



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Tenneco - Clevite Elastomers
OHD 022 969 653
Erie County
NOV/RTC

February 26, 2008

Mr. Bill King, EHS Engineer
Tenneco - Clevite Elastomers
33 Lockwood Road
Milan, Ohio 44846

Dear Mr. King:

Thank you for your responses to Ohio EPA's September 14, 2007, Notice of Violation letter (NOV). The following occurred on the dates below:

- ❖ May 11, 2007- You submitted waste evaluation information as well as contingency plan contact information.
- ❖ May 21, 2007 – You faxed additional waste evaluation information.
- ❖ November 4, 2007 – You faxed me the following information (I also received this same information via mail on 11-6-07):
 - ⇒ A letter indicating your parts washing solvent is now in the Safety-Kleen continued use program;
 - ⇒ A Material Safety Data Sheet for Ziram;
 - ⇒ A statement indicating your facility compounded Ziram prior to 2000; thus this material no longer exists as a pure chemical. Thus, Tenneco - Clevite Elastomers (Tenneco) no longer generates the P205 waste stream;
 - ⇒ A universal waste bill of lading from U.S. Industrial Technologies for the recycling of your fluorescent bulbs;
 - ⇒ A photograph showing your fluorescent bulbs are properly closed and labeled;
 - ⇒ A statement that Tenneco no longer generates acute hazardous waste (P205) and that Tenneco does not re-use containers.

Return to Compliance

My review of this documentation reveals that Tenneco has adequately demonstrated abatement of the following violations discovered during the May 2, 2007, compliance evaluation inspection (CEI) as listed below:

1. OAC Rule 3745-52-11, Waste Evaluation.
 - A.) ***This portion of the violation was abated with your November 4, 2007, response.***
 - B.) ***This portion of the violation was abated with your November 4, 2007, response.***
2. OAC Rule 3745-273-13 (D) (1), Waste management - standards for small quantity handlers of universal waste (lamps). ***This violation was abated with your November 4, 2007, response.***
3. OAC Rule 3745-273-14 (E), Waste management - Labeling/marketing standards for small quantity handlers of universal waste (lamps). ***This violation was abated with your November 4, 2007, response.***

Tenneco has also satisfied the Area of Concern noted in the September 14, 2007, NOV, with the November 4, 2007, response.

Notice of Violation / Return to Compliance

Based on information submitted by your facility, further review of your hazardous waste annual reports, and discussions with you, Tenneco is operating as a large quantity generator (LQG) of hazardous waste (or at least is an episodic LQG) and was operating as such during the May 2, 2007, CEI. In either case, as you also stated, it would be best for Tenneco to adhere to all of the LQG requirements to ensure they are always in compliance since their status may fluctuate.

Based on this information, I found the following additional violation of Ohio's hazardous waste laws during the May 2, 2007, CEI:

1. **Personnel Training.**
OAC Rule 3745-65-16 (C)

Facility personnel must partake in annual hazardous waste training.

Tenneco does conduct annual hazardous waste training. Please note that Ohio EPA Division of Hazardous Waste Management defines annual as once every 365 days. Tenneco trained the following employees on the following dates:

MF Smith	5-26-04	6-2-05	11-28-06	1-29-07
Kevin Meade	5-26-04	6-2-05	11-22-06	1-29-07

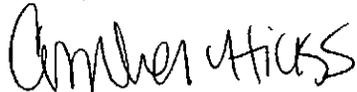
On two occasions, for both employees, Tenneco exceeded 365 days.

On May 11, 2007, you submitted a statement indicating that Tenneco will ensure to complete hazardous waste training annually (defined as every 365 days). In addition, on February 21, 2008, you and I discussed over the telephone the idea of setting up several days for this training within one month a year (the same month every year) to ensure to capture all employees needing this training.

Thus, this violation is considered abated based on your May 11, 2007, response.

No response to this letter is necessary. If you should have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks
Division of Hazardous Waste Management

/llr

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO File: Clevite Elastomers - Tenneco~~
ec: Amber Hicks, DHWM, NWDO

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.