

C.O.



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

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

TELE: (614) 844-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

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

March 25, 2009

Re: **Environmental Recycling, Inc.**  
**OHR000 034 025 - Bowling Green**  
**Financial Assurance**  
**Notice of Violation**

Mr. Paul Cottrell, President  
Environmental Recycling, Inc.  
527 East Woodland Circle  
Bowling Green, Ohio 43402

Dear Mr. Cottrell:

On March 25, 2009, I completed a review of the financial assurance documentation file for Environmental Recycling, Inc.'s (ERI) facility referenced above. I evaluated your facility for compliance with financial assurance and liability requirements set forth in the Ohio Administrative Code (OAC) rules 3745-55-42, 3745-55-43 and 3745-55-47.

On December 7, 2004, ERI became a permitted TSD by rule. As a permitted facility, ERI is required to maintain financial assurance for closure and liability coverage.

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

**OAC 3745-55-42:** Failing to provide an updated closure cost estimate. Your closure cost estimate has not been updated since September 18, 2007. The most recent closure cost estimate is \$16,469.00. A recent review of your closure cost estimate by U.S. EPA headquarters questioned the low amount. The original submittal needs to be updated with greater attention to the detail and justification. Please review and adjust for any changes as well as for inflation and submit documentation.

**OAC 3745-55-43:** Failing to provide financial assurance for closure. Ohio EPA last received an account balance for the trust fund that you use for financial assurance on May 31, 2008. The balance at that time was \$16,921.75. Your closure cost estimate has not been updated, therefore, I cannot determine if you have sufficient financial assurance coverage at this time. Please adjust the value of your trust account to cover the new closure cost estimate and submit documentation.

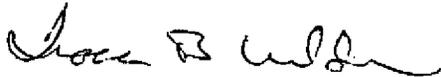
Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

**Area of concern:**

**OAC 3745-55-47(A):** On November 7, 2007, I received a hazardous waste certificate of liability coverage for your facility. At this time please submit evidence of continued coverage for third-party liability coverage for sudden accidental occurrences at your facility.

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

IW/jms

cc: Kristina Durnell, RIS, DHWM  
Melissa Boyers, DHWM, NWDO  
Pam McCoy, ERAS, 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.