



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

Re: Magretech, Inc.
OHR000175554
Sandusky County
Hazardous Waste
Return to Compliance

February 1, 2013

Mr. Christopher Kiser
Corporate Director of Environment & Safety
Magretech, Inc.
29695 Pettibone Road
Glenwillow, Ohio 44139

Dear Mr. Kiser:

Thank you for your January 16, 2013, January 18, 2013, January 22, 2013, and January 29, 2013, responses to Ohio EPA's January 2, 2013, Notice of Violation (NOV) letter. Magretech, Inc. (Magretech) submitted used oil and universal waste documentation. My review of the documentation submitted reveals that Magretech has adequately demonstrated abatement of all of the violations cited in the January 2, 2013, NOV.

The following is a summary of the violations cited in the January 2, 2013, NOV as a result of Ohio EPA's December 14, 2012, inspection and your compliance with respect to each:

We found the following violations of Ohio's hazardous waste laws:

1. OAC Rule 3745-279-22(C)(1): Labeling:

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "Used Oil."

Magretech had one tote, four 55-gallon drums, and several five gallon containers of used oil located in the dock area that were not properly labeled "Used Oil".

On January 16, 2013, Magretech submitted, via electronic mail, photographic documentation showing the storage tote, four 55-gallon drums, and several five gallon containers of used oil now properly labeled "Used Oil".

With this information, this violation has been abated.

2. OAC Rule 3745-273-13(D)(1): Universal Waste: Fluorescent Lamp Management:

A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps.

Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

Magretech did not store the spent fluorescent lamps in containers that were structurally sound or closed. Specifically, Magretech had two containers of spent fluorescent lamps in the maintenance shop mezzanine that were open. Magretech also had at least two spent fluorescent lamps lying on top of a box in the mezzanine that were not properly stored in a container.

On January 16, 2013, Magretech submitted, via electronic mail, photographic documentation of the spent fluorescent lamps in the maintenance shop mezzanine now stored in containers that are properly closed.

With this information, this violation has been abated.

3. OAC Rule 3745-273-14(E): Universal Waste: Fluorescent Lamp Labeling:

Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps".

Magretech did not have the containers of spent fluorescent lamps located in the maintenance shop mezzanine properly labeled.

On January 16, 2013, Magretech submitted, via electronic mail, photographic documentation of the spent fluorescent lamps in the maintenance shop mezzanine now stored in containers that are properly labeled.

With this information, this violation has been abated.

4. OAC Rule 3745-273-15(A): Accumulation Time for Universal Waste Batteries and Lamps:

A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler.

Magretech was not able to demonstrate the length of time the universal waste lamps were being accumulated on-site.

On January 29, 2013, Magretech submitted, via electronic mail, a copy of the invoice for the spent fluorescent lamps that were shipped off-site for recycling on January 18, 2013. The spent fluorescent lamps were received by Veolia Environmental Services in Port Washington, Wisconsin on January 25, 2013.

With this information, this violation has been abated.

5. OAC Rule 3745-273-15(C): Accumulation Time for Universal Waste Batteries and Lamps:

A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time the universal waste has been accumulated.

Magretech was not able to demonstrate the length of time the universal waste lamps were being accumulated on-site.

On January 16, 2013, Magretech submitted, via electronic mail, a copy of the written procedures that have been put in place to track the length of time universal waste is accumulated on-site.

With this information, this violation has been abated.

6. OAC Rule 3745-273-16: Universal Waste Employee Training:

A small quantity handler of universal waste shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

Magretech has not ensured that all employees are thoroughly familiar with proper waste handling and emergency procedures.

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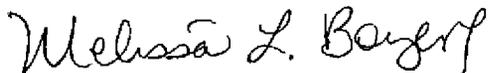
On January 22, 2013, Magretech submitted a copy of the sign-in sheet to document employee attendance at the universal waste training that was conducted on January 11, 2013.

With this information, this violation has been abated.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Materials and Waste Management

//lr

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, DMWM, NWDO
Mr. Mike Lucan, Dir. of Operations, Magretech, Inc., Bellevue

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)
Melissa Boyers, DMWM, NWDO

Notice:

Ohio's 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.