



State of Ohio Environmental Protection Agency

Northeast District Office

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

**CERTIFIED MAIL**

March 21, 2008

Donald R. Koski and Yogi V. Chokshi  
Reserve Environmental Services, Inc.  
4633 Middle Road  
P.O. Box 1038  
Ashtabula, OH 44005-1038

**RE: RESERVE ENVIRONMENTAL SERVICES, INC., ASHTABULA COUNTY,  
OHD 980 793 384, CLOSURE ACTIVITIES: POND 1, LAGOONS 3-6 & POND 7**

Dear Mr. Koski and Mr. Chokshi:

On October 28, 2003, Reserve Environmental Services, Inc. (RES) and Mr. Koski, entered into a modified consent order with the State of Ohio (Case No. 93-CV-563, Ashtabula County Court of Common Pleas). The following identifies the status of your compliance with the modified consent order with respect to the hazardous waste closure requirements at Pond 1, Lagoons 3 through 6 and Pond 7:

1. On March 9, 2007, RES submitted a revised closure schedule for Pond 1 at Site A (Old). As detailed in Paragraph 8 of the modified consent order, RES was ordered to implement the approved closure plan for Pond 1 in the manner and time frames set forth therein.

In December 2004 and June 2006, RES conducted subsurface investigations as required by the approved closure plan. Additionally, Ohio EPA is aware that RES has conducted dewatering activities and solidification testing. However, RES has failed to implement the other portions of the closure plan in accordance with the closure schedule, in violation of Paragraph 8 of the modified consent order and Ohio Administrative Code (OAC) rule 3745-66-13. Submit documentation which includes specific actions and dates that are necessary to fulfill closure obligations at Pond 1.

2. On March 9, 2007, RES submitted a revised closure schedule for Lagoons 3 through 6 and Pond 7 at Site A (Old). As detailed in Paragraph 25 of the modified consent order, RES was ordered to implement the approved closure plan in the manner and time frames set forth therein.

RESERVE ENVIRONMENTAL SERVICES, INC.  
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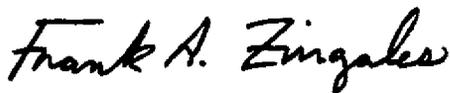
In June 2005 and July 2007, RES conducted subsurface investigations as required by the approved closure plan. On July 24, 2007, RES submitted a QA/QC plan for closure construction activities. However, RES has failed to implement the other portions of the closure plan in accordance with the closure schedule, in violation of Paragraph 25 of the modified consent order and OAC rule 3745-66-13. Submit documentation which includes specific actions and dates that are necessary to fulfill closure obligations at Lagoons 3 through 6 and Pond 7.

Please be aware that present or past instances of non-compliance may continue as subjects of pending or future enforcement actions. The above violations must be immediately addressed and all of the above requested documentation must be submitted to my attention at the Ohio EPA within 30 days of receipt of this letter.

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from having to comply with all applicable regulations.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FAZ:ddw

cc: Natalie Oryshkewych, DHWM, NEDO  
Harry Sarvis, DHWM, CO