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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, on the front if space permits.

1. Article Addressed to:

Steve Bley  
 Clean Harbors  
 4879 Spring Grove Ave  
 Cincinnati, OH  
 45232

2. Article Number

*(Transfer from service label)*

7007 0220 0001 2491 8360

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *Paul From* Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

*3/28*D. Is delivery address different from item 1?  Yes No

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State of Ohio Environmental Protection Agency

**Southwest District Office**

401 E. Fifth St.  
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249  
www.epa.state.oh.us

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

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- CA  
- File

March 26, 2008

**Certified Mail**

Mr. Steve Bley  
Facility Compliance Manager  
Clean Harbors Environmental Services, Inc.  
4879 Spring Grove Avenue  
Cincinnati, Ohio 45232

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

Dear Mr. Bley:

On March 13, 2008, Ohio EPA, Southwest District Office became aware of a noncompliance event at Spring Grove Resource Recovery (SGRR), located at 4879 Spring Grove Avenue, Cincinnati, Ohio. The noncompliance event occurred in the summer of 2006, when SGRR received a shipment of hazardous waste that was incorrectly changed to non-hazardous waste. SGRR then shipped the waste as a non-hazardous waste to an unpermitted treatment facility (Clean Harbors Environmental Services, Cleveland, Ohio) that ultimately disposed of the waste at a sanitary landfill. As a result of this noncompliance event, Ohio EPA has determined that 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. Immediate Reporting of Noncompliance, Condition A.20 and OAC 3745-50-58(L)(6):**

- (a) The permittee must report orally to Ohio EPA any noncompliance which may endanger health or the environment within twenty-four hours from the time the permittee becomes aware of the circumstances, including:
  - (i) Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies; and
  - (ii) Any information of a release or discharge of hazardous waste or of a fire or explosion from the hazardous waste facility which could threaten the environment or human health outside the facility.
- (b) The description of the occurrence and its cause must include:
  - (i) Name, address, and telephone number of the owner or operator;
  - (ii) Name, address, and telephone number of the facility;
  - (iii) Date, time, and type of incident;

- (iv) Name and quantity of material(s) involved;
  - (v) The extent of injuries, if any;
  - (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
  - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.
- (c) A written submittal must also be provided within five days of the time the permittee becomes aware of the circumstances. The written submittal must contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The director may waive the five-day written notice requirement in favor of a written report within fifteen days.

Clean Harbors Environmental Services in Cleveland notified of their noncompliance event to Ohio EPA's Northeast District Office. However, this notification did not provide the necessary information as it pertained to SGRR. SGRR did not submit a facility specific notification of noncompliance. **Therefore, SGRR is in violation of Condition A.20 and OAC 3745-50-58(L)(6).**

To return to compliance, SGRR must submit a detailed submittal as required by OAC 3745050-58(L)(6)(c). The submittal should include the following information:

1. The date the waste was received and analyzed at SGRR – provide copies of the original profile and tracking ticket information;
2. The dates the Clean Harbor's Customer Service Representative (CSR) and the generator were informed of the off-specification;
3. The action taken by the CSR upon notification of the off-specification;
4. The date the waste profile was changed and when SGRR was notified of the change - provide copy of the new waste profile;
5. The actions taken by SGRR upon receipt of the new profile – (e.g. who receives the new profile, does anyone review it, who adds the discrepancy to the manifest, who labels the containers – is this done by one person or several SGRR employees);
6. How did SGRR manage the containers on-site – provide copy of new tracking ticket information;
7. How did SGRR ship the containers – provide copy of the manifest used to ship waste to Cleveland;
8. The date SGRR was notified of the mistake, who notified and how;
9. Actions taken by SGRR to correct the mistake, including the date SGRR notified Cleveland;
10. Actions taken by SGRR to determine how and why the mistake occurred, and at what points along the way should/could the mistake been caught; and
11. What actions have been taken by SGRR and Clean Harbors to ensure this mistake does not happen again.

Mr. Steve Bley  
March 26, 2008

Along with this information, please provide copies of SGRR's policies and procedures for handling off-specification wastes. Please also include copies of the policies and procedures for profiling waste as they pertain to CSR.

2. **Manifest System, Condition B.24 and OAC 3745-54-72(B):** If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy with the waste generator or transporter (e.g., with telephone conversations). If not resolved within fifteen (15) days after receiving the waste, the Permittee must submit a report, including a copy of the manifest, to the Director in accordance with OAC Rule 3745-54-72.

SGRR did not reconcile the discrepancy with the generator or transporter within 15 days after receiving the waste and did not submit a manifest discrepancy report for the waste discrepancy. **Therefore, SGRR is in violation of Condition B.24 and OAC 3745-54-72(B).**

To return to compliance, please submit a manifest discrepancy report to the Director.

3. **Manifest System, Condition B.24 and OAC 3745-52-20(A):**  
Condition B.24(a) states, "In the management of waste at the facility the Permittee shall comply with the provisions of OAC Chapter 3745-52. . ."  
OAC 3745-52-20(A) states, "A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a uniform hazardous waste manifest, U.S. EPA form 8700-22, and if necessary, U.S. EPA form 8700-22A (the continuation sheet) before transporting the hazardous wastes off-site. Completion of items one through twenty and items twenty-one through thirty-five, respectively, on these forms must be accomplished by the generator, transporter, or owner/operator.

While SGRR used a hazardous waste manifest to ship the waste to the Cleveland facility, the waste was not properly identified as a hazardous waste. **Therefore, SGRR is in violation of OAC 3745-52-20(A).**

SGRR created a new manifest with the proper description and waste codes for the waste on October 25, 2006. **SGRR is no longer in violation of OAC 3745-52-20(A).**

Please submit the above requested information to Ohio EPA within fourteen (14) days of receipt of this letter. If you have any questions, please call me at (937) 285-6093.

Sincerely,



Cathy L. Altman  
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/DHWM File



10-1-1974