



State of Ohio Environmental Protection Agency

Northeast District Office

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

March 26, 2007

RE: HUKILL CHEMICAL CORPORATION
TSD/LQG/TRANSPORTER
OHD001926740/02-18-0315
CUYAHOGA
PARTIAL RETURN TO COMPLIANCE

Mr. Tim Jones
EH&S Manager
Hukill Chemical Corporation
7013 Krick Road
Bedford, OH 44146

Dear Mr. Jones:

I am in receipt of Hukill Chemical Corporation's letter dated March 9, 2007. The letter and attachments were submitted in response to Ohio EPA's notice of violation letter dated January 31, 2007. I have reviewed Hukill Chemical's response to the violations and offer the following comments.

1. Ohio Revised Code Section 3734.02 (E) and (F) and Permit Condition A.5. Storage of off-site hazardous waste in a tank not permitted to accept off site hazardous waste

Hukill stated in its response that a miscommunication among personnel led employees to pump drums of off-site waste directly to Tank 13 after assuming it was a permitted tank. Hukill also stated that although the tank is not permitted to receive off-site hazardous waste the tank meets all the requirements for a permitted storage tank. Hukill further states that had Hukill been aware that the tank needed to be permitted to receive off-site waste, Hukill would have taken care of it during the renewal process.

Attached you will find two pieces of correspondence from Ohio EPA to Hukill personnel that discuss the use of Tank 13. **No further action is required by Hukill regarding this violation.**

2. Ohio Revised Code Section 3734.02(E) and (F) and Permit Condition A.5. Storing hazardous waste in an unauthorized area of the facility.

The staging area on the loading/unloading area was established to provide a location to stage incoming drums during sampling and fingerprint analysis. Once the fingerprint results were complete, the drums were moved into the permitted container storage area where they were stored until the time they were to be processed either through the LUWAs (reclamation) or the Hochmeyer/Auger (fuels blending).

Hukill's statement in its response reads "It has been a practice at the Hukill Chemical Corporation for most reclamation streams to be pumped directly to a permitted tank once they are received. It would be less safe and counter-productive to handle these drums a multiple of times by bringing them into the Hazardous Waste Storage Room and then placing them in the available tank space".

The above scenario is a change in hazardous waste container management practice. The part B permit application process description states that drums are brought into the container storage room prior to processing. The written description found in the part B application reflects what I have been told when I was on-site. As Hukill's response letter points out, container inventories were not at the maximum limit, therefore, drums could have been moved into the permitted storage room.

Hukill's response letter has addressed the questions regarding manifests 72896 and manifest 72691. No further action is required regarding this violation.

3. Ohio Administrative Code (OAC) rule 3745-54-73(B)(2) and Permit Condition B.21; Operating Record.

Hukill has provided a response to the questions Ohio EPA had about hazardous waste containers and their corresponding manifests not being entered into the drum inventory log. Per Hukill's response, Hukill again stated that drums received for reclamation were allowed to sit in an unauthorized area of the facility because there was not an available tank for transfer of waste. Ohio EPA reiterates that the purpose of the container storage room is for the storage of hazardous waste in containers prior to processing.

Page 2 last paragraph reads, "The non-compliance issues noted in Items 2 and 3 resulted in large part from the short (24 hours) staging period available to Hukill. It is our understanding that other Ohio Facilities have longer staging periods associated with their permits. Hukill will submit permit modification requests to extend our staging period up to 3-5 days for the containerized truck loading/unloading pad and trailer storage area".

Hukill Chemical may submit a permit modification to request an increase in container storage capacity per the permit modification process. The permit modification will either be a Class 2 or Class 3a depending on the volume increase Hukill requests. The modification should also include a discussion on the location of staging areas.

Although Hukill Chemical provided a detailed response to this violation, the violation remains unabated. The current drum log should be modified such that a real time number of hazardous waste containers on-site can be obtained.

HUKILL CHEMICAL CORPORATION
MARCH 26, 2007
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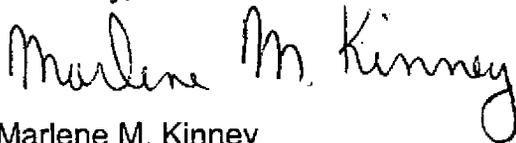
Regarding the process chemical issue: Ohio EPA agrees that Hukill Chemical needs a better system to inventory process chemicals. Your letter states that Hukill is in the process of organizing and documenting the process chemical inventory. Please inform me when the process chemical inventory system is in place.

Please be advised that due to Hukill Chemical being in violation of ORC 3734.02(E) and (F), enforcement protocol requires that an enforcement referral package be submitted to the enforcement committee for its consideration. Hukill Chemical's correspondence to me regarding the December 4 and 6, 2006 inspection will be included in any enforcement referral to the enforcement committee.

Please respond within 30 days of the date on this letter with the changes Hukill will be making to the drum inventory log.

Should you have any questions or concerns, please do not hesitate to call me at (330) 963-1162.

Sincerely,



Marlene M. Kinney
Environmental Specialist
Division of Hazardous Waste Management

MMK:ddw

Enclosure

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