



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

June 11, 2013

RE: GATEWAY TANK, INC.
OHD987009099
LORAIN COUNTY
CESQG CEI NOV/PRTC

Dan Witzigreuter, VP
Gateway Tank, Inc.
828 Miller Rd.
Avon, OH 44011

Dear Mr. Witzigreuter:

Thank you for your e-mail responses on May 6 and 8, 2013 and your May 8, 2013 letter received May 10, 2013, responding to my April 23, 2013 notice of violation letter. Your responses included photos, and MSD sheets for products you use in your business.

The status of the cited violations is as follows:

1. **Waste Determination – OAC 3745-52-11**

Most of the unknown contents of the drums and totes at the back of the property were found to be product. There remain two drums and two totes of undetermined contents. You indicated you were having a testing company identify the contents of the two drums and the two totes. The containers would be marked appropriately and the totes would be disposed of properly.

Please provide us with your testing results for these four containers and their current status.

2. **Used Oil Labeling – OAC 3745-279-22(C)**

This violation has been adequately addressed. No further action is needed at this time.

3. **Release of Used Oil – OAC 3745-279-22(D)**

This violation has been adequately addressed. No further action is needed at this time.

Gateway Tank needs 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 this office including the steps taken to abate the violations cited above.

GATEWAY TANK, INC.
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Please be advised that the violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 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. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Gateway Tanks is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

The hazardous waste rules cited above and on the checklists can be found on our division's web page at <http://www.epa.ohio.gov/dhwm/>. If you have any questions concerning this letter, please contact me by telephone at (330) 963-1226 or by e-mail at sherry.slone@epa.ohio.gov.

Sincerely,



Sherry Slone, PE
District Engineer
Division of Materials and Waste Management

SS:ddw

ec: Natalie Oryshkewych, DMWM, NEDO
Nyall McKenna, DMWM, NEDO
Jeff Mayhugh, DMWM, CO
cc: Marlene Kinney, DMWM, NEDO