



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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 26, 2010

Richard Kraft
Service Center Manager
2800 Brecksville Road
Richfield, Ohio 44286

RE: WARD TRUCKING, LLC, SUMMIT COUNTY, OHD101513984, RCRA / ILLEGAL TSD, COMPLAINT #7279 /CEI, PARTIAL RETURN TO COMPLIANCE

Dear Mr. Kraft:

Thank you for your March 9, 2010 response to Ohio EPA's February 4, 2010 Notice of Violation (NOV) letter. You submitted information and documentation, including:

- Hazardous waste manifests and the associated Land Disposal Restriction forms demonstrating all waste has been shipped off-site.
- Photographs demonstrating all containers of hazardous waste have been appropriately labeled and dated.
- Photographs demonstrating the trailer is empty and all waste has been shipped off site.
- Copies of the hazardous waste accumulation area and emergency equipment inspection logs.

OAC Rule 3745-52-34(A)(3) Labeling

OAC Rule 3745-52-34(A)(2) Accumulation Date

OAC Rule 3745-65-52 Content of contingency plan

OAC Rule 3745-65-16 (A) Personnel training

OAC Rule 3745-65-16 (D) Personnel training

Ward remains in violation of the following state hazardous waste statute:

1. **Ohio Revised Code (ORC) §3734.02(E) and (F) storage of hazardous waste without a facility installation and operation permit:**

Ohio EPA wishes to remind Ward, that the trailer in which the hazardous waste was illegally stored, Trailer #48136, is considered an illegal unit and subject to full closure. Ohio EPA **strongly recommends** that once the trailer has been emptied and all the waste shipped offsite, Trailer #48136 not be used for any chemical, product or waste storage until the unit has been certified closed.

Since Ward violated ORC §3734.02(E) and (F), Ward is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Ward begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

2. **OAC Rule 3745-66-71 Condition of Containers:**

By letter dated March 9, 2010, Ward stated "*Ward Trucking will prepare and submit a protocol for the characterization and management of hazardous waste generated on site for future incidents*".

To date, Ohio EPA has not received said protocol. Please submit to this office a copy of the protocol requested in Ohio EPA's February 4, 2010 NOV.

Please submit all requested documentation to this office within thirty (30) days.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

ec: Natalie Oryshkewych, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, CO, OEPA
Todd Anderson, Legal, CO, OEPA
Tammy Heffelfinger, DHWM, CO, OEPA
Frank Popotnik, DHWM, NEDO, OEPA