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State of Ohio Environmental Protection Agency

**Northeast District Office**

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Twinsburg, Ohio 44087

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

October 7, 2008

RE: GARVER PROPERTY  
9450 SHARROTT ROAD  
MAHONING COUNTY  
CESQG - COMPLAINT NO. 6787  
PARTIAL RETURN TO COMPLIANCE

Mr. Jay Garver  
9450 Sharrott Road  
Youngstown, OH 44514

Dear Mr. Garver:

Thank you for your letter response dated April 29, 2008 that summarizes wastes and scrap disposed and recycled during most of 2007 and early 2008. The waste, scrap and items removed include: scrap steel, scrap vehicles, scrap machinery, solid waste trash and debris, construction & demolition waste, recycled batteries, tire scrap and salable vehicles, equipment, tires, materials and chemicals and; disposal and recycling of wastes including: paints, solvents, household chemicals, thinners, computers, electronics, lamps and tires.

**CURRENT STATUS**

Several unannounced site visits were made during the spring and summer of 2008 with the last occurring August 28, 2008. You were not present during the last site visit. Considerable progress was noted and it appears that most items of concern from outside areas have been recovered and sent off site or are staged for disposal or recycling. Tri-County Industries, Inc. located in Grove City, Pennsylvania has been contracted to receive generated solid wastes. Construction and demolition debris (C&DD) were being shipped to the BFI CLD landfill in Salem, Ohio. Composting facilities also may accept various types of wood waste.

**NOTICE OF VIOLATION**

The following violation of Ohio's hazardous waste regulations remains. To abate the violation you must respond with information regarding the following:

4. **Waste Evaluation, OAC 3745-52-11:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

You must continue to evaluate and remove the following waste streams and provide updated information regarding:

- a) One and five gallon containers of paint and other contents
- b) Aerosol cans and small containers
- c) Fifty-five gallon drums (oils and unknown fluids)
- d) Drums or other containers of sandblast material, grinding grit, slag, residue, and
- e) Universal waste lamps and batteries

Most of these materials appear to have now been accumulated in the front area. Some of these may remain to be identified, labeled or disposed, recycled or set aside as a raw material or product. A few items may remain in the back field areas. You must ensure that you have removed, evaluated and properly recycled or disposed wastes from all outside areas at the site in order to return to compliance in this matter.

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**To abate this violation**, you must continue to evaluate the contents of all containers that are encountered onsite and identify and properly dispose all items that are determined to be a waste.

You have provided Ohio EPA with a list update of materials and waste generated. In your last submittal you did not provide documentation from, or the name of the destination facility of materials sent for disposal or recycling.

### CONCERNS, INFO and RECOMMENDATIONS

Please refer previous letters for the information regarding steps to evaluation and management of hazardous waste, C&DD waste, municipal solid waste, universal waste, used oils, tires and the recycling of various materials.

If you have any questions regarding proper management and disposal, please do not hesitate to inquire. Please respond with an update of disposed and recycled materials sent off since your last submittal providing the requested documentation, to my attention, **within 30 days** of receipt of this letter. Should you have any questions or need assistance, please feel free to contact me at (330) 963-1146.

Sincerely,



Ronald J. Shadrach  
Environmental Specialist  
Division of Hazardous Waste Management

RJS:ddw

cc: Michele L. Swope, M.A., Beaver Township Zoning Inspector  
Mary Helen Smith, Mahoning Co. Health Dept.  
ec: Frank Popotnik, DHWM, NEDO  
John Kwolek, DSW, NEDO

**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.