



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 12, 2007

RE: UNIVERSAL MATERIALS, INC.
OHD 980 792 600
SUMMIT COUNTY
CESSATION OF REGULATED
OPERATIONS/NOTICE OF VIOLATION

Mark Tussing
Owen's-Illinois
One Michael Owen's Way
Perrysburg, OH 43551-2999

CERTIFIED MAIL

Dear Mr. Tussing:

On March 20, 2007, Owen's-Illinois requested an extension to the 90-day Cessation of Regulated Operations requirements at Universal Materials in Mogadore, Ohio. Robert Almquist and I conducted a site inspection at Universal Materials in Mogadore for the purpose of evaluating the site for an extension. John Noga represented Universal Materials during the inspection.

As a result of the inspection, we have determined that the following items still need to be addressed:

1. Removal of refractory materials that spilled outside, behind the walls of the main refractory storage building.
2. Removal of refractory material that remains along the back edge and corners in at least one of the bays refractory storage building.
3. Removal of sludge material in the secondary containment structure where diesel fuel was stored.

A final inspection of the facility will be necessary.

In addition to the above, the following violation was noted:

1. **Unlawful Treatment, Storage, Disposal, or Transportation of Hazardous Waste
ORC 3734.02(F)**

No person shall store, treat, or dispose, transport or cause to be transported, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed, any hazardous waste except at or to a permitted hazardous waste facility

Refractory material was observed on the ground in the former outside mixing area. According to John Noga, both hazardous, due to leachable chromium levels, and non-hazardous refractory materials were mixed/blended here. A puddle with a green tinge was observed in this area. This color green often indicates the presence of trivalent chromium.

Because some of the materials managed here had elevated chromium levels, the releases constitute illegal disposal of hazardous waste.

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Universal Materials shall demonstrate efforts towards abating the violation by submitting a closure plan to the Northeast District Office of the Ohio EPA. This closure plan shall, at a minimum, include:

- a) A description of how each hazardous waste management unit will be closed in accordance with OAC 3745-66-11;
- b) A description of how final closure will meet the requirements of OAC 3745-66-11;
- c) An estimate of the maximum amount of hazardous waste ever in inventory;
- d) A description of steps to be taken to remove or decontaminate facility equipment, containment systems, structures, soils and all hazardous waste residues;
- e) A schedule for the various phases of closure; and
- f) A description of other activities necessary to ensure closure in accordance with the closure performance standard including, but not limited to, ground water monitoring, leachate collection and run off control.

The closure plan shall be submitted in duplicate to my attention at the Ohio EPA's Northeast District Office within 30-days of the date of this letter.

Two additional copies of the closure plan must be submitted to the Ohio EPA's Central Office. Information on the closure plan review guidance may be found at the following web address: <http://www.epa.state.oh.us/dhwm/cprg.html>

Failure to list specific deficiencies or violations in this communication does not relieve Owen's-Illinois 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.

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

Sincerely,



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

EJD:ddw

cc: Ralph McGinnis, DHWM, CO
ec: Frank Popotnik, DHWM, NEDO
Robert Almquist, DHWM, NEDO
John Palmer, DHWM, NEDO