



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

2 violations RTC'd

March 14, 2012

Mr. Robert Highley
Manager, Safety & Environmental
EMD Chemicals Inc.
2828 Highland Ave.
Cincinnati, Ohio 45212

**RE: EMD Chemicals Inc./Return to Compliance (RTC)
Inspection/LQG/OHD086438538**

Notice of Compliance

Dear Mr. Highley:

Thank you for accompanying me during Ohio EPA's Return to Compliance inspection of EMD Chemicals Inc. on March 13, 2012 in Cincinnati, Ohio. My goal was to determine EMD Chemicals Inc. 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).

During my inspection, two violations were noted, they are:

1. Contingency Plan 3745-65-52(D)

EMD Chemicals Inc. failed to update the current list of names, addresses and telephone numbers (office and home) of all qualified to act as Emergency Coordinator. EMD Chemicals Inc. must update the Contingency Plan to reflect the current Emergency Coordinators.

This violation was corrected.

2. Contingency Plan 3745-65-53(A)&(B)

EMD Chemicals Inc. failed to send a copy of the plan to local authorities that may be requested to provide emergency services. EMD Chemicals Inc. must send copies to the Cincinnati Fire, Police, and local hospitals. EMD Chemicals Inc. must abate these violations within thirty days from the date of this letter.

This violation was corrected.

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Areas of Concern:

EMD Chemicals Inc. must demonstrate how the secondary containment system works in regards to your 4000 gallon hazardous waste tank. Designs, floor coatings, capacity and any other information that would demonstrate compliance with 3745-66-93(A) must be provided. Provide this information within 30 days of the date of this letter.

EMD Chemicals provided the required information to Ohio EPA and appears to have met the requirements of a hazardous waste tank.

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp>.

If you have any questions or comments, please feel free to contact me at (937) 285-6092.

Sincerely,



Larry Dickerson
District Representative
Division of Materials and Waste Management

LD/rb

cc: Robyn Fox, SWDO_DMWM /DMWM FILE