



**EPA**

*40 years and moving forward*

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

**CERTIFIED MAIL 91 7108 2133 3932 0812 1336**

August 27, 2013

KIM DIXON  
FORMER BRUSH POTTERY SITE  
107 N MAIN ST  
ROSEVILLE, OH 43777

**Re: 2011 Hazardous Waste Biennial Report Requirement – Notice of Violation  
FORMER BRUSH POTTERY SITE, ROSEVILLE - OHR000163113**

Dear KIM DIXON:

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 FORMER BRUSH POTTERY SITE during the 2011 calendar year. The amounts reported, 16.41 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, FORMER BRUSH POTTERY SITE 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.

FORMER BRUSH POTTERY SITE 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.

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**Generator Facility**

Generator US EPA ID: OHR000163113

Generator Name: Former Brush Pottery Site

Address: 87 Perry St

Roseville, OH 43777-

Total Tons Shipped: 16.41

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**Receiving Facility**

US EPA ID: OHD980568992

Name: Envirite of Ohio Inc

Customer Name: VILLAGE OF ROSEVILLE

Customer Address: 87 PERRY ST

ROSEVILLE , OH 43777-

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Waste Description: CHARACTERISTIC 10X METAL CONTAMINATED SOIL

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System Type: H111 Form: W301 Quantity: 32820.00 P Density: 8.35 Lbs. / Gal.

D002 D007

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