



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

October 19, 2007

RE: EVROL, LLC
3IG00025
PORTAGE COUNTY

Mr. Mike Kelly
Principal Partner
957 Damon Drive
Medina, OH 44256

Dear Mr. Kelly:

On October 16, 2007, this writer met with you at the Evrol bulk storage facility located at 1559 Bank Street, Atwater, Portage County. The purpose of the inspection was to familiarize myself with the current and proposed operations at the site. The facility was formerly known as Ohio Oil Gathering Corporation. The National Pollutant Discharge Elimination System (NPDES) permit was formerly transferred to your company on April 7, 2005. As noted in an inspection letter from Donna Kniss, Ohio EPA, DSW, NEDO dated October 7, 2004, the facility has been inactive for quite some time (greater than eight years). There are five tanks present, and all are located within an earthen dike. None of them are in use at the time of this writing. You propose to rehabilitate tanks 102 and 103 for use as storage for an industrial grade fuel oil from Everclear out of Austintown, Ohio. The tanks will be leased to Everclear, your company will be responsible for compliance with the NPDES permit.

The current permit authorizes the discharge of storm water which accumulates within the dike. This water is pumped from a sump located at the south end of the dike. It enters a swale which leads to a small shallow pond northwest of the tank farm. At the time of the inspection the water collected within the dike was visually clear with no oil sheens. No visual problems were noted with the swale, and the pond was covered with duckweed.

You are inquiring as to the possibility of applying for coverage under the general permit available for Bulk Terminals. After reviewing the general permit, it appears that your operation would be considered a Type A or B facility by default. Type C facilities are those facilities where transfer of product is entirely by pipeline, which does not fit your proposal. After reviewing your current NPDES permit it appears that it is less restrictive than the general permit for oil/grease limits (15/20 vs. 10 mg/l).

A review of your compliance history as indicated by our compliance tracking system indicated the following violations of your NPDES permit for the time period of January 2005 through August 2007:

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Frequency Violations

| Violation Date | Station | Reporting Code | Parameter | Sample Frequency | Expected | Reported |
|----------------|---------|----------------|------------------------|------------------|----------|----------|
| 4/1/2005 | 001 | 00530 | Total Suspended Solids | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 34010 | Toluene | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 34030 | Benzene | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 34371 | Ethylbenzene | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 81551 | Xylene, Total | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 00310 | Biochemical Oxygen Dem | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 00045 | Total Precipitation | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 00335 | Chemical Oxygen Demand | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 00680 | Carbon, Total Organic | 1/Month | 1 | 0 |
| 4/1/2005 | 001 | 00056 | Flow Rate | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 00530 | Total Suspended Solids | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 34010 | Toluene | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 34030 | Benzene | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 34371 | Ethylbenzene | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 81551 | Xylene, Total | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 00310 | Biochemical Oxygen Dem | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 00045 | Total Precipitation | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 00335 | Chemical Oxygen Demand | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 00680 | Carbon, Total Organic | 1/Month | 1 | 0 |
| 7/1/2005 | 001 | 00056 | Flow Rate | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 00530 | Total Suspended Solids | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 34010 | Toluene | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 34030 | Benzene | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 34371 | Ethylbenzene | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 81551 | Xylene, Total | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 00310 | Biochemical Oxygen Dem | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 00045 | Total Precipitation | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 00335 | Chemical Oxygen Demand | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 00680 | Carbon, Total Organic | 1/Month | 1 | 0 |
| 10/1/2005 | 001 | 00056 | Flow Rate | 1/Month | 1 | 0 |
| 3/1/2007 | 001 | 34694 | Phenol | 1/Quarter | 1 | 0 |
| 3/1/2007 | 001 | 34696 | Naphthalene | 1/Quarter | 1 | 0 |
| 6/1/2007 | 001 | 34694 | Phenol | 1/Quarter | 1 | 0 |
| 6/1/2007 | 001 | 34696 | Naphthalene | 1/Quarter | 1 | 0 |

It is also my understanding that you are not analyzing for all the pollutants required in your NPDES permit when you have a discharge. You have been using the AH code in these instances. This practice must be stopped. If you pump storm water from the dike at any time during a given month you are obligated to provide an analysis for all those parameters listed in your final effluent limitation table. Choosing to provide an oil/grease sample in lieu of the BTEX, Phenol, TSS, CBOD, or BOD parameters is

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unacceptable. As I related to you during our meeting, a history of noncompliance with the current NPDES permit makes you ineligible for the general permit. It also subjects you to possible enforcement actions initiated by this office. You are requested to immediately begin complying with all terms and conditions of your NPDES permit.

We trust that the above is an accurate description of the results of our meeting and a subsequent summary and interpretation of your NPDES permit compliance history. If not, please contact this writer at (330) 963-1136.

Sincerely,



Philip P. Rhodes, P.E.
Environmental Engineer
Division of Surface Water

PPR/mt

File: Industrial Permit/compliance