



State of Ohio Environmental Protection Agency

Northeast District Office



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

February 4, 2008

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

**RE: HUKILL CHEMICAL CORPORATION, TSD/LQG/TRANSPORTER  
OHD001926740/02-18-0315, CUYAHOGA COUNTY  
NOTICE OF VIOLATION/RETURN TO COMPLIANCE**

Dear Mr. Jones:

On December 27, 2007, Ohio EPA received a copy of a non-manifested waste report in compliance with Ohio Administrative Code rule 3745-54-76, for waste received at Hukill Chemical Corporation (Hukill) on 11/27/07, manifest 000290685. Upon review of the paperwork, it was noted that manifest 000290685 FLE had been signed by the transporter (Hukill Chemical) on 11/14/07 but was not signed as received at the designated facility (Hukill Chemical) until 11/27/07. Additional non-manifested waste reports that Hukill has submitted to Ohio EPA also show time delay by Hukill when signing the manifest for an arriving shipment of hazardous waste.

The following manifests were noted to have a delay from the time that the transporter received the waste at the generators facility to the time that the manifest was signed at the designated facility, Hukill Chemical Corporation.

1. Manifest 000290685 FLE; HCC #79856, KP McNamara, shipped 11/14/07 and received 11/27/07;
2. Manifest 000290421 FLE; HCC # 7937, KP McNamara, shipped 10/17/07 and received 10/24/07;
3. Manifest 000290434 FLE, KP McNamara, shipped 10/31/07 and received 11/05/07;
4. Manifest 000346023 FLE, HCC #80390, KP McNamara, shipped 12/12/07 and received 12/19/07; and,
5. Manifest 000346032 FLE, Luke Engineering, shipped 12/14/207 and received 12/21/07.

Hukill is in violation of the following:

**Ohio Administrative Code (OAC) rule 3745-54-71(A) Use of manifest, and permit condition B.24, Manifest System.**

If a facility receives hazardous waste accompanied by a manifest, the owner or operator, or his agent, must sign and date each copy of the manifest...immediately give the transporter at least one copy of the signed manifest.

Hukill failed to sign the manifests listed in items 1-5 above when the shipments of hazardous waste arrived at the facility. Per our phone conversation on 1/22/2008, Hukill is signing all manifests upon arrival of a shipment of hazardous waste. You stated that there had been some confusion among the employees who work on the receiving dock regarding when a manifest should be signed, and that the delay in signing some manifests was a temporary procedure that has been corrected.

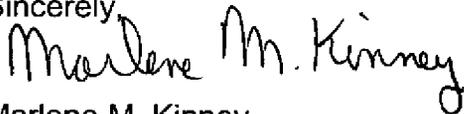
On January 31, 2008, I met with you and Jeff McGlynn at the facility to discuss why the manifests had not been signed upon arrival at Hukill. You and Jeff explained that once the time limit on the staging area had been removed, the dock employees had thought that for drums of hazardous waste that were in the staging area, the manifest didn't need to be signed until sampling and analysis had been completed on those drums. Once it was realized by facility personnel that the manifests were not being immediately signed, the dock employees were given refresher training on when to sign a hazardous waste manifest. Changes have also been made to the hazardous waste container receiving procedure and the changes have been communicated to the receiving dock workers.

Based upon my meeting with you and Jeff, and the information that was presented to me, the above noted violation has been abated. No further action is required regarding this violation.

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.

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

cc: Natalie Oryshkewych, DHWM, NEDO