



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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

August 14, 2007

Charles Fath
Vice President
Troy Manufacturing Company, Inc.
17090 Rapids Road
Burton, OH 44021

**RE: TROY MANUFACTURING COMPANY, INC., OHD004178356, GEAUGA COUNTY
RCRA/LQG, COMPLIANCE EVALUATION INSPECTION
PARTIAL RETURN TO COMPLIANCE**

Dear Mr. Fath:

Thank you for your July 23, 2007 response to Ohio EPA's May 9, 2007 Partial Return to Compliance letter. You submitted information and documentation including:

- A statement from Troy indicating that "the baffle/condenser will be retained on the theory that some return is better than none while avoiding the cost of removing the new stack and baffle."
- A statement from the facility indicating that the hazardous waste tank system will not be closed, but will be upgraded instead and that any contaminated equipment will be decontaminated and disposed per OAC Rule 3745-66-14.
- A statement indicating that Troy will install secondary containment for the upgraded hazardous waste tanks and that the room will serve as a "tertiary confinement system".
- A statement indicating that after the hazardous waste system is installed; Nyzen Consulting will conduct a formal assessment in accordance with the requirements of OAC 3745-66-92. The assessment will be combined with the certification required by OAC 3745-50-42 and maintained onsite. Copies will be forwarded to this office for review.

My review of this documentation reveals that Troy has adequately addressed the questions and comments put forth in Ohio EPA's May 9, 2007 Partial Return to Compliance letter.

Troy remains in violation of the following hazardous waste violations until Ohio EPA receives documentation adequately demonstrating abatement of the following hazardous waste violations:

1. **OAC 3745-66-92 A)(B)(D)(E)(F) Design and installation of new tank systems and components**
2. **OAC 3745-66-93 Containment and detection of releases**

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To demonstrate abatement of these violations, Troy must submit to this office a written assessment of the hazardous waste tank system (including the secondary containment) which meets the requirements of OAC Rule 3745-66-92 and OAC Rule 3745-66-93, reviewed and certified by an independent, qualified, registered professional engineer. Troy must include all documentation pertinent to the hazardous waste tank system such as engineering drawings, manufacturer's specifications and technical information in order to facilitate review of the assessment by Ohio EPA's Engineering Unit.

A checklist that may aid Troy in determining if the revised hazardous waste tank system is meeting all the requirements for LQG's may be found on line at:

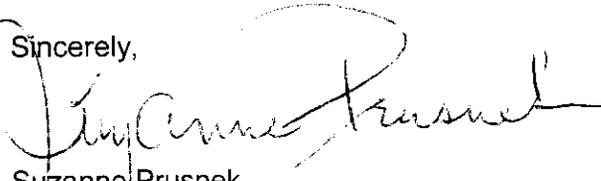
http://www.epa.state.oh.us/dhwm/pdf/LQG_Tank02.20.07.pdf

Please submit all of the requested responses and documentation to my attention, within thirty (30) days of receipt of this letter, demonstrating that all issues have been addressed.

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

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

ec: Frank Popotnik, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, CO, OEPA