



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: OHD 005 046 149
Fort Recovery Industries
Mercer County
Hazardous Waste
Notice of Violation / Return to Compliance

December 5, 2008

Mr. Tim Cromer, Process Engineer
Fort Recovery Industries, Inc.
2440 State Route 49
Fort Recovery, Ohio 45846

Dear Mr. Cromer:

On August 23 and 24, 2006, Amber Hicks and I conducted an Ohio Environmental Protection Agency (Ohio EPA) hazardous waste compliance evaluation inspection at Fort Recovery Industries, Inc. (FRI) located at 2440 State Route 49, Fort Recovery, Ohio. We inspected FRI to determine its compliance with Ohio hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). A Notice of Violation letter was sent to FRI on October 18, 2006 citing five (5) violations, of which one remained unabated.

During a recent review of Ohio EPA databases, it was discovered that this remaining violation of OAC Rule 3745-273-15(C) – Accumulation of Waste Lamps – Time Limits, from the August 23 and 24, 2006, inspection still has not been abated. There was also no information submitted by FRI to correct this violation.

On October 25, 2008, I contacted you regarding this issue and requested the information necessary to abate this violation.

On November 3, 2008, I received an email regarding this outstanding violation, OAC Rule 3745-273-15(C): Accumulation of Waste Lamps – Time Limits. Based on the letter of response you submitted, this violation has been abated. Therefore, FRI has abated all violations observed during the August 23 and 24, 2006, inspection.

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Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/cs

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
~~DHWM, NWDO File - Et. Recovery Industries, Inc.~~

ec: Ed Pulido, 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.