



State of Ohio Environmental Protection Agency

**STREET ADDRESS:**

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

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

**MAILING ADDRESS:**

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

June 30, 2008

**RE: Chemical Solvents, Inc.  
OHD 980 897 656 (Dennison Ave.)  
Financial Assurance  
Notice of Violation**

Mr. Tony Passalacqua  
Environmental Health and Safety Manager  
Chemical Solvents, Inc.  
3751 Jennings Road  
Cleveland, Ohio 44109

Dear Mr. Passalacqua:

On June 25, 2008, I completed a review of the financial assurance documentation file for the Chemical Solvents, Inc. (CSI) facility referenced above. I evaluated your facility for compliance with financial assurance requirements set forth in the Ohio Administrative Code (OAC) rules 3745-55-42, 3745-55-43 and 3745-55-47. In addition, I evaluated the facility for compliance with its Ohio Hazardous Waste Part B Permit Conditions B.36. through B.38.

To demonstrate compliance with the financial assurance rules, CSI uses an Irrevocable Standby Letter of Credit (LOC) and a Standby Trust Agreement. To demonstrate compliance with Liability requirements, CSI uses a Certificate of Liability Insurance (CLI).

The most recent financial assurance documentation received by the Ohio EPA includes: 1) A CLI for policy #EG 7551578 issued by American Specialty Lines Company, Inc. for \$1,000,000 for each occurrence and \$2,000,000 for annual aggregate occurrences. The effective dates of the policy are May 31, 2005 - May 31, 2006. 2) A National City Bank LOC (SCL006092) for \$412,000.00. 3) A closure cost estimate of \$382,568.35 dated July 9, 2004.

**Upon review of the financial assurance documentation, the following violations were found.**

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

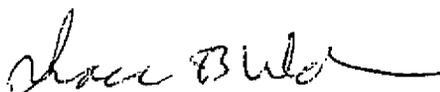
- **OAC 3745-55-42(B):** During the active life of the facility, the owner or operator must adjust the closure cost estimate for inflation within sixty days prior to the anniversary date of the establishment of the financial instrument. (April 17, 2000) used to comply with rule 3745-55-43 of the Administrative Code. Based on inflation data the current closure cost should be \$430,245.46.
- **OAC 3745-55-43:** Whenever the current closure cost estimate increases to an amount greater than the amount of the credit, the owner or operator must, within sixty days of the increase, cause the amount of the credit to be increased to an amount at least equal to the current closure cost estimate and submit evidence of such increase to the director, or obtain other financial assurance as specified in this rule to cover the increase. Your current LOC is not sufficient to cover the closure cost of your facility.

**Additional area of concern:** OAC 3745-55-47 requires that a facility maintain liability coverage. The effective dates of the policy are May 31, 2005 - May 31, 2006.

Please submit documentation to address the above violations as soon as possible.

If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to call me at (614) 644-3067. I will be happy to assist you in any way possible.

Sincerely,



Isaac B. Wilder  
Compliance Assurance Section  
Division of Hazardous Waste Management

cc: Nyall McKenna, DHWM, NEDO  
Jeremy Carroll, ERAS, DHWM  
Kristina Durnell, RIS, DHWM

**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.