



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Drifter Tackle
Wood County
OHR000115980
Hazardous Waste
Return to Compliance

January 14, 2010

Mr. Don Kudner
TL Industries, dba Drifter Tackle
2541 Tracy Road
Northwood, Ohio 43619

Dear Mr. Kudner:

Thank you for your January 5, 2010, response to Ohio EPA's December 14, 2009, Notice of Violation (NOV) letter. The information you submitted included waste analysis documentation that was completed for the spent paint booth filters. My review of the documentation submitted reveals that Drifter Tackle (DT) has adequately demonstrated abatement of the violation cited in the December 14, 2009, NOV letter.

The following is a summary of the violation cited in the December 14, 2009, NOV as a result of our December 4, 2009, inspection and your compliance with respect to it:

1. Waste Evaluation, OAC Rule 3745-52-11:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

At the time of the inspection, DT did not have waste evaluation documentation for the spent paint filters. DT has historically disposed of this spent material as a non-hazardous waste. DT must immediately cease disposing of the waste paint filters as non-hazardous waste until a proper waste evaluation has been completed.

DT must obtain a representative sample of the spent paint booth filter waste stream and have it analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260). You must notify me at least seven days prior to the sampling event date so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. To abate this violation, DT must submit a copy of the analytical results to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise you on proper disposal options as well as plans for the future management of this waste stream.

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On January 5, 2010, DT submitted, via electronic mail, the waste analysis results for the paint booth filters. The submitted analytical results indicate that the spent paint booth filters are a non-hazardous waste. These filters may be managed as a solid waste.

With this information, this violation has been abated.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

/lb

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
~~DHWM, NWDO 2010, Wood County General File~~

ec: Melissa Boyers, DHWM, NWDO