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State of Ohio Environmental Protection Agency

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P.O. Box 1049
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March 29, 2007

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OHIO EPA

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DIV. OF HAZARDOUS
WASTE MGT.

Mr. Mark Manovich
Robbins & Myers Inc.
1400 Kettering Tower
Dayton, Ohio 45423

**RE: Moyno Inc.
Robbins & Myers
OHD 079 435 897
Financial Assurance**

Dear Mr. Manovich:

On March 27, 2007 I conducted a review of financial assurance documentation on file for the Moyno Inc. (Moyno) facility in Springfield, Ohio. Robbins and Myers Inc. (R&M) currently owns and provides financial assurance for the Moyno facility. I evaluated the facility for compliance with closure financial assurance and liability coverage requirements as set forth in the Ohio Administrative Code (OAC) rules 3745-66-42, 3745-66-43 and 3745-66-47.

To demonstrate compliance with financial assurance rules, R&M currently uses insurance with Steadfast Insurance Company. The most current Ohio Certificate of Insurance for Closure or Post-Closure Care (Policy No. PLC-5222759-02) was submitted to the Ohio Environmental Protection Agency on February 24, 2004 (effective October 24, 2003).

To demonstrate compliance with financial assurance rules, R&M currently uses insurance with the Steadfast Insurance Company. The most current Hazardous Waste Facility Certificate of Liability Insurance (Policy Number PLC 3986856-02) was submitted to the Ohio EPA on February 24, 2004 (effective October 24, 2003). The closure and liability Certificates reflect the effective dates of the insurance policies as October 24, 2003. *Certificates of Insurance closure, post closure and liability coverage must be updated annually.* To date, documentation has not been maintained adequately.

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



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GENERAL COMMENT:

Upon review of the R&M financial assurance documentation on file, the *Certificates of Insurance still have not been updated. R&M is in violation of OAC rules 3745-66-43 and 3745-66-47, because the hazardous waste financial assurance closure and third party liability certificate of insurance have not been updated annually.*

To demonstrate compliance with the above violation, *the Certificate of Insurance for Closure/ Post-Closure Care and Liability coverage must be updated to verify coverage annually. Submit Certificates of Insurance to confirm Closure care and Liability coverage from October 2004-October 2005, October 2005-October 2006 and October 2006-October 2007. Even though the facility may have a two year policy documentation must be submitted annually to reflect a current financial assurance mechanism. Also, to verify that third party liability coverage is in effect submit an updated hazardous waste certificate of insurance for third party liability coverage.*

Submit this information to me within thirty (30) days of receipt of this letter.

If you have any questions do not hesitate to contact me at (614) 644-2951.

Sincerely,



Tina Jennings
Compliance Assurance Section
Division of Hazardous Waste Management

c: Harold O'Connell, DHWM, SWDO
Tammy McConnell RIS, DHWM

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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.

