



State of Ohio Environmental Protection Agency

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JB

STREET ADDRESS:

Central District Office

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

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www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

September 9, 2009

Mr. Douglas G. Anderson
Abrasive Technology, Inc.
8400 Green Meadows Drive
P.O. Box 545
Lewis Center, OH 43035

**Re: Abrasive Technology, Inc.
Large Quantity Generator
U.S. EPA ID#: OHD981784648
Delaware County, CDO
Return to Compliance (RTC)**

Dear Mr. Anderson:

Thank you for your August 21, 2009 response to Ohio EPA's July 23, 2009 Notice of Violation (NOV) letter and August 17, 2009 Correction letter (corrected Violation #3). Abrasive Technology also submitted follow-up information on September 1, 2009. The documentation you submitted included photographic documentation demonstrating the accumulation containers located in the waste treatment room have been labeled, land disposal restrictions (LDR) notifications, inspection checklists, an updated contingency plan containing the required information, personnel training records and documentation, and pictures of universal waste lamp containers.

My review of this documentation reveals that Abrasive Technology has now abated all violations discovered during the July 16, 2009 inspection as listed below.

Letter Citation #	Rule Citation
1.	OAC Rule 3745-52-34(A)(2), Accumulation time of hazardous waste (Accumulation Start Date) ¹
2.	OAC Rule 3745-52-34(A)(3), Accumulation time of hazardous waste ("Hazardous Waste" labels) ¹

¹ Per a telephone discussion on August 11, 2009, please note that only three of the five drums cited in the July 23, 2009 NOV letter were hazardous waste.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director



Letter Citation #	Rule Citation
3a.	OAC Rule 3745-270-07(A)(2), Testing, tracking, and recordkeeping requirements for generators, treaters, and disposal facilities
3b.	OAC Rule 3745-270-09(D), Special rules regarding wastes that exhibit a characteristic
4.	OAC Rule 3745-66-74, Inspections
5.	OAC Rule 3745-65-33, Testing and maintenance of equipment
6.	OAC Rule 3745-65-54(C), Amendment of contingency plan
7.	OAC Rule 3745-65-16(A) through (C), Personnel training
8.	OAC Rule 3745-65-16(D) and (E), Personnel training documents and records
9.	OAC Rule 3745-273-13(D)(1), Waste management standards for small quantity handlers of universal waste (abated July 16, 2009)
10.	OAC Rule 3745-273-174(E), Labeling/marking standards for small quantity handlers of universal waste (abated July 16, 2009)

If you should have any questions, please feel free to contact me at (614) 728-3887.

Sincerely,



Melissa M. Storch
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

c: Shawna Mosher, Abrasive Technology, Inc.
Kristina Dumell, DHWM/CO
CDO File

MMS/nsm AT.Full RTC Ltr.August09

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.



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August 17, 2009

Mr. Douglas G. Anderson
Abrasive Technology, Inc.
8400 Green Meadows Drive
P.O. Box 545
Lewis Center, OH 43035

**Re: Abrasive Technology, Inc.
Large Quantity Generator
U.S. EPA ID#: OHD981784648
Delaware County, CDO
Correction to July 23, 2009 NOV Letter**

Dear Mr. Anderson:

On July 23, 2009, Ohio EPA issued a Notice of Violation (NOV) letter for violations found during the July 16, 2009 inspection of Abrasive Technology's facility in Lewis Center, Ohio. Per a telephone discussion on August 11, 2009, you clarified that the spent sulfuric and hydrochloric acid generated at the facility is stored in 55-gallon drums, neutralized on-site in the wastewater treatment system, collected in tanks along with the chelated liquid nickel waste, and then sent off site to Agmet Metals as a nonhazardous waste for treatment, storage, and/or disposal. I incorrectly noted in the July 23, 2009 NOV letter that the spent acid was discharged to the local POTW after on-site treatment in the wastewater treatment system.

As such, Violation #3 in the July 23, 2009 NOV letter is rescinded, since OAC Rule 3745-270-07(A)(7) is not applicable to your scenario. However, per our discussion and subsequent e-mail correspondence, Violation #3 is re-written as follows and Abrasive Technology must comply with the following hazardous waste rules.

3a. OAC Rule 3745-270-07(A)(2), Testing, tracking, and recordkeeping requirements for generators, treaters, and disposal facilities: If the waste or contaminated soil does not meet the treatment standard, with the initial shipment of waste to each treatment or storage facility, the generator must send a one-time notice to each treatment or storage facility receiving the waste, and place a copy in the generator's files. The notice must include the information in Column A of Table 1 of this rule.

Abrasive Technology sends its neutralized spent acid off site to Agmet Metals for further treatment. Although no longer a hazardous waste when sent off site, the waste still contains underlying hazardous constituents for which the treatment standards in OAC Rule 3745-270-48 have not been met (i.e., nickel). Abrasive Technology has not complied with the notification requirements in OAC Rule 3745-270-07(A)(2).

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director



- Abrasive Technology must prepare a one-time notice for the spent sulfuric and hydrochloric acid that contains the information required in OAC Rule 3745-270-07(A)(2) and send a copy to Agmet Metals and place a copy in its files. Abrasive Technology must also submit a copy to me **within 30 days** of your receipt of this letter.

3b. OAC Rule 3745-270-09(D), Special rules regarding wastes that exhibit a characteristic: Once a waste is no longer hazardous, a one-time notification and certification must be placed in the generator's or treater's files and sent to the director. The notification must include the name and address of the licensed solid waste facility receiving the waste; a description of the waste as initially generated, including applicable EPA hazardous waste codes, treatability groups, and underlying hazardous constituents (UHCs), unless the waste will be treated and monitored for all UHCs; and a certification statement.

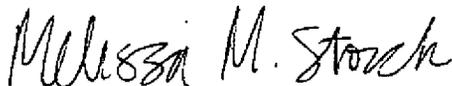
If the treatment removes the characteristic but does not meet standards applicable to UHCs, then the certification in OAC Rule 3745-270-07(B)(4)(d) applies.

Abrasive Technology neutralizes its spent sulfuric and hydrochloric acid (D002) on site to remove its characteristic and then sends it off site to Agmet Metals for further treatment. The waste is no longer a hazardous waste when sent off site, but it still contains underlying hazardous constituents for which the treatment standards in OAC Rule 3745-270-48 have not been met (i.e., nickel). Abrasive Technology has not complied with the notification requirements in OAC Rule 3745-270-09(D).

- Abrasive Technology must prepare a one-time notification and certification for the spent sulfuric and hydrochloric acid that contains the information required in OAC Rule 3745-270-09(D). Abrasive Technology must place this notice in its files and also submit a copy to the director (c/o Melissa Storch) **within 30 days** of your receipt of this letter.

Should you have any questions, please feel free to call me at (614) 728-3887. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Melissa M. Storch
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

c: Shawna Mosher, Abrasive Technology, Inc.
Kristina Durnell, DHWM/CO
CDO File

MMS/nsm Abrasive.Retracton.Aug09

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