



**Environmental  
Protection Agency**

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

March 16, 2011

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

**Subject: Waterline Dewatering Trench Pumping – Notice of Violation  
ESOI Otter Creek Road Facility  
U.S. EPA ID# OHD 045 243 706  
RCRA Hazardous Waste  
Lucas County, NWDO**

Dear Mr. Humphrey:

During the week of March 7, 2011, I conducted inspections and reviewed records of Envirosafe Services of Ohio, Inc.'s, (ESOI's) waterline dewatering trench inspections and pumping activities at ESOI; a treatment, storage and disposal facility (TSDF) located at 876 Otter Creek Road, Oregon, Ohio. I conducted these inspections and records reviews to determine ESOI's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC), and ESOI's approved December 29, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit (permit).

Ohio EPA has determined that ESOI is in violation of Permit Conditions G.4(d)(ii) and G.4(d)(iv) as described below:

**1. Permit Condition G.4(d)(ii) - Waterline Dewatering Trench Pumping Procedures**

Permit Condition G.4(d)(ii) states, in part, "If the liquid elevation in any waterline dewatering trench sump is at or above a point twelve (12) inches below the invert elevation of the adjacent waterline, the Permittee must:

- (ii) Commence pumping from at least one sump in each of the affected waterline dewatering trenches within 24 hours of the date and time recorded in Permit Condition G.4(d)(i)."

Ohio EPA's inspections and a review of dewatering trench liquid elevation measurement records shows that ESOI failed to commence pumping in Trenches 3 and 4 within twenty-four (24) hours of ESOI determining that liquid levels exceeded either a trigger or an invert elevation.

**2. Permit Condition G.4(d)(iv) - Waterline Dewatering Trench Pumping Procedures**

Permit Condition G.4(d)(iv) states that in addition to commencing pumping from at least one sump in each affected waterline dewatering trench within 24 hours, "...the Permittee must:

- (iv) Continue pumping the affected waterline dewatering trenches during the following working days until pump cavitation occurs or liquid flow ceases and the liquid elevation in all waterline dewatering trenches is below a point twelve (12) inches below the invert elevation of the adjacent waterline."

Ohio EPA's inspections and a review of dewatering trench liquid elevation measurement records shows that ESOI failed to continue pumping the affected waterline dewatering trenches during the following working days until pump cavitation occurs or liquid flow ceases as demonstrated by the fact that ESOI stopped pumping at Phase 4W and Phase 5W on March 9, 2011, and did not conduct any pumping in Trenches 4 and 5 on March 10, 2011. The trigger elevation was exceeded again at Phase 5W by 9:25 on March 10, 2011. ESOI's March 11, 2011, liquid level measurements at Phase 4W and Phase 5W do not accurately represent the liquid levels in Trenches 4 and 5 because these measurements were taken at Phase 4W and Phase 5W while the pumps were running in those sumps. This is reinforced by ESOI's March 11, 2011, liquid level measurements in Phase 4E and Phase 5E which show liquid levels nearly unchanged or rising in those sumps (when compared to the March 9, 2011, and March 10, 2011, measurements at those sumps).

**ESOI must do the following to return to compliance:**

1. ESOI must continue pumping from at least one sump in each of the dewatering trenches (Trenches 3, 4, and 5) until pump cavitation occurs or liquid flow ceases from these sumps and the static liquid levels in all of the sumps in these dewatering trenches is below all corresponding trigger levels. Within 10 days of ESOI's receipt of this letter, ESOI must develop methods or procedures to demonstrate and document that pump cavitation or the cessation of liquid flow required by Permit Condition G.4(d)(iv) has occurred.
2. Within 14 days of ESOI's receipt of this letter, ESOI must measure the depth to the pump in the bottom of each sump in dewatering trenches 3, 4, and 5. ESOI must permanently include these "Depth to Pump" measurements on the Toledo Waterline Elevation Weekly Summary Records (or an equivalent record) as part of the facility operating record as required by Permit Condition G.5(c).

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3. Within 30 days of ESOI's receipt of this letter, ESOI must conduct refresher training on the requirements of Permit Conditions G.4 and G.5 for all staff involved in the measurement and removal of liquids from the waterline trench sumps. ESOI must submit copies of the training agenda and/or outline ESOI has presented to staff showing the topics covered in this training event along with sign-in sheets documenting staff attendance.

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

Sincerely,

  
Chris Maslo  
Environmental Specialist  
Division of Hazardous Waste Management

/cs

pc: Cindy Lohrbach, DHWM, NWDO  
Mayor Michael J. Seferian, City of Oregon  
Charles Campbell, TDES  
Eileen Mitchell, TDES  
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Lynn Ackerson, DHWM, NWDO  
Chris Maslo, DHWM, NWDO  
Shannon Nabors, District Chief, NWDO  
Ed Lim, DHWM, CO  
Mary Setnicar, U.S. EPA, Region 5  
Jae Lee, U.S. EPA, Region 5

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.