



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Richland County
Clean Water Ltd.

Notice of Violation (NOV)

October 9, 2009

CERTIFIED MAIL
7009 0820 0000 0591 9808

John Staton
Vice President of Regulatory Affairs
300 Cherokee Drive
Mansfield, Ohio 45427

Dear Mr. Staton:

This letter shall serve as follow-up to the inspection conducted on October 6, 2009 of the Clean Water Ltd (CWL) facility located at 81 Knights Pkwy in Mansfield, Ohio. The purpose of this inspection was to respond to several complaints this agency received regarding odors in the area of that facility.

Based on my discussions, observations during the inspection, and a review of the company's files, my findings are as follows:

- An odor was identified and verified by multiple complainants on October 6th, 2009. Based on the location of the facility and the wind direction at the time, the source of odor was determined to be the CWL facility identified above. The facility was determined to be operating sources of air contaminant emissions that are causing a public nuisance. The emissions of odors in such a manner as to cause a public nuisance is a violation of Ohio Administrative Code (OAC) 3754-15-07(A).

The company's written response to this letter is requested by October 30, 2009. It should be submitted to Ohio EPA, Northwest District Office and contain a compliance plan to remedy the observed situation and prevent any similar such situation from occurring in the future. Also, as indicated in the phone conversation between you, Mr. Don Waltermeyer and I on October 8, 2009, there are several issues that Ohio EPA would like CWL to respond to. These items are identified below and their responses should be included with the company's response requested above.

1. Please describe the treatment process from the time that a full tanker arrives to the time that the end products are considered disposed of. A process flow diagram would also be useful.

2. Please identify all possible emissions points at the plant. Five stacks were observed penetrating the roof at the facility and it was unable to be determined if there were any vents inside the building or any sources of fugitive emissions. When identifying point sources, please include any of the following pieces of information which are applicable: emissions point source; facility ID name/number; stack shape; stack size; process flow rate, in actual cubic feet per minute (acfm).
3. Please provide the heat input rating for the facility boiler, in mmBtu/hr.
4. Please provide a description of the facility's process heater, including the heat input rating, in mmBtu/hr.
5. Please describe the waste profiling process and lab procedures conducted at the company's main laboratory in Dayton, Ohio.
6. Please describe the waste profiling process and lab procedures conducted at the Mansfield, Ohio facility.
7. Please describe the process used for testing incoming wastes for compatibility with wastes already in the treatment system.
8. Is a vapor balance or vapor control system in place for the post treatment waste storage tanks or are the tanks vented? If the tanks are vented, are these vents passive or active? If active, please provide a flow rate, in acfm.
9. Please provide a description of the typical types of waste streams accepted by the facility.
10. Please describe the criteria used to accept or deny a waste load delivered to the facility.
11. Have any systemic changes, either equipment based or operational procedure based, occurred in the last 6 weeks that would increase the likelihood of the release of objectionable odors?
12. Does CWL - Mansfield, have, or has the company recently acquired, any customers that have a waste stream with a particularly objectionable odor? If so, please identify those companies and the waste streams which are accepted from those companies.
13. Does CWL - Mansfield accept waste from Heartland Petroleum, Gabriel Performance or Clean Harbors? If so, please identify the company and the respective waste streams which are accepted.
14. Does CWL - Mansfield accept any waste streams that contain, or would produce as a byproduct of processing, di-methyl sulfur oxide (CAS No: 9008-97-3)?
15. Does CWL - Mansfield have any procedures to test for or identify the presence of odors emanating from the facility?

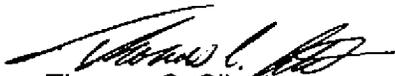
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16. Does CWL – Mansfield have any procedures to test for or identify possible biological contaminations, such as bacteriological or fungal, which may produce objectionable odors?

Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3137, or electronically via e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/csl

pc: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Thomas C. Cikotte, DAPC – NWDO
Richland County Health Department

ec: Don Waltermeyer, DAPC - NWDO
Luke Mountjoy, DAPC - CDO