OhioEPA

State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, Ohio 43215

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P.O. Box 1049
Columbus, OH 43216-1049

May 8, 2008

Mr. Lewie Ekleberry
Plant Manager
Daido Metal Bellefontaine LLC
1215 Greenwood St
Bellefontaine, OH 43311

Re: 2007 Hazardous Waste Annual Report Requirement
Daido Metal Bellefontaine LLC - OHR000131433

Dear Mr. Ekleberry:

My review of customer data from Ohio Treatment, Storage, and Disposal Facilities (TSDFs) has revealed that one or more shipments of hazardous waste were received from Daido Metal Bellefontaine LLC during the 2007 calendar year. The total amount reported indicates that Daido Metal Bellefontaine LLC was a large quantity generator in 2007. Since I have not received a Hazardous Waste Annual Report for 2007, Daido Metal Bellefontaine LLC may be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC). Please see the enclosed printout detailing the hazardous wastes received from Daido Metal Bellefontaine LLC during 2007.

A large quantity generator is defined as a site which generates in any single month more than 1000 kg (2200 lbs) of non-acute hazardous waste or more than 1 kg (2.2 lb) of acutely hazardous waste. This includes wastes from one-time generation as well as wastes from ongoing production processes. It may take only one month of generating above the threshold quantity to subject a site to the Annual Report requirement. The generator is responsible for contacting Ohio EPA in order to obtain the reporting forms.

OAC Rule 3745-52-41 requires a generator who ships any hazardous waste off-site to prepare and submit to the Ohio EPA an **Annual Hazardous Waste Report** and to describe and certify efforts that were made to minimize hazardous wastes. These reports are due March 1 of each year and contain information about the activities of the previous calendar year. Only small quantity generators (between 220 and 2200 lb/mo of non-acutely hazardous wastes) and conditionally exempt small quantity generators (less than 220 lb/mo of non-acutely hazardous wastes) are exempt from the Annual Report requirement as described in OAC Rule 3745-52-44.

To abate the violation of OAC Rule 3745-52-41, Daido Metal Bellefontaine LLC must complete and submit to Ohio EPA a 2007 Annual Hazardous Waste Report within 30

days of receipt of this letter. Any hazardous waste shipped outside Ohio must also be included in the report. Failure to respond to this Notice of Violation may result in referral to the Compliance Assurance Section for consideration of escalated enforcement. You may access the reporting forms and instructions on our website at http://www.epa.state.oh.us/dhwm/ann_report.html.

Daido Metal Bellefontaine LLC should have on file the manifest records necessary for completion of the reports. OAC Rule 3745-52-40 requires generators to keep a signed copy of each manifest for a period of at least three years from the date the waste was accepted by the initial transporter. Receiving facilities and transporters are under a similar requirement; if you need copies of the original manifest(s), contact them for assistance.

If Daido Metal Bellefontaine LLC was not a large quantity generator in 2007, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that Daido Metal Bellefontaine LLC did not generate more than the threshold quantity of hazardous waste in any month during 2007. If you believe that the information supplied by Ohio TSDFs is in error, please call me to discuss the discrepancy.

A letter that acknowledges receipt of the report will be sent to you after it is processed. I can answer questions concerning the Annual Report at (614) 644-2923. Your prompt attention to this matter is appreciated.

Sincerely,

Paula Canter

Paula Canter
Environmental Specialist 3
Regulatory and Information Services
Division of Hazardous Waste Management
paula.canter@epa.state.oh.us

cc: Central File
Pam Hull, DHWM, SWDO

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.