



EPA

40 years and moving forward

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CERTIFIED MAIL 91 7108 2133 3932 0812 1497

August 27, 2013

MAHENDRA PATEL
PHILWAY PRODUCTS INC
4560 W BATH RD
AKRON, OH 44333

**Re: 2011 Hazardous Waste Biennial Report Requirement – Notice of Violation
PHILWAY PRODUCTS INC, AKRON - OHD066039637**

Dear MAHENDRA PATEL:

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 PHILWAY PRODUCTS INC during the 2011 calendar year. The amounts reported, 276.56 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, PHILWAY PRODUCTS 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.

PHILWAY PRODUCTS 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: OHD068039637
Generator Name: Philway Products Inc
Address: 701 Virginia Ave
Ashland, OH 44805-
Total Tons Shipped: 276.56

Receiving Facility

US EPA ID: OHD980568992
Name: Envirite of Ohio Inc
Customer Name: PHILWAY PRODUCTS INC
Customer Address: 701 VIRGINIA AVE
ASHLAND , OH 44805-

Waste Description: LISTED METAL CONTAMINATED Page: 523 Subpage: 172
System Type: H111 Form: W312 Quantity: 531020.00 P Density: 8.35 Lbs. / Gal.
D008

Waste Description: LISTED METAL CONTAMINATED Page: 523 Subpage: 171
System Type: H077 Form: W101 Quantity: 22100.00 P Density: 8.35 Lbs. / Gal.
D008
