

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Koreski, Director

June 2, 2010

RE: MAHONING COUNTY  
FISH CREEK BASIN  
VILLAGE OF SEBRING  
BUCKEYE POLYMERS, INC.

**NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Mr. Jerry Robinson  
Buckeye Polymers, Inc.  
104 LEE ST  
Lodi, Ohio 44254

Dear Mr. Robinson:

On May 12, 2010, Ohio EPA conducted an inspection at Buckeye Polymers, Inc., located at 1100 North 21<sup>st</sup> Street, Village of Sebring, Mahoning County (site). Ohio EPA records indicate that the site is covered by General National Pollutant Discharge Elimination System Permit for Storm Water Associated with Industrial Activity (General Storm Water Permit), permit No. 3GR01184\*DG. The inspection documented the following violations that must be addressed:

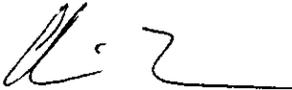
- **Failure to implement the site's storm water pollution prevention plan (SWP3) constitutes a violation of Ohio Revised Code (ORC) Chapter 6111 and Part IV of the General Storm Water Permit.** Specifically, the site has failed to implement the following SWP3 components:
  1. Section 3.2.1 – The roll-off container has not been tarped (Figure 1), a roof has not been installed over the trash compactor (Figure 2), and a water tight berm has not been constructed around the compactors. Contaminated storm water runoff has discharged from these areas to "waters of the state" (Figure 3);
  2. Section 3.2.2 – Raw materials are exposed and litter the northern and eastern portions of the property and require clean-up and proper disposal (Figures 4 to 5). In addition, the temporary silt fence must be repaired and/or reinstalled to prevent the discharge of pollutants (i.e. fine plastics, etc.) (Figure 6). Contaminated storm water runoff has discharged from these areas to "waters of the state;"
  3. Section 3.2.5 – The trash compactors are currently out of service and not covered by a tarp (Figure 2);

4. Section 3.2.11 – Waste plastic fines are to be stored in two liquid tight roll off containers. Any spilled materials are to be cleaned up immediately (Figure 7);
  5. Section 3.3.1 – If the forklift operator drops any material on the ground, then the operator shall immediately pick up the spilled material and place it in the compactor roll off container;
  6. Section 4 – Storage containers are to be kept covered to avoid contact with storm water. Any spills are to be promptly picked up. Outside storage of all materials shall be under cover. All process and scrap material shall be stored inside the facility or trailers;
  7. Section 4.3 – All stored materials will be in closed or covered containers reducing the potential for spillage (Figure 4);
  8. Section 4.4 – Construction of storm water diversion berms, directing storm water to an installed sedimentation swale (Figure 5). Reseed the backyard (Figure 5);
  9. Section 4.6.1 – If any material should spill on the ground, promptly pick up the material and place into the container (Figure 8);
  10. Section 4.6.2 – If raw material is to be stored for future processing, then the material will be transferred to a storage trailer;
  11. Section 4.6.3 - If any material should spill on the ground, promptly pick up the material and place the metal into the container;
  12. Section 4.6.4 - If any material should spill on the ground, promptly pick up the material and place the cardboard into the container;
  13. Section 4.6.5 - If any material should spill on the ground, promptly pick up the material and place on the skid;
- The failure to implement the site's SWP3 has resulted in the discharge of pollutants (i.e. sediment, fine plastics, raw product, leachate, etc.) to "waters of the state" via the drainage swale located immediately west of the trailer storage area in the northern portion of the site and the failing silt fence located along the eastern portion of the site.

Mr. Jerry Robinson  
Buckeye Polymers, Inc.  
June 2, 2010  
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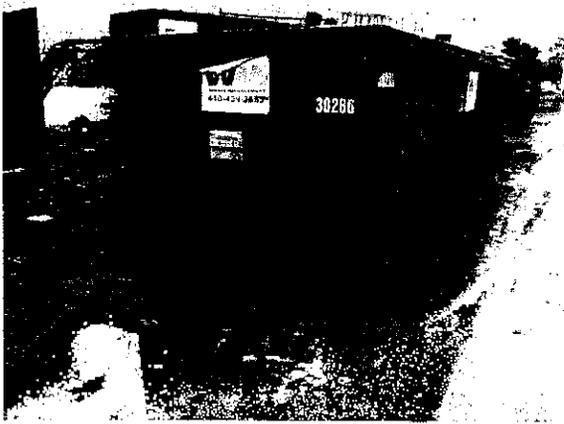
All components of the SWP3 must be immediately implemented to prevent discharges to "waters of the state." Failure to address the above violations will result in enforcement being pursued, whereby violations of ORC Chapter 6111 are punishable by fines up to \$10,000 a day per violation.

Sincerely,

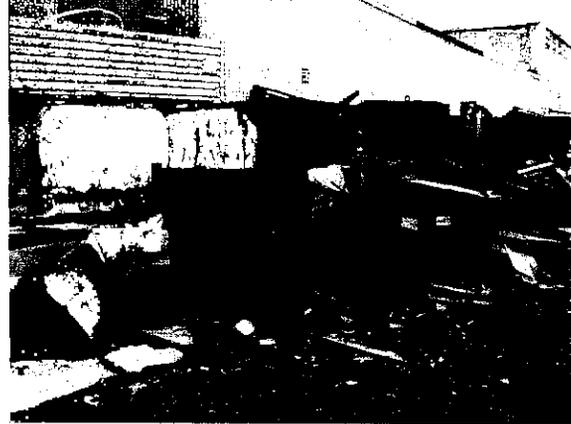
A handwritten signature in black ink, appearing to read 'C. Moody', with a long horizontal flourish extending to the right.

Chris Moody  
Environmental Specialist II  
Division of Surface Water

CM/mt



**Figure 1** - The roll-off container has not been tarped.



**Figure 2** - A roof has not been installed over the trash compactor.



**Figure 3** - Contaminated storm water runoff has discharged from these areas to "waters of the state."



**Figure 4** - Raw materials are exposed and litter the northern and eastern portions of the property and require clean-up and proper disposal.



**Figure 5** - Raw materials are exposed and litter the northern and eastern portions of the property and require clean-up and proper disposal.



**Figure 6** - The temporary silt fence must be repaired and/or reinstalled to prevent the discharge of pollutants to "waters of the state."



**Figure 7** - Waste plastic fines that have spilled must be cleaned up.



**Figure 8** - Spilled materials must be picked up and properly managed.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee  <i>Margie Spiker</i></p> <p>B. Received by (Printed Name) C. Date of Delivery  <b>MARGIE SPIKER</b> <b>6-8-2010</b></p>
<p>1. Article Addressed to:</p> <p><b>Jerry Robinson</b>  <b>Buckeye Polymers Inc.</b>  <b>104 Lee St.</b>  <b>Lodi OH 44254</b></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number  (Transfer from service label) <b>7009 1680 0001 95521516 (6/7/10 Moody)</b></p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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