



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

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

November 6, 2008

**RE: The Lincoln Electric Company  
OHD 004199048  
Cuyahoga County  
Notice of Violation/Return to  
Compliance**

Daniel J. Iskra  
Environmental Engineer  
The Lincoln Electric Company  
22801 St. Clair Avenue  
Cleveland, OH 44117-1199

Dear Mr. Iskra:

On December 21, 2007, The Lincoln Electric Company (Lincoln Electric) voluntarily submitted an audit disclosure document to the Director of Ohio EPA notifying him of your findings. Lincoln Electric submitted the audit disclosure per Ohio Revised Code (ORC) 3734.72 (C) which is Ohio's amended audit privilege and immunity law.

During an internal environmental compliance audit, Lincoln Electric discovered and disclosed to Ohio EPA that four (4) waste streams generated in the facility's Printed Circuit Board Wet Room (Wet Room) are listed F006 hazardous waste.

Ohio EPA conducted a follow-up visit to Lincoln Electric on February 5, 2008, where Lincoln Electric provided Ohio EPA with additional information.

Of the four waste streams generated in the Wet Room, two continue to be managed as hazardous wastes and are shipped off site for recycle and reclamation. Later, Ohio EPA determined that one of these waste streams (MISC\_1439) is not a listed hazardous waste.

The two remaining waste streams, the Wet Room Ion Exchange Filter Resin Media (MISC\_1559) and the Wet Room Wastewater Treatment Filters (Discs and Bags) (MISC\_2241), were managed off site as non-hazardous wastes prior to the audit discovery. Lincoln Electric determined these two waste streams were non-hazardous wastes based upon TCLP analytical testing data for all the applicable hazardous waste characteristics.

These two waste streams were disposed offsite to a non-hazardous sanitary landfill located in Stark County, Ohio. Immediately, upon discovery of their error, Lincoln Electric stopped the disposal of these wastes to the landfill.

Since the discovery of their error, Lincoln Electric has taken steps to recycle all four waste streams to an off site facility that can reclaim the F006 wastes.

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The following represents Ohio EPA's findings:

Lincoln Electric is found in violation of Ohio Administrative Code (OAC) 3745-52-11 for failure to properly evaluate their wastes.

Lincoln Electric is found in violation of Ohio Revised Code (ORC) 3734.02 (F) for failure to properly dispose of their wastes into a permitted hazardous waste facility.

Ohio EPA understands that Lincoln Electric has taken the appropriate corrective measures in regard to the proper management of these waste streams. Ohio EPA has determined that no additional enforcement action is anticipated at this time.

Thank you for your cooperation in this matter. If you have any questions about this letter, please call me at (330) 963-1266. A response to this letter is not required.

Failure to list specific deficiencies in this communication does not relieve Lincoln Electric from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve your facility from liability for any past or present violations of the state's hazardous waste laws.

Sincerely,



Kris Coder  
Environmental Specialist  
Division of Hazardous Waste Management

KC:cl

ec: Nyal McKenna, DHWM, NEDO  
Keith Riley, Assistant Chief, NEDO  
Harry Sarvis, CO, DHWM