



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, OH 43216-1049

August 22, 2007

TOM A SZWEDA
ATK SPACE SYSTEMS INC
1400 GRANGE HALL RD
DAYTON, OH 45430

**Re: 2006 Hazardous Waste Annual Report Requirement
ATK SPACE SYSTEMS INC - OHR000132563**

Dear TOM, A SZWEDA:

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 ATK SPACE SYSTEMS INC during the 2006 calendar year. The total amount reported indicates that ATK SPACE SYSTEMS INC was a large quantity generator in 2006. Since I have not received a Hazardous Waste Annual Report for 2006, ATK SPACE SYSTEMS INC may be in violation of Rule 3745-52-41 of the Ohio Administrative Code (OAC).

Please see the enclosed printout detailing the hazardous wastes Chemtron received from OHR000132563 during 2006. Note that Chemtron reported the name of the generator as "Mission Research Corporation" at 3975 Research Blvd in Beavercreek, but with the ID assigned to 1400 Grange Hall Road, OHR000132563. EPA ID numbers are site-specific; the ID for 3975 Research Blvd is OHD986975340. Chemtron's records indicate the waste was picked up at Research Blvd. OHD986975340 was deactivated by the company's request in November of 2005. The Annual Report should be labeled with the EPA ID that corresponds to the location where the waste was generated.

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, ATK SPACE SYSTEMS INC must complete and submit to Ohio EPA a 2006 Annual Hazardous Waste Report within 30 days of receipt of this letter. 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.

ATK SPACE SYSTEMS INC 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 ATK SPACE SYSTEMS INC was not a large quantity generator in 2006, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that ATK SPACE SYSTEMS INC did not generate more than the threshold quantity of hazardous waste in any month during 2006. 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
Environmental Specialist 3
Regulatory and Information Services
Division of Hazardous Waste Management
paula.canter@epa.state.oh.us

cc: Central File
ec: 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.