



State of Ohio Environmental Protection Agency

Northeast District Office



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

March 6, 2007

Mr. Geoff Jones
Remediation and Discontinued Operations
Clean Harbors Environmental Services, Inc.
200 Arbor Lake Drive, Suite 300
Columbia, SC 29223

**RE: GSX, 2516 TRAIN AVENUE, CLEVELAND, CUYAHOGA COUNTY
OHD 077 786 309, CLOSURE NOV**

Dear Mr. Jones:

On September 28, 1994, Ohio EPA approved the closure plan for the hazardous waste management units at the GSX - Train Avenue facility located at 2516 Train Avenue, Cleveland, Ohio, now owned by Clean Harbors Environmental Services, Inc. Several closure period extension requests have been approved since the September 1994 closure plan approval. The most recent closure period extension was approved by Ohio EPA on July 21, 2006, extending the closure period to March 1, 2007. This extension was approved to allow Clean Harbors time to complete additional field work associated with the Phase II Site Investigations, develop an amended closure plan, and submit the amended closure plan to Ohio EPA for review and approval. On January 4, 2007, Ohio EPA received an amended closure plan from Clean Harbors for the former container and tank storage areas and other related areas. However, Ohio EPA was disappointed in the amended closure plan submittal and was unable to approve the plan. Ohio EPA issued a Notice of Deficiency (NOD), which you will find enclosed.

As of March 1, 2007, Clean Harbors no longer has an approved closure period extension or an approved amended closure plan containing a schedule for completing closure. Therefore Clean Harbors is in violation of the following Ohio Administrative Code (OAC) rule:

1. **OAC Rule 3745-66-13, Must complete partial or final closure according to plan:** The owner/operator must complete partial and final closure activities in accordance with the approved closure plan and within 180 days after receiving the final volume of hazardous waste, or 180 days after approval of the closure plan, if that is later. The director may approve an extension to the closure period if the owner/operator demonstrates that the partial or final closure activities will, of necessity, take longer than 180 days to complete. The owner/operator of a facility must request an extension to the closure period if the activities will take longer than previously approved by the Director of Ohio EPA.

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The closure period expired on March 1, 2007. Clean Harbors failed to submit a closure period extension request or an approvable amended closure plan.

In order to abate this violation, Clean Harbors must revise the January 2007 amended closure plan within 30 days to address Ohio EPA's March 6, 2007 NOD letter. Upon approval of the amended closure plan, Clean Harbors must implement the amended closure plan within the specified time frames to demonstrate compliance with this rule.

Should you have any questions, please feel free to call me at (330) 963-1204. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Kurt M. Princic
Environmental Manager
Division of Hazardous Waste Management

KMP:ddw

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

ec: Harry Courtright, NEDO, DHWM
John Palmer, NEDO, DHWM
Shannon Ryan, NEDO, DHWM

NOTICE:

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.