

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. 		A. Signature <i>John Mills</i>	
		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: John Loibl Marlite, Inc. P.O. Box 250 Dover, OH 44622		B. Received by (Printed Name) <i>John Mills</i>	
		C. Date of Delivery AUG 11 2009	
		D. Is delivery address different from item 1? If YES, enter delivery address below:	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail	
		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee)	
		<input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7006 3450 0001 9055 8317	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54
Sent To: John Loibl, Marlite, Inc. Street, Apt. No., or PO Box No.: P.O. Box 250 City, State, ZIP: Dover, OH 44622	
PS Form 3800, August 2006	



7006 3450 0001 9055 8317



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

Certified Mail: 7006 3450 0001 9055 8317

August 5, 2009

**TUSCARAWAS COUNTY
MARLITE INC.
DHWM/SEDO
OHD017999244**

John Loibl
Marlite, Inc.
P.O. Box 250
Dover, Ohio 44622

Dear Mr. Loibl:

On May 28, 2009, I inspected Marlite's facility in Dover, Ohio to determine Marlite's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). I sent you a Notice of Violation letter on June 12, 2009, specifying the violations observed during the inspection. To date, Marlite has failed to respond to the June 12, 2009 Notice of Violation letter and remains in violation of the following:

- (1) OAC Rule 3745-66-95(C) Inspections:** Generators storing hazardous waste in tanks must document, in the operating record of the facility, daily inspections of the following: (1) Overfill/spill control equipment (e.g., waste-feed cut-off systems, bypass systems, and drainage systems) to ensure that it is in good working order; (2) The aboveground portions of the tank system, if any, to detect corrosion or releases of waste; (3) Data gathered from monitoring equipment and leak-detection equipment (e.g., pressure and temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and (4) The construction materials and the area immediately surrounding the externally accessible portion of the tank system including secondary containment structures (e.g., dikes) to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).

Marlite documents daily observations of the hazardous waste tank but has failed to document daily inspection of the items listed in OAC Rule 3745-66-95 as required.

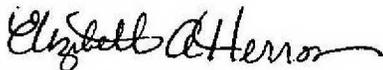
In order to return to compliance with this rule, Marlite must immediately begin conducting and documenting a daily inspection of the items listed in OAC Rule 3745-66-95 as they apply to Marlite's tank system. To demonstrate Marlite's compliance with this rule, submit an example copy of the inspection log used to document daily inspections of the items listed in OAC Rule 3745-66-95, to me **within 15 days** of your receipt of this letter.

GENERAL COMMENTS

- (a) Marlite has previously made a waste determination, using process knowledge, that the waste from cleaning coating units with Citrus King solvent is non-hazardous. In a phone conversation with you on June 10, 2009, you stated that Marlite was planning to have a sample of this waste lab tested to confirm the waste determination. Once the lab testing is complete, please forward copies of the lab test data to me for my review.

Should you have any questions, please feel free to call me at (740) 380-5248.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EAH/mlm

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.