



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

April 18, 2007

RE: ASHLAND DISTRIBUTION, INC.
SUMMIT COUNTY
OHR 000 040 816
PARTIAL RETURN TO COMPLIANCE/NOV

Mr. Eric Rossi
Plant Manager
Ashland Distribution, Inc.
1842 Enterprise Parkway
Twinsburg, OH 44087

Dear Mr. Rossi:

On April 9, 2007, the Ohio EPA received your response in regard to a compliance evaluation inspection Notice of Violation (NOV) letter dated March 7, 2007, for Ashland Distribution, Inc. Your response included a provision for required communication equipment, labeling documentation for containers, Land Disposal Restriction information, universal waste labeling, dating of waste, management and time limits of accumulation.

The information submitted adequately abates the following violations:

- 2) OAC 3745-52-34(A)(2) Labeling of Containers
- 3) OAC 3745-270-07(A)(2) Land Disposal Restriction Form
- 4) OAC 3745-273-13(D)(1) Waste Management
- 5) OAC 3745-273-14(E) Labeling/Marking of Universal waste Lamps
- 6) OAC 3745-273-15(A) Accumulation time limits
- 7) OAC 3745-273-15(C) Documenting accumulation time limits of universal waste

The following violation remains:

- 1) **OAC 3745-65-32(B) - Required equipment:** You failed to provide a device such as a phone immediately available at the scene of operations

Ohio EPA observed, and you acknowledged, that there was not a communication device present in the vicinity of your hazardous waste storage area, nor in the "drumming room" (where hazardous waste is generated). The regulations require that a communications device be "*immediately available at the scene of operations*". You indicated the nearest phone was in an office at the opposite end of "warehouse A". You also indicated that these employees used to have walkie-talkies but no longer do. Your response indicates that "drumming room" employees have now been supplied with two-way radios. Please clarify what communication device is immediately available to employees in the hazardous waste storage area. This information should also be included in your emergency equipment list in your contingency plan. Please submit a copy of the revised page of your contingency plan with this information and a written confirmation of what communication device is immediately available to employees in the hazardous waste storage area.

ASHLAND DISTRIBUTION, INC.
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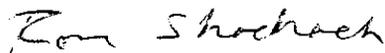
CONCERN

The following concern regarding our inspection and your response is noted:

Your response indicates the one page "Ashland Land Disposal Restriction Notification Form" is the complete form. There is no second page or additional information to your form. OAC 3745-270-07(A)(2) requires that you give written notice to the receiving facility that your waste does not meet the treatment standard and is therefore subject to the land disposal restrictions. While you could say your form implies that from its title, it does not clearly state that fact. We recommend your form be modified to clearly indicate that the wastes do not meet the treatment standard and are therefore restricted from land disposal.

Please respond in writing within 30 days of the date of this letter and provide Ohio EPA the information requested above. If you have any questions, you may contact me at (330) 963-1146 or at: ron.shadrach@epa.state.oh.us.

Sincerely,



Ronald J. Shadrach
Environmental Specialist
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
Sherry Slone, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO

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.
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