



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
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Chris Korleski, Director

July 9, 2008

Dennis Woodard
EHS & S Manager
Gabriel Performance Products, LLC
425 State Road
P.O. Box 488
Ashtabula, OH 44005-0488

**RE: GABRIEL PERFORMANCE PRODUCTS, OHD003913308,
PERMIT # 02-04-0078, ASHTABULA COUNTY**

Dear Mr. Woodard:

On May 22, 2008, Sherry Slone and this writer, representing Ohio EPA's Division of Hazardous Waste Management (DHWM), visited Gabriel Performance Products, LLC (Gabriel) to conduct a hazardous waste compliance evaluation inspection. The purpose of this inspection was to determine Gabriel's compliance with Ohio's hazardous waste laws as found under Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC), as well as, Gabriel's hazardous waste facility installation and operation permit.

On June 30, July 2 and July 8, 2008, I received Gabriel's responses to Ohio EPA's May 28, 2008 Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. The following is the status of the previously cited violations:

1. ORC § 3734.02 (F) Causing A Hazardous Waste To Be Transported To An Unpermitted Facility: Gabriel's responses identified the disposition of the rejected waste shipments, reiterated the necessity to complete adequate waste characterizations and provided documentation concerning the training of employees on waste characterization procedures. Based upon submitted documentation, Gabriel has adequately addressed this violation. No further response is required at this time.
2. OAC rule 3745-52-11, Waste Evaluation and OAC rule 3745-270-07(A)(1)(2), Land Disposal Restriction (LDR) Requirements: Gabriel's responses reiterated the necessity to complete adequate waste characterizations and provided documentation concerning the training of employees on waste characterization procedures. Based upon submitted documentation, Gabriel has adequately addressed this violation. No further response is required at this time.

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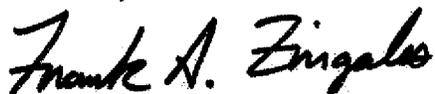
3. OAC rule 3745-273-14(A)(E), Labeling/marketing Standards for Small Quantity Handlers of Universal Waste: To prevent a recurrence of this violation, Gabriel re-trained affected employees on universal waste requirements, as well as will perform additional inspections of universal waste containers. Based upon submitted documentation, Gabriel has adequately addressed this violation. No further response is required at this time.
4. OAC rule 3745-279-22(C), Used Oil Storage Requirements: To prevent a recurrence of this violation, Gabriel re-trained affected employees on used oil labeling requirements, as well as will perform additional inspections of used oil containers. Based upon submitted documentation, Gabriel has adequately addressed this violation. No further response is required at this time.

Gabriel's July 8 response indicated that the facility will implement a database to track hazardous waste that is initially accumulated in a container and subsequently placed into a tank.

Please be aware that present or past instances of non-compliance may continue as subjects of pending or future enforcement actions. 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, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FZ:ddw

cc: Natalie Oryshkewych, NEDO, DHWM