

**Environmental
Protection Agency**

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

Re: National Electrical Carbon
Products, Inc.
OHD004167219
Seneca County
Hazardous Waste
Return to Compliance

July 27, 2012

Mr. Tom Golias, Maintenance Manager, Fostoria
Morgan AM&T
200 North Town Street
Fostoria, Ohio 44830

Dear Mr. Golias:

Thank you for your April 20, 2012; May 1, 2012; May 16, 2012; May 25, 2012, & June 19, 2012, responses to Ohio EPA's April 11, 2012, Notice of Violation letter (NOV). You submitted the following information:

April 20, 2012 – Update/information on drum sampling and personnel training.

May 1, 2012 – Personnel training information for Steve Kindle and an update on drum sampling analytical.

May 16, 2012 - Personnel training information for Steve Kingery and Nick Bowers.

May 25, 2012 – Drum sampling analytical indicating that 13 of your drums were non-hazardous waste, one drum was unused gasoline which you plan to utilize and one drum was used oil which you will recycle as used oil; information which documented that the drum believed to be a satellite accumulation drum (as well as cited as violation #2 in my April 11, 2012, NOV) drum was not a hazardous waste satellite container, but instead was a drum of copper/lead-containing material which is recycled for metals recovery by Recovered Asset Management, and is thus not a waste nor a hazardous waste; and a policy outlining how you plan to conduct annual hazardous waste training in the future to maintain compliance with OAC Rule 3745-65-16(C).

June 19, 2012 - Clarification/additional information pertaining to drum #7 and #10 (gasoline) indicating that that Drum #7 is a used oil.

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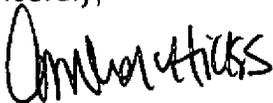
My review of this documentation reveals that National Electrical Carbon Products, Inc. has adequately demonstrated abatement of the violations discovered during the March 21, 2012, inspection as listed below:

Violation	Date Violation Observed	Date Violation Abated
1. OAC Rule 3745-52-11 Waste Evaluation.	March 21, 2012	May 25, 2012
3. OAC Rule 3745-65-16(C) Personnel Training.	March 21, 2012	May 25, 2012

In addition, Ohio EPA is rescinding Violation # 2 Satellite Accumulation Containers – labeling. OAC Rule 3745-52-34 (C)(1)(b), as outlined in the April 11, 2012, NOV. Based on your May 25, 2012, response, upon further investigation, it was discovered that this drum was not a hazardous waste satellite container, but instead was a drum of copper/lead-containing material which is recycled for metals recovery by Recovered Asset Management. The drum contained broken, unused brush blocks & residual graphite/copper/lead dust left in the bags (unused) which meet the definition of a commercial chemical product and thus are not wastes and are exempt from hazardous waste regulation according to OAC rule 3745-51-02 since this material is being reclaimed (and likewise speculative accumulation does not apply).

No response to this letter is necessary. If you should have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

//lr

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

ec: Amber Hicks, DMWM, NWDO
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.