



**Environmental
Protection Agency**

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

March 10, 2011

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

**Subject: Tracked or Fallen Waste at a Stabilization/Containment Building
Containment Pad – 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:

On March 4th, 2011, I conducted an inspection of the Stabilization/Containment Building (SCB) containment pads at Envirosafe Services of Ohio, Inc., (ESOI) a treatment, storage and disposal facility (TSDF) located at 876 Otter Creek Road, Oregon, Ohio. I conducted this inspection 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), ESOI's approved December 29, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit (permit) and the April 24, 2000, Director's Consent Order and Final Judgment.

Ohio EPA has determined that ESOI is in violation of Permit Condition F.5(a)(iii)(a) and OAC Rule OAC Rule 3745-205-101(C)(1) as described below:

1. Permit Condition F.5(a)(iii)(a) and OAC Rule 3745-205-101(C)(1) – SCB Operating Standards

Permit Condition F.5(a)(iii)(a) states, "The Permittee must use controls and practices to ensure containment of the hazardous waste within the Stabilization/Containment Building; and, at a minimum:

Take measures to prevent the tracking of hazardous waste out of the building by personnel or by equipment used in handling the waste, including trucks off-loading waste.

Within fifteen minutes after a hazardous waste transportation vehicle leaves the Stabilization/ Containment Building area, the Permittee must inspect the Stabilization/Containment Building entrance apron used by the vehicle and remove all tracked or fallen waste at the time of the inspection. By the end of each day's use, the containment pads around the Stabilization/ Containment Building must be inspected and all tracked or fallen waste must be removed at the time of inspection."

OAC Rule 3745-205-101(C)(1) states, in part, "Owners and operators of all containment buildings must:

- (1) Use controls and practices to ensure containment of the hazardous waste within the unit; and at a minimum:
 - (c) Take measures to prevent the tracking of hazardous waste out of the unit by personnel or by equipment used in handling the waste."

At 13:52, during a site inspection on March 4, 2011, Ohio EPA observed hazardous waste (pieces of slag) on the containment pad outside doors 134 and 135.

I reported the tracked or fallen hazardous waste to Herb Snider at 14:15. At 14:48 I observed Herb Snider removing pieces of slag from the containment pad outside doors 134 and 135. At 15:10 I observed that there were still pieces of slag on the containment pad outside doors 134 and 135 and I had Herb Snider contacted by radio and asked him to return to the pad and collect the remaining pieces of slag. Between 14:48 and 15:15 I observed Herb Snider collect over 10 pieces of tracked or fallen hazardous waste from the containment pad at doors 134 and 135.

ESOI's records indicate that no slag loads were received by ESOI on March 4, 2011. ESOI's records indicate that ESOI had most recently received slag at doors 134 and 135 on March 3, 2011. By the end of use on March 3, 2011, ESOI failed to properly inspect and remove all tracked or fallen waste from the containment pad outside doors 134 and 135.

ESOI must do the following to return to compliance:

1. Within 14 days of ESOI's receipt of this letter, Ohio EPA requests ESOI submit a permit modification to clarify the language in Permit Condition F.5(a)(iii)(a) so that containment pads around the SCB must be inspected at the end of each day's use and all tracked or fallen waste must be removed from the containment pads at the time of the inspection.

Permit Condition F.5(a)(iii)(a) should be modified to read as follows, "Within fifteen minutes after a hazardous waste transportation vehicle leaves the Stabilization/Containment Building area, the Permittee must inspect the Stabilization/Containment Building entrance apron used by the vehicle and remove all tracked or fallen waste at the time of the inspection. At the end of each day's use, the containment pads around the Stabilization/Containment Building must be inspected and all tracked or fallen waste must be removed at the time of inspection."

2. Within 30 days of ESOI's receipt of this letter, ESOI must conduct training for all staff responsible for waste handling, off-loading, pad inspections, and removal of all tracked and fallen waste at any of the SCB containment pads or aprons.

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3. Within 45 days of ESOI's receipt of this letter, 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.

You can find copies of the rules and other information at <http://epa.ohio.gov/dhwm>. Ohio EPA also has helpful information about pollution prevention at <http://epa.ohio.gov/ocapp>.

Sincerely,



Chris Maslo
Environmental Specialist
Division of Hazardous Waste Management

CM/cs

pc: Cindy Lohrbach, DHWM, NWDO
Mayor Michael J. Seferian, City of Oregon
~~DHWM; NWDO File~~ ~~ESOI Inspections~~ ~~NOV File~~

ec: John Pasqualette, DHWM, NWDO
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Colleen Weaver, DHWM, NWDO
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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.