



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

Re: Fab Steel Company, Inc.  
OHR000005652  
Wood County  
Hazardous Waste  
**Return to Compliance**

May 29, 2013

Mr. Jerry O'Brien  
Vice President of Operations  
Fab Steel Company, Inc.  
240 West Andrus Road  
Northwood, Ohio 43619

Dear Mr. O'Brien:

Thank you for your May 9, 2013, response to Ohio EPA's April 23, 2012, Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. Fab Steel was directed to re-evaluate the spent paint booth filters, once spent, to ensure that a proper waste evaluation was conducted. Fab Steel submitted, via Safety-Kleen, analytical results for the spent paint booth filters.

The analytical results, submitted on May 9, 2013, indicate that the spent paint booth filters contain barium, chromium, and lead, however the total metal present is not above the Toxic Characteristic Leaching Procedure (TCLP) regulatory limits. Fab Steel is not required to manage the spent paint booth filters as a hazardous waste. However, you can continue to manage these as a hazardous waste if you so choose.

Based upon the waste evaluation documentation submitted on May 9, 2013, Ohio EPA is **rescinding** the following violation as cited in the April 23, 2012, NOV/PRTC:

**14. ORC § 3734.02 (F): Unlawful transportation of hazardous waste to an unauthorized facility:**

The following is a summary of the violations discovered during my October 13, 2011, inspection and cited in the November 1, 2011, Notice of Violation letter and your compliance with respect to each:

1. **OAC Rule 3745-52-11, Waste Evaluation:**

*This violation was previously abated on December 16, 2011.*

2. **OAC Rule 3745-52-34(D)(4), Accumulation time of hazardous waste:**

*This violation was previously abated on November 17, 2011.*

3. **OAC Rule 3745-52-34(D)(5)(b), Preparedness and Prevention:**

*This violation was previously abated on November 17, 2011.*

4. **OAC Rule 3745-52-34(D)(5)(c), Emergency Procedures/Preparedness and Prevention:**

*This violation was previously abated on March 16, 2012.*

5. **OAC Rule 3745-65-32(C), Required Equipment:**

*This violation was previously abated on November 17, 2011.*

6. **OAC Rule 3745-65-33, Emergency Equipment:**

*This violation was previously abated on February 6, 2012.*

7. **OAC Rule 3745-66-73(A), Container Management:**

*This violation was previously abated on November 17, 2011.*

8. **OAC Rule 3745-66-74, Inspections:**

*This violation was previously abated on November 17, 2011.*

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

*This violation was previously abated on November 17, 2011.*

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

*This violation was previously abated on November 17, 2011.*

Mr. Jerry O'Blenis  
May 29, 2013  
Page 3

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

*This violation was previously abated on November 21, 2011.*

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

*This violation was previously abated on November 21, 2011.*

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

*This violation was previously abated on November 17, 2011.*

No response to this letter is necessary. 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

/cg

pc: Lisa Gifford, DMWM, NWDO  
Colleen Weaver, DMWM, NWDO

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