



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

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www.epa.state.oh.us

MAILING ADDRESS:

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

December 21, 2010

Tom Schutte
Schutte Cleaners
471 Suite C Wards Corner Rd
Loveland, OH 45140

**Re: 2009 Hazardous Waste Annual Report Requirement – Notice of Violation
Schutte Cleaners, MILFORD - OHD987035250**

Dear Tom Schutte:

My review of manifest data from the Michigan Department of Environmental Quality (MI DEQ) has revealed that one or more shipments of hazardous waste were sent by Schutte Cleaners to receiving facilities in Michigan during the 2009 calendar year. The total amount reported is approximately 36.00 tons as shown on the enclosed printout. This total indicates that Schutte Cleaners was a large quantity generator in 2009. Because I have not received a Hazardous Waste Annual Report for 2009, Schutte Cleaners 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, Schutte Cleaners 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 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.

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



Schutte Cleaners 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 Schutte Cleaners 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 Schutte Cleaners 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
Jeff Stark - 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.

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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OHR000110403 EDGE GRAPHICS

11/13/2009

006168749JJK

MID048090633	14 T	14.00	H132	F002
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006168750JJK

MID048090633	22 T	22.00	H132	F002
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Total Tons for Generator 36.00

From: Jeffery Stark
To: MaryAnn Silagy
Date: 12/15/2010 12:25 PM
Subject: EDGE GRAPHICS - 2009 Hazardous Waste Annual Report Requirement

MaryAnn:

I have conducted some follow up work regarding your October 18, 2010 ³²⁹NOV for EDGE GRAPHICS (OHR 000 110 403). According to your letter, EDGE GRAPHICS may be in violation of OAC Rule 3745-52-41 for failure to submit a Hazardous Waste Annual Report for 2009. The printout that was enclosed with the NOV indicates that total amount hazardous waste generated by EDGE GRAPHICS is 36.00 tons. I contacted Carol (734-~~324~~-8005) of Wayne Disposal, Inc. (MID 048 090 633) about the two manifests listed on your printout (006168749JJK and 006168750JJK). Wayne Disposal indicated that these manifests were from a Shutte Cleaners located at ~~24~~ Whitney Drive, Milford, OH and not from EDGE GRAPHICS located at 21 Whitney Drive, Milford, OH. ₃₈

It seems that there are some discrepancies with the manifests. In any event, could you provide me copies of any manifest(s) in question or any other information you may have regarding EDGE GRAPHICS?

Jeff

006168749JJK

04D 987035 250

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Please print or type. (Form designed for use on city (12-pin) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number OMR 000 110 403	2. Page 1 of 2	3. Emergency Response Phone (513) 200-4912	4. Manifest Tracking Number 006158749 JJK	
5. Generator's Name and Mailing Address 24 WHITNEY DRIVE MILFORD, OH 45150		SCHUTTE CLEANERS, INC Generator's Site Address (if different than mailing address)		Tom Schutte (513) 200-4912 513 576 71212		
6. Transporter 1 Company Name US BULK TRANSPORT INC			U.S. EPA ID Number PAD 887 347 515			
7. Transporter 2 Company Name			U.S. EPA ID Number			
8. Designated Facility Name and Site Address 49350 N I-94 SERVICE DRIVE BELLEVILLE, MI 48111		WAYNE DISPOSAL, INC SITE 2 LANDFILL		U.S. EPA ID Number MID 048 090 633		
Facility's Phone: (800) 592-5489						
Dt. of Mfg.	9. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. UNH WHM#	13. Waste Codes
		No.	Type			
1	RD, NA3077, Miscellaneous waste, 6082, H.B.S., II, PGM, ERG 6171	001	DT	00022		F002
2						
3						
4						
14. Special Handling Instructions and Additional Information 1. RESUBCLASSIFIED AND RECLASSIFIED SOL						
15. GENERATOR/SUPPORTER'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/stickered, and are in all respects in proper condition for transport according to applicable international and national governmental regulations, if export shipment and I am the Primary Exporter. I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste manifestation statement identified in 40 CFR 262.27(a) (1) is a large quantity generator or (2) is a small quantity generator is true.						
Generator/Owner's Printed/Typed Name Thomas E. Schutte			Signature <i>Thomas E. Schutte</i>		Month Day Year 11 13 09	
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name Chad Capora			Signature <i>Chad Capora</i>		Month Day Year 11 13 09	
Transporter 2 Printed/Typed Name			Signature		Month Day Year	
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input checked="" type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection OK to Change Section 11 per Tom Schutte@SchutteCleaners VK 11/13/09						
18b. Alternate Facility (or Generator) _____ U.S. EPA ID Number _____						
Facility's Phone: _____						
18c. Signature of Alternate Facility for Generator _____ Month Day Year _____						
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. H132						
20. Designated Facility Owner or Operator: Classification of recipient of hazardous materials received by the recipient (except as noted in item 18b) Signature: <i>[Signature]</i> Date: 11/13/09						

006168750JJK

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Form Approved, OMB No. 2050-0035

Please print or type. (Form designed for use on 8 1/2 (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number OHR 000 110 403	2. Page 1 of 1	3. Emergency Response Phone (513) 200-4912	4. Manifest Tracking Number 006168750 JJK
5. Generator's Name and Mailing Address SCHUTTE CLEANERS, INC 24 WHITNEY DRIVE MILFORD, OH 45150		Generator's Site Address (if different than mailing address) (513) 200-4912			
6. Transporter 1 Company Name US BULK TRANSPORT INC			U.S. EPA ID Number PAD 987 347 515		
7. Transporter 2 Company Name			U.S. EPA ID Number		
8. Designated Facility Name and Site Address WAYNE DISPOSAL, INC SITE 2 LANDFILL 49350 N I-94 SERVICE DRIVE BELLEVILLE, MI 48111		U.S. EPA ID Number MID 048 090 633			
Facility's Phone: (800) 592-5489					
GENERATOR	9a. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.
	1. RC, RC0077, Hazardous Waste, 2800, H.C.L., H, PGIII, ERG #171	No.	Type	DRUMS	200L
	2.				
	3.				
	4.				
14. Special Handling Instructions and Additional Information 1. RC000000017 Contaminated Soil					
15. GENERATOR'S/CERTIFIER'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/recorded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.37(a) (1) if I am a large quantity generator or (2) if I am a small quantity generator is true.					
Generator/Certifier's Printed/Typed Name Thomas E. Schutte		Signature <i>Thomas E. Schutte</i>		Month 11	Day 13
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:					
TRANSPORTER (INTL)	Transporter signature (for exports only): Date leaving U.S.:				
	17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name Case Gaidal		Signature <i>Case Gaidal</i>		Month 11
Transporter 2 Printed/Typed Name		Signature		Day 13	Year 09
DESIGNATED FACILITY	18. Discrepancy 18a. Discrepancy Indication Source <input checked="" type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection Actual Weight: 11.45 T OK per Tom Schutte @ Schutte Cleaners 11-18-09 RW				
	18b. Alternate Facility (or Generator)		U.S. EPA ID Number		
	Facility's Phone:				
	18c. Signature of Alternate Facility (or Generator)				
19. Hazardous Waste Resort Management Method Code(s) (i.e., codes for hazardous waste treatment, disposal, and recycling systems)					
1. H132		2.		3.	
20. Designated Facility Owner or Operator: Certificate of Receipt of Hazardous Materials Covered by the manifest must be filed in (state) and (country) and (date) Wayne County Signature: <i>[Signature]</i> Month: 11 Day: 13 Year: 09					