



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

November 9, 2009

RE: TECUMSEH VILLAGE PARK  
1005 LAKE PARK, SEBRING, OHIO  
COMPLAINT NO. 6971  
NOTICE OF VIOLATION

Mr. Joseph Raineri  
PO Box 99  
Sebring, OH 44672

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Joseph Raineri  
1005 Lake Park Blvd., Lot 96  
Sebring, OH 44672-1763

Dear Mr. Raineri:

On October 27, 2009, Kris Coder and I, representing the Ohio EPA's Division of Hazardous Waste Management, conducted a complaint investigation in the vicinity of a waste water package plant just south of your Tecumseh Village Park in Sebring, Ohio. An inspection was conducted to determine compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

The complaint was initiated by the Mahoning County Department of Health. My observations at the site have identified the following:

- 1) Two areas where at least twenty-five 55-gallon drums have been dumped;
- 2) Two areas where demolition debris and/or solid waste has been dumped;
- 3) Tires dumped into a pond/wetland area; and
- 4) An open, unused water well.

**NOTICE OF VIOLATION**

1. Waste Evaluation (OAC 3745-52-11): You failed to evaluate and properly dispose the contents of nine drums in Area #1 and at least sixteen drums in Area #2 that have accumulated on your site. See attached Photo Log.

You must immediately evaluate all drum contents to determine the waste characteristics and properly dispose or recycle these wastes. Attached is a list of companies that provide waste, hazardous waste and oil recycling and disposal services. **You must submit to me supporting documentation that demonstrates how all waste was evaluated and properly disposed.**

Waste evaluation may need to include sampling and testing using the appropriate Toxicity Characteristic Leaching Procedure (TCLP) Method 1311. Supporting documentation **may include** analytical data, field evaluation, disposal tickets, invoices, receipts and uniform hazardous waste manifests. Your clean up must include removal of any visually stained or contaminated ground area. The following link can assist you in making a proper waste evaluation:

<http://www.epa.ohio.gov/portals/41/sb/publications/identifyingwaste.pdf>  
<http://www.epa.ohio.gov/portals/32/pdf/GeneratorKnowledge6.pdf>

A copy of these guidance documents is enclosed.

## NOTICE OF CONCERNS

Additionally, the following concerns were observed:

1. As of October 1, 1996 construction demolition debris (CDD) is required to be disposed in a licensed facility in accordance with OAC 3745-400. There are two areas of construction debris. Area CDD #1 is located just east of the Area#1 drums. CDD Area #2 is located in the drum Area #2. Area #2 also appears to contain visible solid waste (photos attached).
2. An unused ground water well at the site must be sealed in accordance with Ohio Administrative Code (OAC) 3701-28-07 and OAC 3745-9-10. The proper sealing of all abandoned wells must be documented per the Ohio Revised Code (ORC) Section 1521.05 (B) (photos attached).
3. Tires were observed just below the surface in an emergent wetland/pond area just west of your wastewater treatment package plant (photos attached). The tires should be removed and properly recycled or disposed.

This Notice of Violation letter requires that you **respond within 30 days** providing documentation that demonstrates how you have evaluated and disposed of the 55 gallon drums of waste and any contaminated soils. Should you have any questions or require further guidance, please feel free to contact me at (330)963-1146 or at [ron.shadrach@epa.state.oh.us](mailto:ron.shadrach@epa.state.oh.us).

Sincerely,



Ronald J. Shadrach  
District Representative  
Division of Hazardous Waste Management

RJS:ddw  
Enclosures

ec: Frank Popotnik, DHWM, NEDO  
Natalie Oryshkewych, DHWM, NEDO  
Stivo DiFranco, DDAGW, NEDO  
Katharina Snyder, DSIWM, NEDO  
John Kwolek, DSW, NEDO  
Kris Coder, DHWM, NEDO  
cc: Harry Sarvis, DHWM Enforcement, CO

**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.

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
or mail it to Kristina Durnell, Central Office

