

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

JOE LAMANTIA  
VICE PRESIDENT  
MULTI SERVICE  
1962 RADIO RD  
DAYTON OH 45431

2. Article Number  
(Transfer from service label)

7006 2760 0003 0780 9179

## COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  
 *[Signature]*  Addressee

B. Received by (Printed Name) C. Date of Delivery

*[Signature]*  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

UNITED STATES POSTAL SERVICE



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USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF OHIO EPA  
SOUTHWEST DISTRICT OFFICE  
ATTN: CATHY ALTMAN - DHWM  
401 EAST FIFTH ST  
DAYTON OH 45402



U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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**OFFICIAL USE**

7006 2760 0003 0780 9179

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

FROM:  
CATHY  
ALTMAN -  
Postmark DAYTON  
Here

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

JOE LAMANTIA  
VICE PRESIDENT  
MULTI SERVICE  
1962 RADIO RD  
DAYTON OH 45431

Instructions

### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### **Important Reminders:**

- Certified Mail may **ONLY** be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- 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® 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.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047



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.ohio.gov](http://www.epa.ohio.gov)

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

Eval. 013  
Enf. 011

January 25, 2010

**Certified Mail**

Joe LaMantia  
Vice President  
Multi-Service  
1962 Radio Road  
Dayton, Ohio 45431

RE: Continued Compliance Evaluation Inspection - OHR000014605

Dear Mr. LaMantia:

On January 21, 2010, Jeff Smith and I conducted an inspection of Multi-Service's Dayton, Ohio facility. The inspection was a follow up to the January 12, 2010, inspection. Robert Jones from Crown Solutions represented Multi-Service during the inspection. The focus of the inspection was on the hazardous waste storage area. During the January 12, 2010, inspection Multi-Service had seven (7) hazardous waste totes and eight (8) hazardous waste drums exceeding the 90-day storage limit, one (1) leaking 55-gallon hazardous waste drum, and one (1) unlabeled 55-gallon hazardous waste drum. Multi-Service's last hazardous waste shipment was on December 14, 2009.

Based on this inspection, Ohio EPA has determined that Multi-Service has adequately abated the following violation observed during the January 12, 2010, inspection:

1. **Accumulation time of hazardous waste, Ohio Administrative Code (OAC) 3745-52-34(A)(2) and (A)(3).**

However, Multi-Service is in violation of the following hazardous waste regulations:

2. **Condition of containers, OAC 3745-66-71:** If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from such container to a container that is in good condition or manage the waste in another manner that complies with the requirements of Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative code.

①

The 55-gallon hazardous waste drum observed leaking during the January 12, 2010, inspection was still observed leaking during the January 21, 2010, inspection. **Therefore Multi-Service continues to be in violation of OAC 3745-66-71.** To return to compliance, immediately transfer the hazardous waste from the leaking 55-gallon drum into a container in good condition.

- ② 3. **General inspection requirements, OAC 3745-65-15(C):** The owner or operator must remedy any deterioration or malfunction of equipment or structures which the inspection reveals. Such remedies must be on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.

Multi-Service failed to comply with OAC 3745-65-15(C) by not properly correcting the leaking 55-gallon drum discovered during the January 12, 2010, inspection. **Therefore, Multi-Service is in violation of OAC 3745-65-15(C).** To return to compliance, immediately correct the leaking 55-gallon drum.

4. **Treatment, storage, and disposal facility Ohio Revised Code (ORC) 3734.02(E)(2) and (F) state in part:**

③ (E)(2) No person shall establish or operate a hazardous waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit issued in accordance with section 3734.05 of the Revised Code.

(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 the premises where the waste is stored, treated, or disposed of. . .except at or to any permitted hazardous waste facility.

Multi-Service was cited in the January 14, 2010, notice of violation letter for failing to comply with ORC 3734.02(E)(2) and (F) by storing seven (7) totes and eight (8) 55-gallon drums beyond the 90-day storage limit. Because Multi-Service has not had a hazardous waste shipment since December 14, 2009, five (5) additional hazardous waste totes and one (1) additional hazardous waste 55-gallon drum are being stored beyond the 90-day storage limit. Currently Multi-Service is illegally storing a total of twelve (12) totes and nine (9) drums. **Therefore, Multi-Service continues to be in violation of ORC 3734.02(E)(2) and (F).**

This is the fifth notice of violation letter sent to Multi-Service for failing to have hazardous waste totes and drums (48 total) shipped off-site before the 90-day storage limit. Because Multi-Service has violated ORC 3734.02(E) and (F), Multi-Service is subject to all applicable general facility standards found in OAC Chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Multi-Service begin facility-wide cleanup pursuant to the Corrective Actions process under Ohio law.

Mr. Joe LaMantia  
January 25, 2010

Multi-Service also continues to be in violation of ORC Chapter 6111 and OAC rule 3745-42-02 for failing to comply with Multi-Service's July 26, 2005, PTI Special Condition for compliance with the applicable tank standards of OAC rules 3745-66-90 through 3745-66-101.

As noted in the July 22, 2009, notice of violation letter Multi-Service has been referred to the Division of Hazardous Waste Management's Central Office for escalated enforcement. If you have any questions, please either call me at (937) 285-6093 or email at [cathy.altman@epa.state.oh.us](mailto:cathy.altman@epa.state.oh.us)

Sincerely,



Cathy L. Altman  
Division of Hazardous Waste Management

cc: DHWM Data Entry/Facility File  
Todd Anderson, Legal, CO  
Kelly Smith, DHWM, CO

**NOTICE:**

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

