

CERTIFIED MAIL

August 27, 2013

JOHN A YOAKAM
APPLIED ENGINEERED SURFACES INC
535 TERNES LN
ELYRIA, OH 44035

**Re: 2011 Hazardous Waste Biennial Report Requirement – Notice of Violation
APPLIED ENGINEERED SURFACES INC, ELYRIA - OHR000100651**

Dear JOHN A YOAKAM:

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 APPLIED ENGINEERED SURFACES INC during the 2011 calendar year. The amounts reported, 18.23 tons, indicate that this site was a large quantity generator in 2011. Enclosed are printouts of the shipment information. Because I have not received a Hazardous Waste Biennial Report for 2011, APPLIED ENGINEERED SURFACES INC 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.

APPLIED ENGINEERED SURFACES INC 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.

Generator Facility

Generator US EPA ID: OHR000100851

Generator Name: Applied Engineered Surfaces Inc

Address: 535 Ternes Ave
Elyria, OH 44035-

Total Tons Shipped: 18.23

Receiving Facility

US EPA ID: OHD980568992

Name: Envirote of Ohio Inc

Customer Name: APPLIED ENGINEERED SURFACES

Customer Address: 535 TERNES AVENUE
ELYRIA , OH 44035-

Waste Description: ACID HIGH MINERAL

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System Type: H111 Form: W103 Quantity: 36462.98 P Density: 8.35 Lbs. / Gal.

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