

September 13, 2010

Ralph E. Kyanko
Kokosing Materials, Inc.
P.O. Box 334
Fredericktown, OH 43019

RE: KOKOSING MATERIALS-SHEFFIELD, OHD982063216, 4140 E. RIVER RD., SHEFFIELD, OHIO, 44054, LORAIN COUNTY, NOV

Dear Mr. Kyanko:

On July 20, 2010, this writer, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), visited Kokosing Materials, Inc. (Kokosing) to conduct a hazardous waste compliance evaluation inspection (CEI). Kokosing was represented by Paul Ganobcik and you.

The purpose of the inspection was to determine Kokosing's compliance with 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). The inspection included a review of the facility's operations, as well as the management of wastes. Due to unevaluated waste streams at the facility, Kokosing's hazardous waste generator category could not be confirmed. Therefore, Kokosing must submit an inventory of all types and amounts of hazardous waste generated and accumulated on a monthly basis. The inventory must be submitted on a monthly basis for the next three months and is due by the eight day of the following month (e.g., September 2010 waste generation amounts due by October 8, 2010).

Based on the inspection, Ohio EPA identified the following violation:

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

Kokosing failed to evaluate the following wastes:

- A. Spent Astec Powersolv solvent generated from the testing of asphalt samples in the laboratory area of the facility. To abate this violation, Kokosing must submit waste evaluation information, developed in accordance with OAC rule 3745-52-11, for the spent Astec Powersolv solvent. Additionally, please identify how this waste stream will be managed on-site.
- B. Five, 5-gallon containers and three, 55-gallon drums of unknown wastes observed outdoors at the facility. These wastes were subsequently identified and managed as non-hazardous oily wastewater (two, 55-gallon drums) and hazardous waste (D001/D007) flammable liquids (5, 5-gallon containers and one, 55-gallon drum). On August 5 and August 19, 2010, these wastes were shipped to off-site management facilities. Kokosing has adequately abated this violation. No further response is necessary.

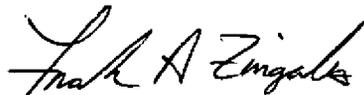
Ohio EPA offers the following comments:

1. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage
2. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://www.epa.ohio.gov/ocapp/assistance.aspx>
3. The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. For more information, please refer to: <http://development.ohio.gov/Energy>
4. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. OCAPP provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://www.epa.ohio.gov/ocapp>
5. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.ohio.gov/dhwm>

The above violation must be immediately addressed and all of the above requested documentation must be submitted to my attention at the Ohio EPA by October 8, 2010. Please be advised that additional violations may be cited upon review of forthcoming documentation. Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FAZ:ddw

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

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHD982063216	
Site Name	Name: Kokosing Materials, Inc.	Website: (Optional)
Site Location Information	Street Address: 4140 E. River Rd.	
	City, Town, or Village: Sheffield	State: OH
	County Name: Lorain	Zip Code: 44054
Site Land Type (check only one)	Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html	32412	

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Ralph	MI: E	Last Name: Kyanko
	Title:		
	Phone Number: 740-225-0363	Phone Number Extension:	
	E-Mail Address: rek@kokosing.biz		
	Fax Number:	Fax Number Extension:	
	Street or P.O. Box: P.O. Box 334	City, Town or Village: Fredericktown	
	State: OH	Zip Code: 43019	

Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):		
	Owner Type:	Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>			
	Street or P.O. Box:		Owner Phone #:		
	City, Town or Village:		Country:	Zip Code:	
	State:		Name of Site's Operator:		
	Date Became Operator (mm/dd/yyyy):				
	Operator Type:	Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>			
	Street or P.O. Box:		Operator Phone #:		
City, Town or Village:		Country:		Zip Code:	
State:					

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

<input type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRA Info source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D001 D007

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:	Paul Ganobcik
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
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Comments: