



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

November 13, 2012

RE: AA SANITATION  
OHR 000 173 807  
SUMMIT COUNTY  
NOTICE OF VIOLATION

Phil Yacovazzi  
AA Sanitation  
P.O. Box 1515  
Stow, OH 44224

Dear Mr. Yacovazzi:

This is a follow up to my October 4 and 17, 2012 letters regarding AA Sanitation located at 4637 State Road, Peninsula, Ohio. We also met at this site on October 26, 2012. The following will update the status of the two violations cited:

1. **OAC Rule 3745-279-22(D) - Response to releases of used oil.**

This rule requires that upon detection of a release of used oil to the environment, the generator must clean up and manage properly the released used oil and other materials.

On October 26, 2012, I saw the area behind the building that had the used oil contaminated soil removed. It appeared all of the used oil contamination had been removed so you may now backfill this area. The removed soil had been piled up nearby. When we talked on November 9, 2012, you told me you will ship this waste to either Countywide Landfill or Petro Environmental. You hoped to have this shipped by the end of next week. Please send me a copy of the paperwork used for this shipment. On October 26, 2012, I pointed out two other smaller areas of used oil contamination that still need to be cleaned up. You said you hope to have this done by the middle of next week. Please send me confirmation that this has been done.

2. **OAC Rule 3745-279-22(C) - Used oil labels.**

This rule requires containers, aboveground tanks, and fill pipes for underground tanks used for used oil to be labeled or marked clearly with the words "Used Oil."

When we spoke on November 9, 2012, you said you are still working on consolidating and labeling of your used oil containers. You should now have your used oil picked up for recycling by a licensed used oil transporter. Please send me documentation showing that the container you will now use to store your used oil is properly labeled. Please also send me a copy of the paperwork for the pickup of the used oil.

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You need to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, you are requested to provide documentation to me including the steps taken to abate the violations cited above. Such documentation may include written correspondence, updated policies, and photographs, as appropriate.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 (or 3714 for C&DD) of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. If circumstances delay the abatement of violations, you are requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please contact me at (330) 963-1217, or [robert.almquist@epa.ohio.gov](mailto:robert.almquist@epa.ohio.gov).

Sincerely,



Robert Almquist  
Division of Materials and Waste Management

RA:cl

ec: Frank Popotnik, DMWM, NEDO  
Natalie Oryshkewych, DMWM, NEDO  
Marlene Kinney, DMWM, NEDO  
Dave Dysle, DMWM, NEDO  
Jeff Mayhugh, DMWM, CO  
Phil Rhodes, DSW, NEDO

cc: Jim Congrove, Congrove Excavating  
Terry Walton, Property Owner