



**Environmental
Protection Agency**

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

**Re: Libbey Inc.
OHD005034459
Lucas County
DMWM, NWDO
Return to Compliance**

September 6, 2012

Ms. Gina Rejent
Libbey Inc.
P.O. Box 919
Toledo, Ohio 43697-0919

Dear Ms. Rejent:

Thank you for sending the documentation in response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notices of Violation (NOV) dated April 12, 2011, August 15, 2011, and November 30, 2012. Thank you for also meeting with Ohio EPA on January 10, 2012, at Libbey Inc. (Libbey) to discuss outstanding violations and concerns.

My review of the submitted information reveals that Libbey has abated all violations discovered during the March 23, 2011, compliance evaluation inspection as outlined below. Libbey will remain a large quantity generator of hazardous waste and a generator of used oil, universal waste lamps, universal waste batteries, spent parts washer solvent (continued use), and spent lead-acid batteries (core exchange).

The following is a summary of the violations observed during the March 23, 2011, compliance evaluation inspection and the facility's compliance with respect to each violation. In an attempt to streamline this letter, details concerning previously abated violations or general concerns which have been addressed in previous correspondence have been omitted.

Violations:

1. **OAC Rule 3745-279-22 (C)(1)**-Abated on May 12, 2011.
2. **OAC Rule 3745-273-14 (E)**-Abated on May 12, 2011.
3. **OAC Rule 3745-66-74**-Abated on September 16, 2011.
4. **OAC Rule 3745-52-11**-Abated on September 16, 2011.

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Ohio EPA has received the additional information Libbey has submitted concerning the management of refractory brick. Although it appears that the refractory brick is being reused in a manner that would meet the exemption in OAC rule 3745-51-02(F), Ohio EPA recommends that Libbey continue to gather additional documentation on the end uses of the material. As the generator, Libbey is responsible for providing documentation that demonstrates that the refractory brick is being used for a process that exempts it from being a hazardous waste. Any refractory brick that is not being directly used as an ingredient for a process and is being reclaimed does not meet the exemption in OAC rule 3745-51-02(F) and must be properly managed as hazardous waste. Libbey should be aware that processing which includes acid baths does not meet the exemption and would be considered unpermitted treatment of hazardous waste. Ohio EPA will verify compliance with Ohio's hazardous waste rules and regulations during a future inspection.

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/cg

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Cindy Lohrbach, DMWM, NWDO

ec: Colleen, Weaver, DMWM, NWDO

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.