**OhioEPA**

State of Ohio Environmental Protection Agency

**Northeast District Office**

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

November 12, 2009

RE: CONTAINER COMPLIANCE CORP.
OHD060431947
LQG NOV/PRTC

Dan Mackall
Container Compliance Corp.
5151 Denison Ave.
Cleveland, OH 44102

Dear Mr. Mackall:

On October 29, 2009, we received your response to our September 22, 2009 notice of violation letter. The response included revised container inspections, a revised position description, safety training sign-in sheets, revised pages of contingency plan, pictures of the closed holding tank, and tank rinseate sample results.

My review of the information submitted reveals that Container Compliance Corporation (CCC) has abated the following violations:

**Job Titles and Names - OAC 3745-65-16(D)(1)**
**Job Descriptions - OAC 3745-65-16(D)(2)**
**Maintenance of Training Records - OAC 3745-65-16(E)**
**Contingency Plan Updates - OAC 3745-65-54**
**Weekly Container Inspections - OAC 3745-66-74**
**Tank System Assessment - OAC 3745-66-92(A)**
**Secondary Containment for Tank System and Ancillary Equipment - OAC 3745-66-93(A)**
**Tank System Inspections - OAC3745-66-95(A)(1), (2), (3), & (4)**

The following violations remain:

1. **Training Description - OAC 3745-65-16(D)(3)**
   Each hazardous waste job title you submitted indicates annual refresher training and contingency plan training will be received by each employee filling one of those positions. The annual hazardous waste refresher training should discuss issues pertinent to employees' hazardous waste duties such as container labeling, manifest preparation/review, proper containment and storage of hazardous wastes, proper response to fires and spills, and a review of the contingency plan. Your response indicates training covering hazardous waste management procedures, including contingency plan implementation, will be offered by the end of the year. The training must be directed by a person trained in hazardous waste management procedures. You will remain out of compliance with this rule until this training is completed.

2. **Training Completion Documentation - OAC 3745-65-16(D)(4)**
   Please submit documentation showing that the training discussed in violation #1 has been given to and completed by all facility personnel involved in hazardous waste management.

**Please provide the above requested information and documentation by January 4, 2010.** Copies of Ohio's hazardous waste rules can be found at www.epa.state.oh.us/dhwm.

We understand all of the contents of the drums in the Heavy Drum Area have been pumped out and sent to Clean Harbors as hazardous waste abating our concern of potential hazardous waste storage.

You will recall from our meeting on June 18, 2009, you were to respond to past violations cited from earlier inspections with documents and explanations. In an e-mail on November 4, 2009, you stated that "All of the hazardous waste on our facility from past inquiries has been disposed of. The hazardous waste we currently have is properly stored and labeled and has been accumulating for fewer than 90 days." It appears all of the formerly stored hazardous waste has been sent off-site and since our June meeting, CCC has returned to compliance with all of the rules cited except for the two above concerning training.

If you should have any questions related to this letter, please do not hesitate to contact me at (330) 963-1226 or via e-mail.

Sincerely,

Sheryl K. Slone

Sheryl K. Slone, P.E.
District Engineer
Division of Hazardous Waste Management

SKS:ddw

ec: Natalie Oryshkewych, DHWM, NEDO
Nyall McKenna, DHWM, NEDO
Harry Sarvis, DHWM, CO
Tammy Heffelfinger, DHWM, CO
Amanda Sturm, AGO

**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.**