



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 28, 2009

**CERTIFIED MAIL**

Dennis Woodard  
EHS & S Manager  
Gabriel Performance Products, LLC  
725 State Road  
Ashtabula, OH 44005

**RE: GABRIEL PERFORMANCE PRODUCTS, OHD 003913308,  
PERMIT # 02-04-0078, ASHTABULA COUNTY, NOV**

Dear Mr. Woodard:

On July 31, August 14 and September 25, 2009, I received Gabriel Performance Products (Gabriel's) letters dated July 29, August 13 and September 24, 2009, concerning a voluntary disclosure pursuant to Ohio Revised Code (ORC) § 3745.72(C). The disclosure identified that Gabriel had exceeded the accumulation time limits for the on-site storage of hazardous waste at its facility. In accordance with ORC § 3745.72(H), Ohio EPA, Division of Hazardous Waste (DHW) has jurisdiction over the disclosed violation.

Based upon this information, Ohio EPA has determined that Gabriel has violated the following Ohio hazardous waste regulation:

- ORC § 3734.02(E)&(F), Accumulation Time: The owner or operator may, for ninety days or less, accumulate hazardous waste that is generated on-site without an Ohio hazardous waste permit.

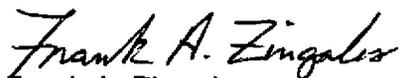
Gabriel accumulated hazardous waste that was generated on-site for greater-than-ninety (>90) days within Tank 44 (T-44). Specifically, hazardous waste was accumulated on-site for 102 days. Upon discovery of the accumulation time exceedance, Gabriel shipped the hazardous waste to a permitted treatment, storage, and/or disposal (TSD) facility. To prevent a recurrence of this violation, Gabriel will ship each hazardous waste tank at the facility every 85 days. Additionally, tank level meters were verified to be operating correctly and administrative procedures (i.e., log books and batch sheets) were revised to clearly identify when waste is transferred to a hazardous waste tank. **Based upon submitted documentation, Gabriel has adequately addressed this violation. No further response is required at this time.**

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Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve Gabriel from having to comply with all applicable regulations.

Should you have any questions concerning this letter or your disclosure, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FAZ:cl

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

cc: Keith Riley, NEDO, DO  
Marlene Kinney, NEDO, DHWM