OhioEPA
State of Ohio Environmental Protection Agency
Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

December 19, 2007

RE: NOTICE OF VIOLATION
BFI GLENWILLOW TRANSFER FACILITY

CERTIFIED MAIL

A. Downey
BFI Glenwillow Transfer Facility
30300 Pettibone Road
Glenwillow, Ohio 44139

Dear Mr. Downey:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the report from Steven H. White & Associates, Inc. regarding the management of waste from Semper Industries. The report is dated December 3, 2007, and was received by Ohio EPA on December 4, 2007. The report was submitted on behalf of Browning Ferris Industries of Ohio, Inc. (BFIO). For the purpose of this review, Glenwillow Transfer Facility operation is regulated under Ohio Administrative Code (OAC) 3745-27-23.

Upon review, Ohio EPA has determined that BFIO is in violation of **OAC 3745-27-23(O)(1)**, which states that the owner or operator of a solid waste transfer facility must not accept "hazardous waste" at the facility.

Upon review of your records, Ohio EPA has determined that the BFI Glenwillow Transfer Facility has accepted D001 hazardous waste "still bottoms" from Semper Industries on six occasions between December 21, 2006, and March 2, 2007. According to the report, the waste was transferred to other vehicles that disposed of the waste at either Lorain County Landfill or to Carbon Limestone Landfill.

Please respond in writing within 15 days of receipt of this letter on how the above violation will be corrected.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please contact me at (330) 963-1268.

Sincerely,

Colum McKenna
Environmental Specialist
Division of Solid and Infectious Waste Management

CJM:cl

cc: Katharina Snyder, NEDO-DSIWM
Clarissa Gereby, NEDO-DSIWM
Dane Tussel, Cuyahoga County Board of Health
File: [TUKEL/TRAN/Glenwillow TF/COR/18]