



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Road
Twinsburg, OH 44087-1924

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

January 11, 2007

RE: STRUCTURED MANAGEMENT PROPERTY
BUILDING #6
1669-604 WEST 130TH STREET
MEDINA COUNTY
COMPLAINT NO. 6841
PARTIAL RETURN TO COMPLIANCE

Mr. Michael Glaser
1669-604 West 130th Street
Hinckley, OH 44233

Dear Mr. Glaser:

The purpose of this letter is to memorialize the status of the above property and identify the outstanding violations and concerns.

OhioEPA understands that the bulk of the waste, oils and hazardous waste generated is the result of waste abandoned by the former Eastway International, Inc., Aka: Eastway Waste Oil Recovery and Eastway International, Ltd., whose agent has been identified as Anthony Bianco located at 1600 Dorchester Drive, Brunswick, Ohio, 44212. The waste was understood abandoned in a unit of 1669 West 130th Street "Opportunity Park" in Brunswick, Ohio. The unit was leased by Mr. Bianco of Eastway International, Inc. Subsequently, you removed the waste to an outside storage location. OhioEPA received a complaint of this storage of waste and required removal and cleanup pursuant to compliance with Ohio's hazardous waste laws and regulations as found in the Ohio Revised Code and the Ohio Administrative Code.

Ohio EPA's current understanding is that all waste attributed to Mr. Bianco has been cleaned up and properly disposed. The Ohio EPA's Division of Hazardous Waste Management (DHWM) received additional copies of nonhazardous waste manifest and uniform hazardous waste manifest on December 27, 2006 and January 2, 2007. On January 4, 2007, Bill Lutz and I, of the DHWM, visited the site to review the status of the removal, cleanup and disposal. Review of this information and the site visit indicate that the following violations have been abated:

2. OAC 3745-279-22(D) Response to Releases of Used Oil
3. Used Oil Storage Requirements for Generators (Labels), OAC 3745-279-22(C)

NOTICE OF VIOLATIONS

The following violations of Ohio's hazardous waste regulations continue. Items that you have completed have been deleted from the following list. In order to abate the remaining violation items you must do the following **within 30 days** of your receipt of this letter:

1. **Waste Evaluation, OAC 3745-52-11:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

You failed to demonstrate evaluation of the following waste streams:

- a) one 55-gallon drum full of liquid located on a pallet east of the former main waste storage area, and
- e) about twelve 5-gallon buckets of apparent old fuel and paint wastes located along the eastern property area and just south of the former red bus.

To abate this violation, you must evaluate **all** containers that are onsite and identify and properly dispose all items that are determined to be a waste. **Prior to the transfer of any of this material offsite for disposal, recycling or use:** 1) provide a list of your inventory, 2) demonstrate that you have conducted proper waste determination on each item, and 3) arrange proper disposal or transfer. You must provide your waste evaluation documentation and records of all disposal and recycling. **If it has been determined that said wastes belonged to a particular operator/owner, provide OhioEPA with the identity of each generator and its waste stream.**

CONCERNS

Other areas or items of concern that remain or are believed to remain include:

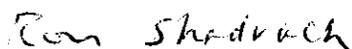
- 18) A small pile of oily stained dirt on the ground east of the former burn area.
- 19) South of item #18 is a demo debris pile that has a one gallon container labeled "Gunk Engine Degreaser". The container is about 1/4 full.

20) Annual Report, OAC 3745-52-41: A generator who ships hazardous waste off-site shall prepare and submit to Ohio EPA a "Generator Annual Hazardous Waste Report" by March first of each year, including the name and U.S. EPA identification number for each off-site treatment, storage, or disposal facility to which waste was shipped during the year. Guidance for completing the annual report, including a User Guide and Frequently Asked Questions, may be accessed at the following link:
<http://www.epa.state.oh.us/dhwm/demwebpg.html> .

Please contact Adrienne LaFavre at (330) 963-1250 for assistance in completing this paperwork. Adrienne works in Ohio EPA's Compliance Assistance and Pollution Prevention program. She may also be contacted at: Adrienne.LaFavre@epa.state.oh.us.

You must respond, in writing, **within 30 days** of receipt of this letter with the requested documentation sent to my attention. Additional violations may be cited in the future that will require your action. Should you have any questions or need assistance, please feel free to contact me at (330) 963-1146.

Sincerely,



Ronald J. Shadrach
Environmental Specialist
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Adrienne, LaFavre, OCAPP, NEDO
cc: Bart Ray, DERR, NEDO, SIU
Anthony Bianco

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.