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State of Ohio Environmental Protection Agency

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September 18, 2008

Mr. Brian Grannan
Industrial Container Services-OH, LLC
P.O. Box 535.
Blacklick, OH 43004

Re: **Industrial Container Services-OH, LLC**
Franklin County, LQG OHD004291654

Dear Mr. Grannan:

Thank you for your response letter (received August 14, 2008) to Ohio EPA's July 10, 2008, Notice of Violation letter. Violations # 3 and 5 which had been noted during my June 19, 2008 inspection at the ICS-OH facility at 1385 Blatt Boulevard were already resolved at the time of my July 10 letter. You have provided evidence of other corrections made by ICS-OH related to:

Letter Citation #	Rule Citation
1.	OAC rule 3745-65-52(E), Hazardous Waste Contingency Plan. <i>The plan was properly updated with the necessary information on emergency equipment.</i>
4.	OAC rule 3745-52-34(C)(1)(b), Satellite Accumulation Area Container Marking. <i>The containers are now being properly marked.</i>
8.	OAC rule 3745-66-95, Tank System Daily Operating Inspections. <i>The required daily inspections are now being conducted by ICS-OH personnel.</i>

Based on your letter and a phone conversation with you on September 4, 2008, I understand that progress is being made toward compliance with the remaining violations # 2, 6, and 7. An engineering assessment of the round tank is being conducted. Meanwhile, you indicated ICS is investigating waste reduction opportunities to eliminate the use of the square tank as a hazardous waste accumulation unit, by adding a centrifuging process to further reclaim water from the caustic sludge waste to enable it to be combined for accumulation with the waste contents in the single round tank for subsequent offsite shipment to a permitted hazardous waste TSD facility.

To recap the remaining outstanding issues-- at this time, the following violations remain at least partially unresolved:

2. **Preparedness and Prevention, OAC rule 3745-65-31:** The facility must be operated to minimize the possibility of any unplanned release of hazardous waste.

The hazardous waste tank system secondary containment was visibly cracked and eroded, and was wet with spillage of oily caustic waste from the adjacent process. The possibility of release to the environment was not minimized.

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

This matter should be addressed concurrent with Violations #6 and 7 below.

6. **Tank System Requirements, OAC rule 3745-66-92(A):** Each hazardous waste tank must have a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s). It must be certified by an independent, registered professional engineer, with consideration of the design standards and operation of the system (including secondary containment and ancillary equipment such as piping and alarms), taking into proper account the hazardous characteristics of the waste.

There was no record of a written assessment meeting the applicable requirements, for either tank SL-2 or W-03.

Obtain and provide a copy of a suitable engineer's assessment for the hazardous waste tank system(s) which will remain in service for accumulation purposes. Include copies of relevant supporting information such as calculations in order to validate the conclusions of the assessment. Include appropriate language in the certification statement as referenced in the above specified rules.

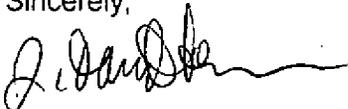
7. **Tank System Secondary Containment Design/Operation Requirements, OAC rule 3745-66-93(B) and (E)(1):** The secondary containment must be designed, installed and operated to prevent any migration of wastes or liquid to the soil, ground water or surface water and be capable of detecting and collecting releases and accumulated liquids.

The concrete secondary containment system surface was cracked in numerous locations and pitted from apparent chemical erosion. A chemically compatible coating did not appear to have been provided. Chemically resistant water stops were not evident at all points. The containment floor surface in many locations was wet with spilled residues from the oily caustic waste reclamation and management process. The integrity of sumps in the area which were part of the secondary containment system, was also questionable. As mentioned in Violation #2 above, there was a resultant real possibility that wastes from the system could migrate to the soil and/or ground water.

Please make the necessary repairs or upgrades to ensure that the secondary containment system meets the applicable requirements, including the above concerns. Describe actions taken to address this along with sending the engineer's certification related to Item 6 above.

I look forward to receiving the remaining compliance follow-up information from you soon. **An update in 30 days from you on these matters is requested.** Should you have any questions, please feel free to call me at (614) 728-3885.

Sincerely,



J. David Hohmann
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

c: Kristina Dumell--DHWM/CO
CDO File