|   |  |   |
|---|--|---|
| <b>Site EPA ID No.</b><br><b>Site Name</b>  | <b>EPA ID Number:</b><br>Name: <b>Tecumseh Village Park</b>  | <b>Website:</b><br>(Optional)   |
| <b>Site Location Information</b>  | <b>Street Address: 1005 Lake Park Blvd.</b><br>City, Town, or Village: <b>Sebring</b><br>County Name: <b>Mahoning</b>  | <b>State: OH</b><br><b>Zip Code: 44672</b>  |
| <b>Site Land Type</b><br>(check only one)<br><b>NAICS code(s)</b><br><a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a> | Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>  |   |
| <b>Facility Representative</b><br>Additional names can be recorded in number 12<br>Only provide address information if it is different than the site address    | <b>First Name:</b><br><b>Phone Number:</b><br><b>E-Mail Address:</b><br><b>Fax Number:</b><br><b>Street or P.O. Box:</b><br><b>City, Town or Village:</b><br><b>State:</b>   | <b>MI:</b><br><b>Last Name:</b><br><b>Phone Number Extension:</b><br><b>Fax Number Extension:</b><br><br><b>Zip Code:</b>   |
| <b>Legal Owner And Operator of the Site.</b><br>List Additional Owners and/or Operators in the Comment Section or on another copy of this form page             | <b>Name of Site's Legal Owner:</b><br><b>Joseph Ranieri</b><br>Owner Private County District<br>Type: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/><br><b>Street or P.O. Box: P.O. Box 99</b><br><b>City, Town or Village: Sebring</b><br><b>State: Ohio</b><br><b>Name of Site's Operator:</b><br><br>Operator Private County District<br>Type: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/><br><b>Street or P.O. Box:</b><br><b>City, Town or Village:</b><br><b>State:</b> | <b>Date Became Owner (mm/dd/yyyy):</b><br>Federal Indian Municipal State Other<br><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/><br><b>Owner Phone #: 440-885-4820</b><br><b>Country:</b> <b>Zip Code: 44672</b><br><b>Date Became Operator (mm/dd/yyyy):</b><br>Federal Indian Municipal State Other<br><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/><br><b>Operator Phone #:</b><br>United States <b>Zip Code:</b> |

**VIOLATIONS CITED?**     Yes     No

**TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED**

|   |   |   |
|---|---|---|
| <input type="checkbox"/> Not a HW Generator | <input checked="" type="checkbox"/> UNKNOWN:<br>Cited for violation of 3745-52-11 | <input type="checkbox"/> Large Quantity Generator (LQG)<br><input type="checkbox"/> Small Quantity Generator (SQG)<br><input type="checkbox"/> Conditionally Exempt Small Quantity Generator<br><input type="checkbox"/> U.S. Importer of Hazardous Waste<br><input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator |
|---|---|---|

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- |   |  |
|---|--|
| <input type="checkbox"/> Recycler of Hazardous Waste                    | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace       |
| <input type="checkbox"/> Underground Injection Control Facility         | <input type="checkbox"/> Small Quantity On-Site Burner Exemption       |
| <input type="checkbox"/> Hazardous Waste Transporter                    | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste |  |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)

(CHECK ALL BOXES THAT APPLY)

- |   |   |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste                                    | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste<br>(accumulates 5,000 kg. or more) |   |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead, just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced  Yes  No Additional Facility Representatives:  
 Tanks  Yes  No Other Comments: **Drums of unknown waste, C&DD and solid waste dumped onsite.**  
 Containers  Yes  No

Name of Inspector(s)  
**Ron Shadrach, DHWM, NEDO**

Name of Inspector(s)  
**Kris Coder, DHWM, NEDO**

Date of Inspection/Time  
 (mm/dd/yyyy) (hh:mm)  
**10/27/2009 (10:30)**

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative

Name and Title (Print)

Date (mm/dd/yyyy)

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.  
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.  
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

**WASTE EVALUATION**

|    |  |  |
|----|--|--|
| 1. | Have all wastes generated at the facility been adequately evaluated?<br>[3745-52-11] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|----|--|--|

**GENERATOR CLASSIFICATION**

|    |  |  |
|----|--|--|
| 2. | Does the generator produce <100 kg. of hazardous waste per month?<br>[conditionally exempt small quantity generator ("CESQG")] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
|----|--|--|

NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

|    |   |  |
|----|---|--|
| 3. | Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|----|---|--|

**TREATMENT OF HAZARDOUS WASTE**

|    |  |  |
|----|--|--|
| 4. | Does the generator treat hazardous waste in a:                     |  |
|    | a. Container that meets 3745-66-70 to 3745-66-77?                  | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|    | b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|    | c. Drip pads that meet 3745-69-40 to 3745-69-45?                   | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|    | d. Containment building that meets 3745-256-100 to 3745-256-102?   | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

**MIX HAZARDOUS WASTE WITH USED OIL**

|    |   |  |
|----|---|--|
| 5. | Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|    | a. Does the CESQG manage the mixture in accordance with 3745-279-21?  | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

There are at 16 drums in two locations of unknown contents. Some material appears may be a tar. All contents need evaluated and properly disposed. Additionally there are two areas where construction and demo debris (C&DD) and solid waste and tires have been disposed. All waste deposited onsite needs properly disposed at appropriate licensed facilities.