



State of Ohio Environmental Protection Agency

028/026<sup>R</sup>

**STREET ADDRESS:**

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Columbus, Ohio 43215

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**MAILING ADDRESS:**

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

April 24, 2007

Mr. Thomas Pryor  
Linde Hydraulics Corp.  
P.O. Box 82  
Canfield, Ohio 44406

RECEIVED  
OHIO EPA

APR 24 2007

DIV. OF HAZARDOUS  
WASTE MGT.

**Re: Linde Hydraulics Corp.  
OHD 051 521 722 Canfield, Ohio  
Financial Assurance  
Notice of Violation**

Dear Mr. Pryor:

On April 19, 2007, I completed a review of the financial assurance documentation file for the Linde Hydraulics Corp.'s facility referenced above. I evaluated your facility for compliance with financial assurance and liability requirements set forth in Ohio Administrative Codes (OAC) rules 3745-66-42, 3745-66-43 and 3745-66-47.

On June 13, 2003, Ohio Environmental Protection Agency (Ohio EPA) received an Irrevocable Letter of Credit (LOC) No. 190790 issued by Norddeutsche Landesbank for \$90,000.00. On December 17, 2003, I notified you that the LOC needs to be modified to meet the wording requirements of OAC 3745-55-51(D). I also notified you that you need to establish a Standby Trust Agreement in conjunction with the LOC and establish liability coverage.

On March 30, 2004, Ohio EPA received a closure cost estimate, a Certificate of Liability Insurance with an effective date of January 1, 2004 and an ACORD certificate of liability insurance showing Policy No. ULA 2001233 with Allianz Insurance Co. with a value of \$10,000,000 00 for each occurrence and a \$10,000,000 00 aggregate. In that letter you stated that Linde Holdings, Inc. was modifying the LOC and working on establishing a Standby Trust Agreement.

Norddeutsche Landesbank submitted an amendment to the LOC on June 17, 2005. This amendment changed the address of Ohio EPA and replaced "in your favor" with "in favor of the Director of the Ohio EPA." However, the other wording issues remained, and Ohio EPA again asked Linde Hydraulics to correct the wording of the LOC in a letter dated June 30, 2006.

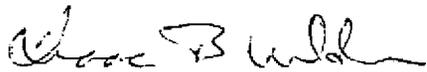
Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director



Linde Hydraulics Corporation  
OHD 051 521 722  
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I will be happy to assist you in any way possible.

Sincerely,



Isaac B. Wilder  
Compliance Assurance Section  
Division of Hazardous Waste Management

c: Tammy McConnell, IT&TS, DHWM  
Wade Balsler, DHWM NEDO

Linde Hydraulics FRR.04.07  
IBW/si

**NOTICE:**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.



**From:** Isaac Wilder  
**To:** Tammy McConnell  
**Date:** 6/15/2007 10:45 am  
**Subject:** Re: Linde Hydraulics (OHD051521722)

Tammy:

The violation that was abated should have been the 66-42 for a closure cost estimate. The 66-43 should remain as well as the 66-47(A) and 66-51(D)

Thanks for catching that not

Ike

>>> Tammy McConnell 06/15/07 10:28 AM >>>

Hi Ike,

In your letter of April 24, 2007, you abated an outstanding violation of 3745-66-43 but there was another outstanding violation of 3745-66-42 as well. Should that one have been abated as well? There was no mention of that violation in this letter.

Please advise.

Thanks,

Tammy

