



State of Ohio Environmental Protection Agency

STREET 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

MAILING ADDRESS:

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

September 22, 2009

KRISTOPHER BUCK
HOBART BROTHERS CO
101 TRADE SQUARE E
TROY, OH 45373

**Re: 2008 Hazardous Waste Annual Report Requirement – Notice of Violation
HOBART BROTHERS CO, TROY - OHD981526957**

Dear KRISTOPHER BUCK:

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 HOBART BROTHERS CO during the 2008 calendar year. The total amount reported is approximately 56.59 tons as shown on the enclosed printout. This total indicates that HOBART BROTHERS CO was a large quantity generator in 2008. Because I have not received a Hazardous Waste Annual Report for 2008, HOBART BROTHERS CO 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 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, HOBART BROTHERS CO 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

HOBART BROTHERS CO 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

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

Handwritten: BUCK
10/15/10

transporter. Receiving facilities and transporters are under a similar requirement. If you need copies of the original manifest(s), contact them for assistance.

If HOBART BROTHERS CO 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 HOBART BROTHERS CO 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

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: OHD981528957
 Generator Name: Hobart Brothers Company I
 Address: 101 Trade Square East
 Troy, OH 45373-
 Total Tons Shipped: 56.59

Receiving Facility

US EPA ID: OHD000816629
 Name: Spring Grove Resource Recovery
 Customer Name: Hobart Brothers Company
 Customer Address: 101 Trade Square East
 Troy, OH 45373-0000

Waste Description:	ENVIRONMENTALLY HAZARDOUS SUBSTANCES SOLID N.O.S.	Page:	1604	Subpage:	1
System Type:	H141 Form: W319 Quantity: 28587.00 P Density:				
D005 D007					

Waste Description:	WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCES SOLID N.O.S. (B	Page:	1605	Subpage:	1
System Type:	H141 Form: W319 Quantity: 32011.00 P Density:				
D005 D007					

Receiving Facility

US EPA ID: OHD083377010
 Name: Environmental Enterprises Inc
 Customer Name: Hobart Brothers Company
 Customer Address: 101 Trade Square East
 Troy, OH 45373-

Waste Description:	Non-Corrosive Inorganic Solid Contaminated with Barium Salts	Page:	584	Subpage:	1
System Type:	H111 Form: W319 Quantity: 52590.00 P Density:				
D005					

71200

MaryAnn Silagy - UPS Ship Notification, Tracking Number 1Z4777993542182979

From: "UPS Quantum View" <auto-notify@ups.com>
To: <maryann.silagy@epa.state.oh.us>
Date: Monday, October 12, 2009 1:35 PM
Subject: UPS Ship Notification, Tracking Number 1Z4777993542182979



This message was sent to you at the request of Hobart Brothers Company to notify you that the electronic shipment information below has been transmitted to UPS. The physical package(s) may or may not have actually been tendered to UPS for shipment. To verify the actual transit status of your shipment, click on the tracking link below or contact Hobart Brothers Company directly.

Important Delivery Information

Signature Required

Message from Hobart Brothers Company:
EPA Annual Hazardous Waste Report - 2008

Scheduled Delivery: 13-October-2009

Shipment Detail

Ship To:
Mary Ann Silagy
Ohio EPA
Lazarus Government Center
50 W. Town Street
Suite 700
COLUMBUS
OH
43215
US

Number of Packages: 1

UPS Service: 2ND DAY AIR

Shipment Type: Letter

Tracking Number: 1Z4777993542182979

Reference Number 1: OHD981526957

Click [here](http://www.ups.com/WebTracking/track?loc=en_US) to track if UPS has received your shipment or visit http://www.ups.com/WebTracking/track?loc=en_US on the Internet.

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From: "Kris Buck" <Kris.Buck@Hobartbrothers.com>
To: <maryann.silagy@epa.state.oh.us>
Date: 10/12/2009 10:47 AM
Subject: 2008 Hazardous Waste Report for OHD981526957
Attachments: Annual Hazardous Waste Report - 2008 - 101209.pdf

I have attached a copy of the report that I will be filing this week. My manifest poundage calculations show a higher number then listed on the attached document of your letter dated September 22, 2009. Also, there are at least two manifests not listed on the attachment. Please contact me regarding the above.

*EEI will amend their AR
 yes he should incl. waste
 sent to KY*

Regards.

Kristopher Buck

Environmental, Health and Safety Manager

Hobart Brothers Co. An ITW Company

101 Trade Square East

Troy, OH 45373

937-332-5313 Office

937-332-5700 Fax

937-216-2333 Mobile

kris.buck@hobartbrothers.com <mailto:Kris.Buck@HobartBrothers.com>

www.hobartbrothers.com <http://www.hobartbrothers.com>

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