



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 Korieski, Director

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

May 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 April 23, 2007 response to Ohio EPA's January 8, 2007 Partial Return to Compliance letter. You submitted information and documentation including:

- Drawings of the proposed newly revised tank configurations and secondary containment.
- A copy of a Certification letter from Mr. Joe Nyzen in compliance with ORC 4733-35-04(C).
- Copies of three weeks of completed daily tank inspection log sheets.

My review of this documentation reveals that Troy has adequately abated the following hazardous waste violation:

**OAC 3745-66-95 Tank Inspections**

Troy remains in violation of the following hazardous waste violations cited in Ohio EPA's November 6, 2006 Partial Return to Compliance letter:

**OAC 3745-66-92 A)(B)(D)(E)(F) Design and installation of new tank systems and components**

**OAC 3745-66-93 Containment and detection of releases**

By letter dated April 23, 2007, Troy submitted drawings regarding "proposed newly revised tank configurations and secondary containment". Troy stated in the cover letter that the drawings were being submitted to Ohio EPA for review and approval prior to construction. However, Troy's narrative regarding the proposed tank system is very brief and does not address all the outstanding issues with respect to the hazardous waste tank system assessment. Based upon the submitted information, Ohio EPA has the following questions and comments regarding the proposed hazardous waste tank system and the documentation submitted by the facility:

1. The drawings submitted make no mention of the evaporator unit. In a previous response, Troy submitted a statement indicating that the plan to use a new evaporator system in order to qualify for regulatory exemption, has been abandoned. Will Troy still be utilizing the evaporator system as a waste water treatment unit?
2. Will Troy be replacing the existing hazardous waste tank system with new tanks (as it appears by the drawings submitted)? If so, how Troy plan to dispose of the old hazardous waste tanks? Ohio EPA wishes to remind Troy, that the hazardous waste tank system is subject to generator closure should the facility cease using it for the treatment and accumulation of hazardous waste.
3. Troy had previously submitted information indicating that the room in which the hazardous waste tanks are located would serve as the secondary containment system. However, the submitted drawings appear to include a secondary containment system with a capacity of 450 gallons. Please indicate which system Troy plans to use for secondary containment for the hazardous waste tanks.
4. Troy must insure that the revised hazardous waste tank system and secondary containment is designed to be in compliance with all applicable hazardous waste tank requirements of OAC 3745-66-92 and OAC 3745-66-93. These regulations may be found online at:  
  
<http://www.epa.state.oh.us/dhwm/dhwmrules/6692.htm>  
  
[http://www.epa.state.oh.us/dhwm/dhwmrules/megasetrules\\_final/3745-66-93.pdf](http://www.epa.state.oh.us/dhwm/dhwmrules/megasetrules_final/3745-66-93.pdf)
5. Furthermore, once installed Troy must obtain and keep on site a written assessment of the hazardous waste tank system (including secondary containment and ancillary equipment), including written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system to attest that the tank system was properly designed and installed. These written statements must also include the certification statement as required in paragraph (D) of OAC rule 3745-50-42.

TROY MANUFACTURING COMPANY, INC.  
MAY 14, 2007  
PAGE - 3 -

Troy must submit copies of the above documentation to this office for review. Please include all documentation pertinent to the hazardous waste tank system such as engineering drawings, manufacturers 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](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