



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

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

September 5, 2007

Mr. John Schoenike
Boardman Realty LLC
1032 Boardman Canfield Road, Suite 103
Boardman, OH 44512

Re: 2006 Hazardous Waste Annual Report Requirement
American Weatherseal at 4449 Lake Park Rd in Boardman – OHR000000687

Dear Mr. Schoenike:

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 American Weatherseal in Boardman during the 2006 calendar year. The total amount reported indicates that American Weatherseal was a large quantity generator in 2006. Since I have not received a Hazardous Waste Annual Report for 2006, American Weatherseal may be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC). Please see the enclosed printout detailing the hazardous wastes received from American Weatherseal during 2006.

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, a 2006 Annual Hazardous Waste Report must be completed for American Weatherseal and submitted to Ohio EPA 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 can access the reporting forms and instructions on our web site at http://www.epa.state.oh.us/dhwm/ann_report.html.

American Weatherseal 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 American Weatherseal was not a large quantity generator in 2006, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that American Weatherseal did not generate more than the threshold quantity of hazardous waste in any month during 2006. 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) 644-2923. Your prompt attention to this matter is appreciated.

Sincerely,

Paula Canter

Paula Canter
Environmental Specialist 3
Regulatory and Information Services
Division of Hazardous Waste Management
paula.canter@epa.state.oh.us

cc: Central File
Ron Shadrach, DHWM NEDO

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: OHR000000687

Generator Name: American Architectural Products Corp *

Address: 4449 Lake Park Rd
Boardman, OH 44512-2181Total Tons Shipped: 168.55

Receiving Facility

US EPA ID: OHD980568992

Name: Envirote of Ohio, Inc.

Customer Name: AMERICAN WEATHER SEAL

Customer Address: 4449 Lake Park Road
BOARDMAN, OH 44512-

Waste Description: CONCRETE DEBRIS

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System Type: H141 Form: W002 Quantity: 168.55 T Density: 0 S.G.

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