



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Road
Twinsburg, OH 44087-1924

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

January 8, 2007

RE: VON ROLL AMERICA, INC.
OHD 980 613 541
HWFB NO. 02-15-0589
RETURN TO COMPLIANCE

Ms. Allison Knowles
Von Roll America, Inc.
1250 St. George Street
East Liverpool, OH 43920

Dear Ms. Knowles:

On November 7, 2005, the Ohio Environmental Protection Agency (EPA) cited a notice of violation (NOV) to the Von Roll America (VRA), Inc. facility in East Liverpool, Ohio. The NOV was issued as a result of the facility's failure to prevent free liquids from entering the Bulk Solid Waste Storage Tanks (pits). The facility's Ohio Hazardous Waste Facility Installation and Operation Permit and Part B permit application both include language stating these tanks cannot contain free liquids since they do not have secondary containment or a system for detecting releases from the tanks. The Ohio EPA determined VRA had not complied with all conditions of their permit, a violation of OAC rule 3745-50-58(A) and permit condition D.(A).

VRA has taken several steps in order to prevent the discharge of free liquids into the pits. The standard operating procedure (SOP) for receiving, sampling, and unloading bulk container (roll-off) trucks was updated and revised. The modifications to the SOP emphasized precautions to be taken to ensure that free liquids are not dumped to the pits. It also included options to be followed and corrective actions to be taken in the event free liquids are inadvertently discharged into the pits. All essential personnel were trained regarding the revised SOP and documentation of the training was provided to the Ohio EPA. VRA has agreed to track receipt of these containers, logging their condition upon arrival relating to free liquids, and the steps taken to remediate the situation. VRA will ensure the generator of bulk solid waste received at the facility with free liquids will be contacted and informed of the issue and solutions will be discussed prior to future shipments.

In addition, VRA developed and implemented procedures regarding dewatering activities for bulk solid shipments that contain or appear to contain free liquids. These procedures were memorialized by permit modifications in 2006 to Section D, Process Description, of the Part B permit application.

My review of information provided by VRA, as well as actions taken regarding permit modifications, demonstrates they have adequately abated the following violations cited in the November 7, 2005 NOV. This letter serves as notification to the facility of return to compliance.

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1. OAC rule 3745-50-58(A), Duty to Comply which states: "The Permittee must comply with all conditions of this permit...Any permit noncompliance....constitutes a violation of Chapter 3734. of the Ohio Revised Code."
2. Permit Condition D.(A), Tank Storage, Treatment, and Management which states: "Wastes destined for the Bulk Solid Waste Storage Tanks cannot carry....or contain any free liquids."

Failure to list specific deficiencies in this communication does not relieve VRA from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve VRA from liability for any past or present violations of the state's hazardous waste laws.

If you have any questions, please do not hesitate to contact me at the Ohio EPA field office in East Liverpool at (330) 385-8447 or the Northeast District Office at (330) 963-1279. Or you may contact my supervisor, Frank Popotnik at (330) 963-1198.

Sincerely,



for Patricia Natali
Environmental Specialist
Division of Hazardous Waste Management

PN:ddw

cc: Frank Popotnik, DHWM, NEDO
Michelle Tarka, DHWM, NEDO
Tammy McConnell, DHWM, CO
Harry Sarvis, DHWM, CO
Natali Oryshkewych, DHWM, NEDO

Keywords: RTC, 2006, water in pit