



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

December 17, 2012

RE: MAHONING COUNTY
SOIL REMEDIATION, INC.
NPDES PERMIT NO. OHR000005
OHIO EPA PERMIT NO. 3GR01022*EG
INDUSTRIAL STORM WATER

David Gennaro
Soil Remediation, Inc.
6065 Arrel Smith Road
Lowellville, OH 44436

NOTICE OF VIOLATION

Dear Mr. Gennaro:

On November 26, 2012, Ohio EPA received a correspondence, dated November 23, 2012, from Soil Remediation, Inc. (SRI) certifying that it had complied with its February 20, 2008 (effective date) Director's Final Findings and Orders (DFFO). The correspondence also included information and records that SRI believes documented compliance with the DFFO.

The DFFO required SRI to satisfy the following orders:

- i. Thirty days from the effective date of the DFFO, SRI shall certify that the August 2, 2006 SWP3 is being fully implemented.
- ii. One year from the effective date of the DFFO, SRI shall submit signed copies of the pollution prevention team meeting minutes, significant spill and release documentation forms, monthly site inspection records, employee training forms and attendance rosters, non-storm water discharge assessment and certification, and the ASCE to Ohio EPA.
- iii. For the five years following the effective date of the DFFO, SRI shall submit copies of the ASCEs by the anniversary of the effective date of the DFFO.
- iv. Within 360 days from the effective date of the DFFO, as a supplemental environmental project (SEP), SRI shall pay \$4,600 to the Ohio EPA's Clean Diesel School Bus Fund.

The information and records SRI provided do not document compliance with the DFFO and do not demonstrate that the records were submitted to Ohio EPA in accordance with the required timeframes.

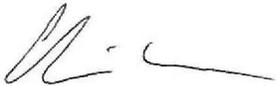
- No records were provided that document that the August 2, 2006 storm water pollution prevention plan implementation certification, as detailed within order No. 3, item i. above, was submitted to Ohio EPA in accordance with the required timeframe.
- Pollution prevention team meeting minutes were submitted dated April 2008, July 2008, and January 2009. These records do not demonstrate that they were submitted to Ohio EPA in accordance with the required timeframe, item ii. above. In addition, Section 2.0 of the facility's storm water pollution prevention plan (SWP3) details that the pollution

prevention team meetings are to address "recent incidents at the facility, spill prevention and response, material management practices, handling material wastes, good housekeeping practices, and employee questions, suggestions, etc." The submitted pollution prevention team meeting minutes indicate that the majority of these topics were not addressed.

- An annual comprehensive site evaluation summary was submitted dated December 2008. Order No. 3, required five years of annual comprehensive site evaluation summaries to be submitted to Ohio EPA. No records were provided that document that the remaining four years of annual comprehensive site evaluation summaries were completed. In addition, no records were provided that document that the annual comprehensive site evaluation summaries were submitted to Ohio EPA in accordance with the required timeframe.
- No records were provided that document that the monthly inspection forms were submitted to Ohio EPA in accordance with the required timeframe, item ii. above.
- No records were provided that document that the annual employee training form was submitted to Ohio EPA in accordance with the required timeframe, item ii. above.
- No records were provided that document that the certification of non-storm water discharge was submitted to Ohio EPA in accordance with the required timeframe, item ii. above.
- No records were provided that document that the SEP or the civil penalty detailed within DFFO order No. 6 and No. 7, item iv. above, was paid to Ohio EPA's Office of Fiscal Administration.

As of the date of this correspondence, SRI has not complied with the DFFO. **The failure to comply with any order established within the DFFO constitutes a violation of Ohio Revised Code Chapter 6111.07(A).** Should you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1118 or via email at chris.moody@epa.ohio.gov.

Sincerely,



Chris Moody
Environmental Specialist II
Division of Surface Water

CM/cs

ec: Virginia Wilson, DSW-NEDO
Dean Stoll, DSW-NEDO
Zorica Dejanovic, DAPC-NEDO
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