



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 3, 2007

RE: MIP, INC.
MAHONING COUNTY
OHD 077 751 675
PARTIAL RETURN TO COMPLIANCE

Mr. Russ Brown, Vice President
MIP, Inc.
701 Jones Street
Youngstown, OH 44502

Dear Mr. Brown:

On October 31, 2006, a response was received in reply to a Partial Return to Compliance letter dated September 26, 2006. On December 15, 2006 an additional response was received in response to an email request of further information pending review of your October 31 submittal. Response information from the submittals included: status update of training, soil sampling data, uniform hazardous waste manifest documentation, an updated contingency plan, training implementation, waste recycling documentation, a waste analysis plan and Land Disposal Restriction (LDR) notifications.

Review of your response indicates that the following Violations have been addressed. No further information regarding the following items is required at this time:

- 2) OAC 3745-52-34(A)(4) and OAC 3745-65-16, Personnel Training
- 12) OAC 3745-54-13, General waste analysis
- 13) Retention of Land Disposal Restriction Forms, OAC 3745-270-07(A)(8)

VIOLATION

MIP remains in violation of the following state hazardous waste regulation:

- 14) ORC 3734.02 (E) and (F):** MIP, Inc. established an unpermitted hazardous waste storage facility by storing hazardous wastes without a permit. The hazardous waste storage exceeded 90 days and included the following areas:

- 1) Hazardous Waste drum storage area north of the Chemical Storage building:

- thirty two drums of nickel rack strip (D002, D011)
- two drums of Enstrip EN-86 (D002), and

- 2) Pallet Area:

- five gallons of blue-green fluid (nitric acid, D002)
- two gallons of yellow fluid (D002, D007).

MIP provided preliminary sample data from the unpermitted storage locations. Sample results at the pallet location indicate a low pH value. MIP is requested to provide all details of the sampling and analysis of the above unpermitted storage areas.

MIP must provide a written sampling and analysis plan (SAP) representative of the unpermitted storage areas. The plan must delineate the extent of any release. In addition, for releases identified, provide a written sampling and remediation plan (SARP) that insures removal and proper disposal of all contaminated soil. Ohio EPA must review and comment on your plan prior to implementation.

Since MIP violated ORC §3734.02(E) and (F), MIP, Inc. is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have MIP begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

CONCERN

Based on the CEI and your response, the following concern remains:

- B) A mounded fill area east of the Chemical Storage building appears to have been an open dump containing soil, debris, solid and unknown wastes and old 55-gallon drums, some of which appeared to have residual contents. It is understood that Spartan Specialty Services completed a sampling evaluation of this area. The results of the sampling were reported to show no hazardous waste present. No analytical data or sampling methodology was provided. Ohio EPA requests that the analytical data and field sampling reports be forwarded to OhioEPA and maintained in your files. It is understood the area will be cleaned up by removing surface debris to a nearby sanitary landfill. Based on Ohio EPA's visual assessment of the drums and debris observed at the surface, this disposal appears reasonable for that which is visible at the surface. Scrap materials should be recycled when possible.

Ohio EPA has not received adequate information to assess or comment on the status of the subsurface dump area. It is recommended that you consider pursuing a corrective actions process with the Division of Hazardous Waste Management (DHWM) or the Voluntary Action Program (VAP) with the Division of Emergency Remedial Response (DERR) in regard to this matter. For corrective actions you may contact Bill Lutz at (330) 963-1245. For the VAP, contact Rod Beals at (330) 963-1218. It is recommended that any sampling and analytic documentation be forwarded for review.

Within 30 days of the date of this letter, **submit the above requested documentation** to my attention. Should you have any questions you may contact me at (330) 963-1146 or at: ron.shadrach@epa.state.oh.us.

Sincerely,

Ron Shadrach

Ronald J. Shadrach
Environmental Specialist
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
Sherry Slone, DHWM, NEDO
Harry Sarvis, DHWM, CO
cc: Health Department City of Youngstown

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