



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, Ohio 43215

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

August 6, 2008

DAVID M HUSSONG
DAYTON INDUSTRIAL DRUM INC
1880 RADIO RD
DAYTON, OH 45431

**Re: 2007 Hazardous Waste Annual Report Requirement
DAYTON INDUSTRIAL DRUM INC, DAYTON - OHD057540114**

eval 009

Dear DAVID M HUSSONG:

envf 005 (KD)

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 DAYTON INDUSTRIAL DRUM INC during the 2007 calendar year. The total amount reported is approximately 72.64 tons as shown on the enclosed printout. This total indicates that DAYTON INDUSTRIAL DRUM INC was a large quantity generator in 2007. Because I have not received a Hazardous Waste Annual Report for 2007, DAYTON INDUSTRIAL DRUM INC 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, DAYTON INDUSTRIAL DRUM INC 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.

DAYTON INDUSTRIAL DRUM INC 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

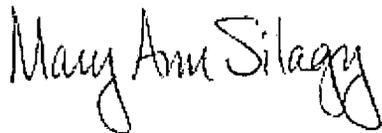
Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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 DAYTON INDUSTRIAL DRUM INC 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 DAYTON INDUSTRIAL DRUM INC 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
Environmental Specialist 2
Regulatory and Information Services
Division of Hazardous Waste Management
maryann.silagy@epa.state.oh.us

enclosure

cc: Central File ✓
DHWM, SWDO

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: OHD057540114

Generator Name: Dayton Industrial Drum Inc

Address: 1880 Radio Rd

Dayton, OH 45431-1099

Total Tons Shipped: 72.64

Receiving Facility

US EPA ID: OHD083377010

Name: Environmental Enterprises Inc

Customer Name: Dayton Industrial Drum

Customer Address: 1880 Radio Road

Dayton, OH 45431-

Waste Description: Burnout Ash

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System Type: H111 Form: W303 Quantity: 143025.00 P Density:

D005 D008

Waste Description: Flammable Liquids (Paint, Solvent)

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System Type: H061 Form: W219 Quantity: 2250.00 P Density:

D001

