



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

March 10, 2011

**RE: HUKILL ENVIRONMENTAL SERVICES  
OHD 001926740/02-18-0315  
CUYAHOGA COUNTY  
PARTIAL RETURN TO COMPLIANCE**

Mr. Frank Simcik  
EH&S Manager  
Hukill Environmental Services  
7013 Krick Road  
Bedford, Ohio 44146-4493

Dear Mr. Simcik:

On October 27, 2010, the Ohio EPA Division of Hazardous Waste Management conducted a hazardous waste compliance evaluation inspection and complaint investigation at Hukill Environmental Services (Hukill), located at 7013 Krick Road, Bedford, Ohio. The violations were outlined in a notice of violation letter to the facility dated 12/2/2010. Hukill also received correspondence from Ohio EPA dated November 8, 2010 requesting additional information relating to the days in which the facility exceeded its permitted container storage volume. Hukill notified Ohio EPA of the exceedences in a letter dated October 29, 2010.

The documentation submitted by Hukill on November 11, 2010, January 10, 2011, and February 8, 2011, has been reviewed and the following violations have been addressed:

- 1. Ohio Revised Code (ORC) 3734.02 (E) and (F) and Permit Condition C.1. Storage of off-site hazardous waste in excess of the permitted container storage volume.**

Hukill unlawfully stored hazardous waste in excess of its permitted container storage volume of 68,695 gallons as set forth in their hazardous waste permit, in violation of Permit Condition C.1.(a).

Hukill was required to determine if there were days other than the 14 days in September 2010 that the permitted container storage capacity had been exceeded. Analysis of manifests compared to the inventory logs showed that there were exceedences in the permitted container storage volume in January, May, June, July, August and September 2010. There were no exceedences of the permitted container storage capacity in October 2010.

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Procedures have been implemented to ensure that such exceedences do not happen again. On November 22, 2010 I was at the facility to see how changes that had been implemented were working on the loading/unloading dock. Finalized procedures were outlined in the NOV response letter dated January 10, 2011.

**No further action is required by you regarding this violation.**

**2. Permit Condition A.5 and OAC Rule 3745-50-58(A): Duty to Comply.**

Hukill has determined that the extent of non-compliance included, in addition to the 14 days in September that have been reported, exceedences in the months of January, May, June, July, and August 2010. Per the January 10, 2011 letter to me, the exceedences were:

August: 139 of 233 manifests were entered late. Limit exceeded on 12 days.  
July: 102 of 269 manifests were entered late. Limit exceeded on 9 days.  
June: 135 of 276 manifests were entered late. Limit exceeded on 9 days.  
May: 16 of 50 were entered late. Number of days over the limit was not given.  
January: 6 of 59 were entered late. Number of days over the limit was not given.

**Hukill has been returned to compliance with this violation. No further action is required by you.**

**4. OAC rule 3745-54-73(B)(2) and Permit Condition B.21: Operating Record**

The owner or operator must keep a written operating record at the facility. The following information must be recorded: The location of each hazardous waste within the facility and the quantity at each location. The information must include cross-references to specific manifest documentation.

During the months of permitted container volume exceedences, by failing to enter manifests into the drum inventory log, Hukill failed to record the location and quantity of containers of hazardous waste for every manifest that had a delayed entry into the system. The location of each hazardous waste container was not accounted for.

**Hukill has changed procedures and trained employees on the new procedures. This violation has been abated based on the information provided by Hukill and by my visit to the facility subsequent to the inspection/compliant investigation. No further action is required by you.**

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The following violation remains unabated:

**3. Permit Condition A.9 and OAC Rule 3745-50-58(E): Proper Operation and Maintenance.**

The Permittee must at all times properly operate and maintain the facility (and related appurtenances) to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective management practices, adequate funding, adequate operator staffing and training, and where appropriate, adequate laboratory and process controls, including appropriate quality assurance/quality control procedures.

**The following item has been addressed:**

- a. Submit information that a new dock worker has been hired.

As required, a new dock worker has been hired to help increase manpower on the dock. Although no further action is required by Hukill please be advised that it is Hukill's responsibility to ensure that adequate operator staffing and training is maintained at all times at the loading/unloading dock and in all areas of the facility.

**The following two items remain outstanding:**

- b. Submit a Class 1 permit modification to replace the flow diagram on permit application page 000581 with the new flow diagram I was given on November 22, 2010.
- c. Update Section D-1a(2), Container Management Practices. If significant changes have been made to the container management procedures written in the part B permit application, it must be rewritten to reflect current procedures and a Class 1 permit modification must be submitted to document the change. The current description can be found on page 3 (old page 000498). If a Class 1 permit modification is not needed at this time, please indicate this in your response letter.

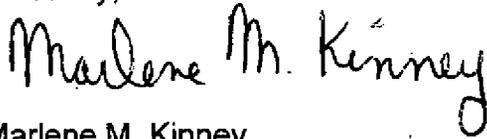
**Please submit the documentation requested in violation # 3 within 30 days receipt of this letter.**

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.

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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/cl

ec: Harry Sarvis, DHWM, CO  
Natalie Oryshkewych, DHWM, NEDO  
Nyall McKenna, DHWM, NEDO

cc: Marlene Kinney, DHWM, NEDO