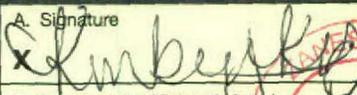


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee Kimberly Kintz</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Mr. Jeff Ball Kessler Sign Company P.O. Box 785 Zanesville, OH 43702</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7007 3020 0001 7884 7695</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 4.00
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here: LOGAN OH 43139 OCT 9 2009 USPS

Sent To: Jeff Ball, Kessler Sign Co.
 Street, Apt. No., or PO Box No.: POB 785
 City, State, ZIP+4: Zanesville, OH 43702

PS Form 3800, August 2006 See Reverse for Instructions

7007 3020 0001 7884 7695



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-8490
www.epa.state.oh.us

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

Certified Mail: 7007 3020 0001 7884 7695

October 8, 2009

**MUSKINGUM COUNTY
GENERAL FILE
(KESSLER SIGN COMPANY)
DHWM/SEDO
NON NOTIFIER**

Mr. Jeff Ball
Kessler Sign Company
P.O. Box 785
Zanesville, Ohio 43702-0785

Dear Mr. Ball:

On March 9, 2009, Melody Stewart and I performed a compliance inspection of Kessler Sign Company to determine its compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on our observations and the documentation reviewed from the inspection, Ohio EPA issued you a notice of violation letter on March 17, 2009. On April 30, 2009, I received your response which contained two sample results for your fluorescent lamps. A third NOV was issued to you on May 1, 2009; to date, no response has been received to that letter.

If I do not receive a written a response to this letter within seven days of your receipt of this letter, this office will begin pursuing escalated enforcement action.

Kessler Sign Company remains in violation of the following regulation:

(1) OAC rule 3745-52-11 Hazardous waste determination.

Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste using the following method...determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35, and then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

Your company generates spent fluorescent bulbs which are crushed and then sent to a recycling facility. Kessler Sign had not evaluated these bulbs to determine whether they are hazardous waste. You provided sample results for two samples, however, you provided no additional sample information to allow Ohio EPA to determine whether the samples are representative for this waste; nor were all hazardous metals analyzed (only mercury was tested). First, although mercury is one constituent, all RCRA metals should have been sampled; bulbs can fail due to lead, barium or cadmium which may also be present in bulbs. Second, hazardous waste rules require that samples be representative of the waste as it is generated; for spent bulbs, that means that the sample be handled to minimize the loss of constituents such as mercury (i.e., samples should not be collected from bulbs that have been processed in the bulb eater; it may pull off the powder in the lamps, which could contain hazardous constituents. Please see the guidance that NEMA recommends for sampling bulbs). Also, the samples must be representative of *all* the bulbs that you generate and crush; bulbs from different manufacturers and different types (i.e., linear, high intensity discharge, compact, etc.) would all have to be tested or somehow represented. Lastly, when you provide the sample results to Ohio EPA, the documentation should include all the lab information that is needed to validate this data (chain of custody forms, sample receipt info, lab bench sheets).

Other issues:

Please provide copies of your shipping and disposal receipts for all your fluorescent bulbs since you began using the bulb crusher. Also provide copies of receipts for all your hazardous wastes during this same time period, so that Ohio EPA can determine your generator status.

Additional information on the hazardous waste rules is available on Ohio EPA's website at www.epa.state.oh.us. If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278.

Sincerely,



Richard Stewart
District Representative
Division of Hazardous Waste Management

RS/mlm

Harry Sarvis, DHWM, CO

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.