



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Shel J. Nally, Director

July 25, 2012

Gretchen Vikeň, EHS Director
Toxco, Inc.
265 Quarry Road
Lancaster, Ohio 43130

**Re: Toxco, Inc. OHD071654958
Recission of Notice of Violation**

Dear Ms. Vikeň:

On July 18, 2012, the Ohio Environmental Protection Agency conducted a financial assurance record review of the Toxco Inc. facility in Lancaster, Ohio (Toxco). The facility was evaluated for compliance with the Ohio Administrative Code (OAC) rules 3745-55-42, 3745-55-43 and 3745-55-47 (closure cost estimate, closure financial assurance and liability coverage) and Toxco's Ohio Hazardous Waste Facility Installation and Operation Permit.

Based upon review of the documentation noted above, I cited Toxco, Inc. in violation of OAC 3845-55-43(D)(6) in a Notice of Violation (NOV) letter dated July 18, 2012.

In response to the NOV I received the following documents:

- An email dated July 23, 2012 containing a scan of American Bank and Trust Company amendment to irrevocable standby letter of credit (LOC) no. 3467. The amendment was issued on February 9, 2012 and addressed to Director of the Ohio EPA. The amendment increased the value of the LOC to \$319,100.91; and
- An email dated July 24, 2012 containing a scan of a UPS tracking document showing that a package from American Bank and Trust Company was received by the Ohio EPA, Columbus, Ohio mail room on February 10, 2012.

Based upon review of the documentation noted above, Toxco, Inc. was not in violation of OAC 3845-55-43(D)(6).

Gretchen Viken
Toxco, Inc.
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If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to contact me at (614) 644-3067 or at isaac.wilder@epa.state.oh.us.

Sincerely,



Isaac B. Wilder
Compliance Assurance Section
Division of Hazardous Waste Management

IW/jm

cc: Melissa Storch, Manager, DMWM, CDO
Dustin Tschudy, ERAS, DMWM

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.