



Certified Mail 91 7108 2133 3932 0812 1121

September 16, 2013

R Meyer
AMERICAN MUNICIPAL POWER OHIO
1111 Schrock Rd, Suite 100
Columbus, OH 43229

**Re: 2010 Hazardous Waste Biennial Report Requirement – Notice of Violation
AMERICAN MUNICIPAL POWER OHIO, MARIETTA - OHD986979185**

Dear R Meyer:

During a recent review of customer data from Ohio Treatment, Storage, and Disposal Facilities (TSDFs) it was noticed that one or more shipments of hazardous waste were received from AMERICAN MUNICIPAL POWER OHIO during the 2010 calendar year. The amounts reported, 53.28 tons, indicate that this site was a large quantity generator in 2010. Enclosed are printouts of the shipment information. Because I have not received a Hazardous Waste Biennial Report for 2010, AMERICAN MUNICIPAL POWER OHIO may be in violation of current federal and state laws concerning the generation, transportation and treatment of hazardous waste.

A large quantity generator is defined as a site which generates in any single month 1000 kg (2200 lbs.) or more of non-acute hazardous waste or 1 kg (2.2 lbs.) or more of acutely hazardous waste. This includes wastes from one-time generation as well as wastes from ongoing production processes. Generating hazardous waste at or above this amount for one or more months means that a facility is required to file a Hazardous Waste Report for the generating year in question. 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 Biennial Report and to describe and certify efforts that were made to minimize hazardous wastes. These reports are due March 1 of each even numbered year and must 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) do not have to file the Biennial Report requirement as described in OAC Rule 3745-52-44.

AMERICAN MUNICIPAL POWER OHIO should have on file the manifest records necessary to complete this report. 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.

To return to compliance, AMERICAN MUNICIPAL POWER OHIO must complete and submit to Ohio EPA a 2010 Hazardous Waste Biennial 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. The 2010 forms and instructions can be found in Adobe Acrobat PDF format at

<http://www.epa.ohio.gov/dmwm/Home/HWAnnualReportProgram.aspx>. This same web site contains detailed information about filing electronically using the eDRUMS service in Ohio EPA's eBusiness Center (eBiz) at <https://ebiz.epa.ohio.gov/login.jsp>. The Responsible Official who will sign the report must have an eBiz account and PIN before they can apply for the service. Obtaining a PIN requires mailing to Ohio EPA a notarized signature and receiving the PIN by return US mail. I encourage you to file electronically because it is efficient, easy to use, and prevents many common errors due to built-in error checking features.

If AMERICAN MUNICIPAL POWER OHIO was not a large quantity generator in 2010, documentation must be submitted to this office within 30 days of receipt of this letter. This documentation must show that AMERICAN MUNICIPAL POWER OHIO did not generate more than the allowed quantity of hazardous waste in any month during 2010. If you believe that the information supplied by Ohio TSDFs is in error, please call me to discuss the discrepancy.

A letter that acknowledges receipt of the report will be sent to you after it is processed. I can answer questions concerning the Biennial Report at (614) 914-2527 or Thomas.Babb@epa.state.oh.us. Your prompt attention to this matter is appreciated.

Sincerely,

Thomas Babb

Hazardous Waste Report Coordinator
Regulatory Research and Program Development Section
Division of Materials and Waste Management
thomas.babb@epa.state.oh.us
614-914-2527

Enclosures: Shipping Receipt

cc: Central File

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.

Generator Facility

Generator US EPA ID: OHD986979185
Generator Name: UNKNOWN
Address: UNKNOWN

Total Tons Shipped: 53.28

Receiving Facility

US EPA ID: OHD980568992
Name: Envirote of Ohio Inc
Customer Name: AMERICAN MUNICIPAL POWER OF OHIO, INC.
Customer Address: 16600 STATE ROUTE 7
MARIETTA , OH 45750-

Waste Description:	BASE LIQUID					Page: 384	Subpage: 1373
System Type:	H135	Form:	W110	Quantity:	106560.00 P	Density:	8.35 Lbs./Gal.

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