



State of Ohio Environmental Protection Agency

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November 9, 2006

Ms. Sandy Buchanan, Executive Director
Ohio Citizen Action
614 W. Superior Ave., Suite 1200
Cleveland, Ohio 44113

Re: General Environmental Management

Dear Ms. Buchanan:

I received your September 13, 2006 letter outlining your concerns with Ohio EPA's response to the operation of the General Environmental Management (GEM) facility in Cleveland, Ohio. Please allow me to respond to your questions as they appear in your letter. First, you are correct that both the hazardous waste and air pollution control divisions have identified several violations of their respective programs and are continuing to attempt resolution of those violations. The air pollution control violations are currently in negotiation at the Ohio Attorney General's Office and the hazardous waste violations have recently been cited in a notice of violation. If escalated enforcement is warranted, we will make an evaluation on how to best coordinate our enforcement efforts between the two divisions. In the meantime, both the Division of Air Pollution Control and the Division of Hazardous Waste Management will continue to coordinate with each other to ensure that the remedial measures of each program will be compatible with both programs' underlying goals and objectives.

Northeast Ohio Regional Sewer District (NEORSD) has an approved pretreatment program from Ohio EPA's Division of Surface Water, and is responsible for fully implementing and enforcing the standards on industrial discharges to NEORSD's sewer system. GEM falls within this pretreatment program and is monitored by NEORSD.

Regarding background investigations required of hazardous waste permit applicants, Ohio EPA reviews the investigation report upon receipt from the Ohio Attorney General's Office. The Division of Hazardous Waste Management then compiles a compliance history for the permit applicant and reviews both the background investigation report and compliance history before making any recommendation regarding issuance of a permit.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncick, Director


However, we have not received a hazardous waste permit application to date from GEM. If GEM were to apply for such a permit, I would at that time evaluate the company's compliance history as well as a background investigation report from the Ohio Attorney General's Office before making a decision with regards to the issuance of a hazardous waste permit.

Concerning your third question, Ohio EPA is addressing your questions regarding GEM's compliance with environmental regulations and will, if necessary, pursue various avenues to bring GEM back into compliance with the environmental laws including, but not limited to, the hazardous waste laws.

I understand that Ohio EPA's Public Interest Center has been in contact with you regarding a December community meeting to discuss GEM. While Ohio EPA will not discuss its ongoing or potential enforcement strategy regarding GEM, Ohio EPA remains committed to addressing questions and concerns from Ohio Citizen Action, its constituents, and the general public with regard to GEM.

If you have any additional questions regarding this matter, please feel free to contact Mike Savage of my staff at (614) 644-2917.

Sincerely,



Joseph P. Koncelik
Director

MS/jm
GEM MCR_2560.wpd

C: Michael Savage, Chief, DHWM
William Skowronski, Chief, NEDO
Andrea Zacharias, PIC