



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 3, 2007

RE: SWAN LAKE JOINT VENTURE, CESQG
S. MEDINA LINE ROAD PROPERTY
SUMMIT COUNTY
COMPLAINT #6896
RETURN TO COMPLIANCE

David Levy
Swan Lake Joint Venture
499 Mackinaw Circle
Fairlawn, OH 44333-2827

Dear Mr. Levy:

On January 12, 2007, the Ohio EPA's Division of Hazardous Waste Management (DHWM) received a response to a Second Notice of Violation letter dated December 5, 2006. Your response provided some additional information regarding paint, ink, solvent and oil based wastes and building material wastes. A receipt and photo of tire disposal was provided along with documentation that the well or cistern and building foundation were back-filled.

Although you did not provide clear, convincing and evident documentation regarding the proper evaluation and disposition of all wastes abandoned at the site, it appears through various conversations that much of the material in question may have been recovered for reuse. The following violation: OAC 3745-52-11 Waste Evaluation, has been abated.

For future reference waste determinations should include documentation of the disposition of all items. There were some containers of inks, wood preservatives, unknowns and unrecognizable wastes that appear to remain unaccounted. Chris Brown was directed to contact Bizmat in regard to disposal of such waste. Mr. Brown reported that he contacted Bizmat. Mr. Brown said Bizmat would not accept the waste as the containers were in bad shape and the waste was unrecognizable. If true, and a facility, licensed by the State of Ohio to accept hazardous waste, rejects your waste stream, it should certainly not then be disposed as a solid waste without clear documentation.

Please return the completed site identification form to complete your response to Ohio EPA. You may contact me at (330) 963-1146 if you have any questions.

Sincerely,

Ronald J. Shadrach
Environmental Specialist
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
Dave Dysle, DSIWM, NEDO
cc: Chris Brown, Prestige Homes
Summit County Health Department
Copley Township Building Dept.

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.