



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

October 14, 2010

LARRY A BOVILLE SR
BOVILLE INDUSTRIAL COATINGS INC
7459 LEICHTY RD
SMITHVILLE, OH 44677-0487

**Re: 2009 Hazardous Waste Annual Report Requirement – Notice of Violation
BOVILLE INDUSTRIAL COATINGS INC, SMITHVILLE - OHR000025692**

Dear LARRY A BOVILLE SR:

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 BOVILLE INDUSTRIAL COATINGS INC during the 2009 calendar year. The total amount reported is approximately 15.47 tons as shown on the enclosed printout. This total indicates that BOVILLE INDUSTRIAL COATINGS INC was a large quantity generator in 2009. Because I have not received a Hazardous Waste Annual Report for 2009, BOVILLE INDUSTRIAL COATINGS 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. 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, BOVILLE INDUSTRIAL COATINGS INC 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

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



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.

BOVILLE INDUSTRIAL COATINGS 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 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 BOVILLE INDUSTRIAL COATINGS INC 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 BOVILLE INDUSTRIAL COATINGS INC did not generate more than the threshold quantity of hazardous waste in any month during 2009. 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 or eBiz 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
Ohio EPA - Division of Hazardous Waste Management
maryann.silagy@epa.state.oh.us
614-644-2891

enclosures

cc: Central File
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: OHR000025692
Generator Name: Boville Industrial Coatings Inc
Address: 7459 Leichthy Rd
Smithville, OH 44677-0487
Total Tons Shipped: 15.47

Receiving Facility

US EPA ID: OHD980897656
Name: Chemical Solvents Inc
Customer Name: BOVILLE INDUSTRIAL CTGS
Customer Address: 7459 LEICHTY ROAD
SMITHVILLE, OH 44677-

Waste Description: PAINT LINE FLUSH Page: 645 Subpage: 240
System Type: H141 Form: W604 Quantity: 2035.00 G Density: 7.5 Lbs. / Gal.
D035 F005 D001 F003

Waste Description: PAINT LINE FLUSH Page: 645 Subpage: 239
System Type: H061 Form: W211 Quantity: .2090.00 G Density: 7.5 Lbs. / Gal.
D035 F005 D001 F003