



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

November 15, 2010

Mr. Allen C. Kinsler  
EHS Coordinator  
EFTEC North America LLC  
20219 Northline Rd  
Taylor, MI 48180

**Re: Notice of Violation, EFTEC North America - Dayton, Ohio, OHD004279204,  
Montgomery County, CRO**

Dear Mr. Kinsler:

On October 4, 2010 Ohio EPA received EFTEC's October 1, 2010 response to Ohio EPA's July 29, 2010 letter requesting further documentation relative to EFTEC's Form 0329 for Cessation of Regulated Operations (CRO) for EFTEC's Dayton, Ohio facility.

EFTEC's October 1, 2010 letter contained the following.

- 1) Documentation of generator closure at two former 90 day areas
- 2) Tank(s) removal report
- 3) Copies of manifests related to CRO

Based on my review of EFTEC's October 1, 2010 letter and EFTEC's June 23, 2010 letter (Form 0329) I have found the following violation and general concerns related to compliance with CRO. EFTEC should follow Ohio EPA's recommendations to abate the violation and address the general concerns **within 30 days** of receipt of this letter. Also **within 30 days** provide a written response to this office explaining how the violation and the general concerns have been addressed.

**VIOLATION 1-**

**Asbestos certification**

**ORC 3752.06(A) (1) and OAC 3745-352-20 (A) (2) (a)**

This regulation requires the owner /operator to submit a statement indicating whether any asbestos containing materials are present at the facility.

Southwest District Office  
401 East Fifth Street  
Dayton, OH 45402-2911

937 | 285 6357  
937 | 285 6249 (fax)  
[www.epa.ohio.gov](http://www.epa.ohio.gov)

Mr. Allen C. Kinsler  
November 15, 2010  
Page 2

EFTEC or the owner has not submitted a statement indicating whether any asbestos containing materials are present at the facility.

To abate this violation EFTEC should submit a statement indicating whether any asbestos containing materials are present at the facility. On November 10, 2010 you left a phone message stating an asbestos survey and documentation did exist but was with legal staff.

#### **GENERAL CONCERN 1-**

Ohio EPA's letter of July 29, 2010 requested a map (figure) of the facility showing the location of any wells on the property and noting their intended use. Also requested were any well logs and construction diagrams if available.

To address this general concern EFTEC should submit the requested information if it is available.

#### **GENERAL CONCERN 2-**

Ohio EPA's letter of July 29, 2010 requested that if the EFTEC facility is no longer generating hazardous waste at the Dayton facility, EFTEC should deactivate its hazardous waste generator identification number for the facility.

To address this general concern, submit a letter to our central office on EFTEC company letter head with the facilities generator identification number (OHD004279204), the facility address, and a brief statement requesting the hazardous waste generator identification number for the facility be deactivated due to it no longer generating hazardous waste.

Send the request to:

Ohio EPA, DHWM  
P.O. Box 1049  
Columbus, OH 43216-1049

Mr. Allen C. Kinsler  
November 15, 2010  
Page 3

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve EFTEC from having to comply with all applicable regulations. If you have any questions relative to this letter or about how to comply with other hazardous waste regulations please contact me at (937) 285-6082.

Sincerely,



Brian Gitzinger  
District Representative  
Division of Hazardous Waste Management

cc: Robyn Fox, DHWM Data entry  
Ralph McGinnis, CAS, DHWM

BG\bp