



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

January 7, 2010

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:

A site walkover was conducted December 16, 2009. The following summarizes the conditions of your property according to Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Continued progress was observed. Batteries were labeled and managed as a universal waste. Oils were accumulated and sent off or labeled and being stored for heating use. Many tires have been sent off and a small amount re-accumulated. As weather conditions provide, it is understood that removal efforts will continue through the winter.

NOTICE OF VIOLATION

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.

To abate this violation, you must continue to evaluate and remove from the remaining stored materials all wastes and provide an updated list of the wastes accumulated and those sent off site for disposal or recycling. It is requested that this list be provided by March 15, 2010. A re-inspection is planned for late March early April 2010.

Please continue to identify and manage universal waste lamps, batteries or mercury containing devices as a universal waste and remove tires, solid wastes and other debris. Properly dispose all items that are determined to be a hazardous waste, universal waste or otherwise regulated substance.

Please respond to this Notice of Violation with the above requested documentation by March 15, 2010. Should you have any questions or need assistance, please feel free to contact me at (330) 963-1146.

Sincerely,

Ronald J. Shadrach
Division of Hazardous Waste Management

RJS:ddw

cc: Beaver Township Zoning Inspector
Ted Lyda, Beaver Township Trustee
Mary Helen Smith, Mahoning Co. Health Dept.
ec: Frank Popotnik, DHWM, 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.