



State of Ohio Environmental Protection Agency

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STREET ADDRESS:

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Columbus, OH 43216-1049

CERTIFIED MAIL

7007 0220 0000 7613 2333

September 17, 2007

Ms. Janeen McIlvenna
Chempoint.com
411 108th Ave NE Ste. 1050
Bellevue, WA 98004

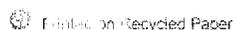
**Re: Notice of Violation - 2006 Hazardous Waste Annual Report Requirement
Chempoint.com – OHR000135004**

Dear Ms. McIlvenna:

Based on the information contained in the e-mails that you forwarded me, and a review of the hazardous waste manifest information, it is clear that the waste generated under Chempoint's name and RCRA EPA ID number was generated during a one-time event. Because the amount exceeds the 2,200 pound threshold during any calendar month, Chempoint.com would be considered a large quantity generator during calendar year 2006 and subject to the annual report requirement under Ohio Administrative Code (OAC) Rule 3745-52-41. Since I have not received a hazardous waste annual report for 2006, Chempoint.com is in violation of this rule.

OAC Rule 3745-52-41 requires a generator who ships any hazardous waste off-site to prepare and submit to the Ohio EPA a **Hazardous Waste Annual Report** and to describe the types and amounts of hazardous wastes generated. 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.

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.



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

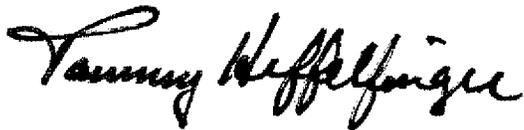
Ohio EPA is an Equal Opportunity Employer

To abate the violation of OAC Rule 3745-52-41, Chempoint.com must complete and submit to Ohio EPA a 2006 Hazardous Waste Annual 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. Chempoint.com 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 Chempoint.com 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 Chempoint.com did not generate more than the threshold quantity of hazardous waste in any month during 2006. You can find the instructions and forms on our Web site at http://www.epa.state.oh.us/dhwm/ann_report.html.

Please read the Annual Report instructions and return the completed forms or other documentation to my attention. A letter acknowledging receipt of the report will be sent to you after it is processed. I can answer questions concerning the Annual Report at (614) 644-2954, or via e-mail at tammy.heffelfinger@epa.state.oh.us. Your prompt attention to this matter is appreciated.

Sincerely,



Tammy Heffelfinger
Environmental Specialist 2
Regulatory and Information Services
Division of Hazardous Waste Management

cc: Central File
DHWM, CDO

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.