epa.state.oh.us>
Date: 10/21/2010 9:31 AM
Subject: Re: AMKO Dover Ohio 2009 Haz Waste Report

MaryAnn

I am on the road this week and next visiting my Arkansas and California facilities. I tried accessing my Ohio EBiz account but due to all of the passwords and Id codes, I could not gain access. I have all my passwords and ID codes on a document that I have filed in my Ohio office. I will return to Ohio on Monday 11/01/2010 and work on the report then Again thanks for all your assistance

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From: <Robert_Gajewski@Praxair.com>
To: "MaryAnn Silagy" <maryann.silagy@epa.state.oh.us>
Date: 11/5/2010 11:34 AM
Subject: Re: AMKO - Problem Accessing eDrums

Thanks MaryAnn
 I just completed, validated and submitted our Dover Ohio 2009 HazWaste Report. Please let me know if I need to "tweak" it to get it into compliance

9M1-SQG?
 (closed?)
 NAICS

Also, Our NAICS Code is 81131-Commercial and Industrial Machinery and Equipment Repair and Maintenance. On the drop down menu for NAICS Code that code was not there so I chose "811118 - Other Automotive Mechanical and Electrical Repair Maintenance". It is about as close as I can get it

OK on NAICS web pg

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Silagy, MaryAnn

From: Silagy, MaryAnn
Sent: Sunday, November 14, 2010 1:16 PM
To: Robert_Gajewski@Praxair.com
Subject: Re: AMKO - Problem Accessing eDrums

Sorry for the delay Bob - we're busy here getting ready for the next reporting cycle already and I've just now had a moment to review this report. Here's a couple of questions or answers for you before I can post it final:

1) I've changed your NAICS code to 81131 as you preferred - it's actually on the list in the web software but a little tricky to find because all of the 5-digit codes are listed before the 6-digit codes in the drop-down list. You're all set now with 81131.

2) I see you indicate this AMKO facility is a Lg. Qty Handler of Universal Waste for Batteries and Lamps. This means this facility accumulates a total of 5000 kg or more (calculated collectively) of these types of Universal Waste - that's about 5.5 tons. Is this "Large Quantity" accurate?

3) I see you've listed this facility as a Small Qty Generator overall - but don't I recall from our phone conversation that this AMKO facility is closed? Or perhaps I made a mistake in my notes and am thinking of a different facility. If it is closed and no further haz waste will be generated, we should indicate "non-generator" for the overall status in this report.

Thanks for your assistance - we're almost finished with this one... Mary Ann.

MaryAnn Silagy, Annual Report Coordinator

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

maryann.silagy@epa.state.oh.us

office: 614/644-2891
fax: 614/728-1245

>>> <Robert_Gajewski@Praxair.com> 11/5/2010 11:33 AM >>>

Thanks MaryAnn

I just completed, validated and submitted our Dover Ohio 2009 HazWaste Report. Please let me know if I need to "tweak" it to get it into compliance

Also, Our NAICS Code is "81131-Commercial and Industrial Machinery and Equipment Repair and Maintenance". On the drop down menu for NAICS Code that code was not there so I chose "811118 - Other Automotive Mechanical and Electrical Repair Maintenance". It is about as close as I can get it

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Silagy, MaryAnn

From: Robert_Gajewski@Praxair.com
Sent: Monday, November 15, 2010 7:56 AM
To: Silagy, MaryAnn
Subject: Re: AMKO - Problem Accessing eDrums

MaryAnn
Thanks for changing our NAICS code.

6/17/11

On the "Universal Waste" code - When I opened that tab - the "Large Quantity" box was already selected and shaded and it wouldn't allow me to check off "Small Quantity". If you could help me change that I would appreciate it.

Our Dover facility is closed - we moved that operation to Midvale Ohio but we are still responsible for the remediation project that is still ongoing. That was the 520 tons of soil and 10 tons of water that was disposed of in 2009. I contacted the environmental firm that is in charge of the remediation project, and they forwarded over to me some soil/water waste manifests so I will have to file a 2010 HazWaste Report for Dover. —
So I am not sure how we categorize the Dover facility.

will be SQG usually,
except occasional months LQG
depending on test results

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