



**Environmental
Protection Agency**

1600 East 12th Avenue, Columbus, OH 43260
Tel: 614-644-3300, Governor
Fax: 614-644-3301, Lt. Governor
E-mail: oepa@epa.state.oh.us, Director

October 21, 2010

Gus Kabbara
Director of Public Services
Summit County Engineer
601 E. Crosier St.
Akron, OH 44311-1808

**RE: SUMMIT COUNTY ENGINEER, OHD 981 189 053, SUMMIT COUNTY, CEI, 2nd
NOTICE OF VIOLATION/PARTIAL RETURN TO COMPLIANCE**

Dear Mr. Kabbara:

Thank you for your September 9, 2010 response to Ohio EPA's August 23, 2010 Notice of Violation (NOV). The documentation you submitted via e-mail included photographs showing your universal waste lamps in labeled boxes.

Ohio EPA has reviewed your documentation and determined that it is sufficient to correct the following violations (as cited in the first NOV):

2. **Labeling/Marking Standards for Universal Waste
OAC 3745-273-14(E)**
3. **Universal Waste Management Standards—Containers
OAC 3745-273-13(D)**

The following violation remains outstanding.

1. **Hazardous Waste Determination
OAC 3745-52-11**

Any person who generates a waste in the state of Ohio...shall determine if the waste is a listed hazardous waste...

In the back of the "yard area" nearest the freeway, there were six 5-gallon buckets and one partially full drum of various waste materials that you were not able to clearly identify. You explained these materials are to be disposed in the near future. To correct this violation, please submit, **within 15 days** of the date of this letter, an inventory of the containers identifying the contents, properly dispose of the containers and submit a copy of the manifest to this office.

SUMMIT COUNTY ENGINEER
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Please feel free to contact me at (330) 963-1170 if you have any questions.

Failure to list specific deficiencies or violations in this communication does not relieve the Summit County Engineer from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward J. D'Amato". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

ec: Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO