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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

MR STEVE BLEY  
 FACILITY COMPLIANCE MANAGER  
 SPRING GROVE RESOURCE RECOVERY  
 4879 SPRING GROVE AVENUE  
 CINCINNATI, OHIO 45232

2. Article Number

(Transfer from service label)

7003 0500 0002 4411 2089

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

S. Montgomery

C. Date of Delivery

D. Is delivery address different from item 1?

 Yes

If YES, enter delivery address below:

 No

3. Service Type

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4. Restricted Delivery? (Extra Fee)

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OHIO EPA

FEB 09 2011

Southwest District

OHIO ENVIRONMENTAL PROTECTION AGENCY  
SOUTHWEST DISTRICT OFFICE  
ATTN: Cathy Altman- DHWM  
401 EAST FIFTH STREET  
DAYTON OH 45402-2911



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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

Total Paid: **MR STEVE BLEY**

Sent To: **FACILITY COMPLIANCE MANAGER**  
**SPRING GROVE RESOURCE RECOVERY**

Street, Apt or PO Box: **4879 SPRING GROVE AVENUE**

City, State: **CINCINNATI, OHIO 45232**

## Certified Mail<sup>®</sup> Provides:

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### **Important Reminders:**

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- Certified Mail is *not* available for any class of international mail.
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- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS<sup>®</sup> postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.**

Environmental  
Protection Agency

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

February 4, 2011

Certified Mail

RE: **SPRING GROVE  
RESOURCE RECOVERY –  
OHD000816629**

Mr. Steve Bley  
Facility Compliance Manager  
Spring Grove Resource Recovery, Inc.  
4879 Spring Grove Avenue  
Cincinnati, Ohio 45232

Dear Mr. Bley:

On December 12, 2010, in compliance with Ohio Administrative Code 3745-50-58(L)(6) and Permit Condition A.20, Spring Grove Resource Recovery (SGRR) notified Ohio EPA via telephone of a non-compliance issue. On December 15, 2010, SGRR submitted a Non-Compliance Report. SGRR reported that on August 23, 2010, SGRR received a waste shipment containing two (2) 55-gallon drums from Northrop Grumman (Northrop). The waste, profiled and manifested as non-hazardous waste, was solidified with other non-hazardous waste and on September 3, 2010, shipped to Rumpke Sanitary Landfill for disposal. According to the Non-Compliance Report, SGRR determined on December 13, 2010, that the two (2) drums of waste received on August 23, 2010, were indeed hazardous for vinyl chloride. SGRR submitted additional waste profile information to Ohio EPA through e-mail on January 5, 2011.

On January 7, and 18, 2011, Ohio EPA received information from Northrop regarding the waste shipment. The information provided by Northrop includes an e-mail dated August 9, 2010, in which the analytical report for the two (2) waste drums was sent to Trina Castro, Customer Service Representative (CSR) for Clean Harbors Environmental Services. Even though the analytical data showed the waste to be hazardous for vinyl chloride, Clean Harbors used a non-hazardous waste profile and issued a non-hazardous waste manifest to transport the hazardous waste to SGRR.

Based on this information, SGRR has violated the following state Hazardous Waste regulations and conditions of its Ohio Hazardous Waste Installation and Operation permit. All violations of SGRR's permit are violations of ORC 3734.11(B).

1. **Ohio Revised Code (ORC) 3734.02 (F):** No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off premises where the waste is

stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter. . .

2. **Duty to Comply, Condition A.5 and Ohio Administrative Code (OAC) 3745-50-58(A)**: The Permittee shall comply with all applicable provisions of ORC Chapter 3734, all applicable Ohio hazardous waste rules, and all terms and conditions of this permit, except to the extent and for the duration such noncompliance is authorized by the laws of the State of Ohio. Any permit noncompliance, other than noncompliance authorized by the laws of the State of Ohio, constitutes a violation of ORC Chapter 3734 and the rules adopted thereunder and is grounds for enforcement action, suspension, revocation, modification, revision, denial of a permit renewal application or other appropriate action.
3. **Design, Maintenance and Operation of Facility, Condition B.1 and Ohio Administrative Code (OAC) 3745-54-31**: The Permittee shall design, construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, and ground or surface waters which could threaten human health or the environment.
4. **General Waste Analysis Plan, Condition B.3 and OAC 3745-54-13**: The Permittee shall follow the procedures described in the approved waste analysis plan found in Section C of the approved Part B permit application and the terms and conditions of this permit.
5. **Personnel Training, Condition B.6 and OAC 3745-54-16**: The Permittee shall conduct training, as required by OAC Rule 3745-54-16. This training program shall contain at least the elements set forth in the Section H of the approved Part B permit application. The Permittee shall maintain training documents and records as required by OAC Rule 3745-54-16(D) and (E).
6. **Manifest System, Condition B.24 and OAC 3745-54-76, Unmanifested Waste Report**: This report must be submitted to the Director within fifteen (15) days of receipt of unmanifested waste and include the information required under OAC Rule 3745-54-76
7. **General Requirements for Land Disposal Restrictions, Condition B.40 and OAC 3745-270**: The Permittee shall comply with all applicable regulations

Mr. Steve Bley  
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regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270.

SGRR sent a shipment of hazardous waste for disposal to a facility that does not maintain a hazardous waste facility operation permit. SGRR did not comply with its waste analysis plan by failing to recertify the waste profile annually and by not having access to or knowledge of the analytical data. SGRR did not comply with its personnel training program by not properly training sales representatives. SGRR did not submit an unmanifested waste report. SGRR did not comply with land disposal restriction requirements prior to disposing of the hazardous waste. **Therefore, SGRR is in violation of ORC 3734.02(F), Condition A.5 (OAC 3745-50-58(A)), Condition B.1 (OAC 3745-54-31), Condition B.3 (OAC 3745-54-13), Condition B.6 (OAC 3745-54-16), Condition B.24 (OAC 3745-54-76), and Condition B.40 (OAC 3745-270).**

Ohio EPA has issued similar violation letters to SGRR on October 18, 2005, December 13, 2005, and May 27, 2008. Due to the nature and recurrence of the above violations, SGRR will be referred to the Division of Hazardous Waste Management's Central Office for consideration of escalated enforcement. Should you have any questions, please call me at (937) 285-6093.

Sincerely,



Cathy L. Altman  
Division of Hazardous Waste Management.

cc: DHWM Data Entry/Facility File

CLA/rb



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