



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 Korieski, Director

May 19, 2010

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

Mr. Jay Garver
9450 Sharrott Road
Youngstown, OH 44514

Dear Mr. Garver:

A site walkover was conducted May 6, 2010. The following summarizes the conditions found 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. Other batteries were stored as good batteries. Used oils were still being accumulated. You reported that oil would likely be taken again by Environmental Specialists. Tires had been sent off and a small amount re-accumulated. There were several pallets of paints and chemicals set to go off for proper disposal.

NOTICE OF VIOLATION

1. **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. You must also 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 by June 15, 2010 to this Notice of Violation with an updated progress report of your effort since the July 30, 2009 report. Please include the approximate number of containers or cubic yards of solid waste removed for disposal. Should you have any questions or need assistance, please feel free to contact me at ron.shadrach@epa.state.oh.us or 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.