



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

January 21, 2010

RE: 2090 RICEFORD RD. SW
PIKE TOWNSHIP, STARK COUNTY
OHR000142661

Robert H. Cyperski, Esq.
1201 30TH St., NW
Suite 102-B
Canton, OH 44709

CERTIFIED MAIL

Dear Mr. Cyperski:

On October 27, 2009, Ohio EPA's Division of Hazardous Waste Management (DHWM) obtained soil samples from the property located at 2090 Riceford Road SW in Pike Township, Ohio ("Facility" hereinafter). The soil samples were collected from areas where hazardous waste was unlawfully stored and disposed. The results of Ohio EPA's sampling revealed elevated concentrations of inorganic constituents. Enclosed, as Attachment 1, is a copy of the analytical results, as well as a comparison of the constituent concentrations to Ohio EPA DHWM's Generic Cleanup Numbers (GCNs).

As identified in previous correspondence, your clients were cited in violation of Ohio Revised Code § 3734.02(E) and (F) for the unlawful storage and disposal of hazardous waste. Please find enclosed, as Attachment 2, copies of Ohio EPA's correspondence dated August 3, 2007. Be advised that until the completion of closure (remediation) activities for the unlawful hazardous waste storage and disposal areas at the Facility, your clients will remain in violation of ORC 3734.02 § (E) and (F) and the rules adopted thereunder.

Present or past instances of non-compliance may continue as subjects of pending or future enforcement actions. Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator or others from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,

Frank A. Zingales

Frank Zingales
Environmental Specialist
Division of Hazardous Waste Management

FZ:ddw
Enclosures

cc: Brian Ball, AGO w/ enclosures
ec: Nyall McKenna, DHWM, NEDO
Joshua Adams, DSIWM, NEDO
Harry Sarvis/Tammy Heffelfinger, DHWM, CO