



State of Ohio Environmental Protection Agency

Northwest District Office

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

November 14, 2007

Mr. Kenneth Humphrey, Environmental Director
Envirosafe Services of Ohio, Inc.
876 Otter Creek Road
Oregon, Ohio 43616-1200

**Subject: Notice of Violation / RTC
ESOI Otter Creek Road Facility
OHD 045 243 706
RCRA Hazardous Waste
Lucas County**

Dear Mr. Humphrey:

On October 18, 2007, as part of a routine daily inspection, Ohio EPA observed Leachate Storage Building Tank Inspection Forms MF-03(a) for October 18th and 19th, 2007 signed and completed by Envirosafe Services of Ohio, Inc. (ESOI) located at 876 Otter Creek Road, Oregon, Ohio. Ohio EPA reviewed these documents to determine ESOI's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), Chapter 3745 of the Ohio Administrative Code (OAC), and ESOI's approved December 29, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit (permit).

On October 18, 2007, you were verbally notified of the observations Ohio EPA made during the daily inspection.

After consideration of the information discovered during the daily inspection on October 18, 2007, Ohio EPA has determined that ESOI is in violation of its permit and the OAC.

ESOI is in violation of the following:

1. Permit Condition B.5; OAC Rule 3745-54-15(B)(1)

Permit Condition B.5 states, "The Permittee must follow the inspection schedule set forth in Section F of the permit application."

OAC Rule 3745-54-15(B)(1) states, "The owner or operator must develop and follow a written schedule for inspecting monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards."

During the inspection conducted on October 18, 2007, Ohio EPA observed that ESOI had completed, signed, and dated inspection form MF-03(a) for October 19, 2007 before actually conducting the inspection of the leachate storage building tanks on October 19, 2007.

This violation is considered abated as it is historical and ESOI did subsequently complete inspection form MF-03(a) as required by the inspection schedule set forth in Section F of the permit application on October 19th, 2007.

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2. **Permit Condition B.5(a)**

Permit Condition B.5(a) states, "The Permittee must require inspectors to sign and print their names on inspection checklists **after indicating the status of the items inspected**. Items not inspected must be marked 'NI' on the checklist.

During the inspection conducted on October 18, 2007, Ohio EPA observed that ESOI had completed, signed, and dated inspection form MF-03(a) for October 19, 2007 before actually conducting the inspection of the leachate storage building tanks on October 19, 2007.

This violation is considered abated as it is historical and ESOI did subsequently conduct an inspection of the leachate storage building tanks on October 19th, 2007, and following that inspection, did complete inspection form MF-03(a) as required by Permit Condition B.5(a).

ESOI has satisfactorily abated the violations as outlined in this NOV. However, Ohio EPA expects ESOI to accurately and completely conduct all inspections as required by the permit and per the inspection schedule set forth in Section F of the permit application. Ohio EPA expects ESOI to complete all inspections prior to filling out inspection forms and strongly urges ESOI to take steps to prevent the pre-completion of any portion of any inspection forms.

Should you have any questions, please feel free to call me at (419) 698-3130.

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Sincerely,



Chris Maslo
Environmental Specialist II
Division of Hazardous Waste Management

/cs
pc: Oregon Document Depository
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NOTE: 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.