



Ross Incineration Services, Inc.



A member of The RossWay Group

36790 Giles Rd.
Grafton, OH 44044
www.rossincineration.com

Susan K. Kaiser
Director, Corporate EHS
skaiser@rossenvironmental.com
Direct Ph: (440)748-5847
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May 14, 2021

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Attn: Central Office Compliance Coordinator
50 West Town Street
P.O. Box 1049
Columbus, Ohio 43216

RE: Annual Use Restriction Notification for
Ross Incineration Services, Inc. OHD 048 415 665
Parcel No. 1100067000020 owned by Ross Consolidated Corp.

Dear Compliance Coordinator:

Ross Environmental Services, Inc. on behalf of Ross Incineration Services, Inc. hereby submits the annual property use restriction notification report for calendar year 2020 at Ross Incineration Services, Inc. (Parcel No. 1100067000020 owned by Ross Consolidated Corp.).

Due to the pandemic, this notification is being distributed via email. If you have any questions or require additional information, please feel free to contact me at 440 748-5847, or at my email skaiser@rossenvironmental.com.

Sincerely yours,
On Behalf of ROSS INCINERATION SERVICES, INC.

Susan Kaiser
Director, Corporate Environmental, Health and Safety

cc: Central Office RCRA Manager
Karen Nesbit, NEDO

enclosure

Annual Use Restriction Notification Form
Ross Incineration Services, Inc.
Parcel No. 1100067000020 owned by Ross Consolidated Corp.
36790 Giles Road
Grafton, Ohio 44044
OHD 048 415 665

Date of On-Site Inspection: May 7, 2021
Phone Call with Ohio EPA: N/A

Name/Title: Susan K. Kaiser, Director, Corporate EHS

Relationship to Property Owner(s)/Affiliation: Director, Corporate EHS for Ross companies

Indicate which document applies to the Property

Environmental Covenant
 Other - describe here: _____

Date recorded with county, and document number: October 7, 2019, 021998040016

Ross Incineration Services, Inc. ("RIS") has entered into an Environmental Covenant with Ohio Environmental Protection Agency ("Ohio EPA") for the parcel number listed above.

Use restrictions for the RIS facility property are indicated in RIS' Ohio Hazardous Waste Facility Resource Conservation and Recovery Act (RCRA) Part B permit (permit) Section 5 - *Environmental Covenant*, "Land Activity and Use Limitations" and are restated below.

5. Activity and Use Limitations. *As part of the corrective action required by the permit, Owner hereby imposes and agrees to comply with the following activity and use limitations:*

A. *Industrial Land Use. The Property attached hereto as Exhibit A must not be used for residential activities but may be used for industrial activities. The term "residential activities" shall include, but not be limited to, the following:*

- i. Single and multi-family dwelling and rental units,*
- ii. Day care centers, educational facilities, and preschools,*
- iii. Correctional facilities;*
- iv. Transient or other residential facilities, and*
- v. Production of food-chain products by means for animal or human agricultural consumption.*

"Industrial activities" shall include, but is not limited to, facilities which supply goods or services to the public, and facilities engaged in manufacturing, processing operations and office and warehouse use, including but not limited to production, storage and sales of durable goods and parking/driveway use.

- B. *Ground water located at or underlying the Property shall not be used or extracted for any purpose, other than sampling, monitoring, or remediation pursuant to a ground water remedial action. If the Owner(s) intend to use onsite ground water for uses other than sampling, monitoring, or remediation pursuant to a ground water remedial action, then the Owner(s) must notify Ohio EPA and demonstrate that the alternative use does not pose an unacceptable risk to human health or the environment. This demonstration must be reviewed and the intended use must receive prior approval by Ohio EPA. All uses must adhere to the restrictions and requirements in this Environmental Covenant.*
- C. *In the event that any activity by or on behalf of a person who owns an interest in or holds an encumbrance on the Property constitutes a breach of the activity and use limitations, Owner or Transferee (defined below) shall notify Ohio EPA within thirty (30) days of becoming aware of the event or action, and the applicable party shall remedy the breach of the activity and use limitations within sixty (60) days of becoming aware of the event or action, or such other time frame as may be agreed to by the Owner or Transferee and Ohio EPA.*

Is this Property being used in compliance with the given use restrictions? Yes No

Description of the current land/property use:

The Ross Incineration Services, Inc. (RIS) facility has been located at 36790 Giles Road, Eaton Township, Ohio for more than 70 years. Approximately 80 acres at the RIS facility are permitted, 30 of which are in active use. RIS currently operates a hazardous waste treatment and storage facility and its primary treatment method is incineration.

Description of the nature of RIS' business currently operating on the Property:

RIS has identified areas of past waste management activities within the facility, which are managed under RIS' Permit Application ("Application") Section J - Corrective Action. The Environmental Covenant, which is intended to restrict future development of the RIS property, is referenced in Section J - Corrective Action.

Description of the area(s) of the property that were inspected to verify compliance with applicable use restrictions:

The Environmental Covenant applies to the entire RIS parcel (#1100067000020). RIS inspects the facility semi-annually to document compliance with Section J - Corrective Action and the Environmental Covenant. Inspections consider operational areas, former fill areas, former operational areas and water bodies.

Is the property or portions of the property used for day care, school or other uses where children are present on the property for extended periods of time? Yes No

If yes, explain: _____

During the past year, has any construction taken place on the Property? Yes No

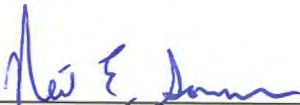
If yes, are there any newly occupied buildings on the Property? Yes No

Changes to the Property since the last reporting period, i.e., new construction, earth moving activities, change in businesses present on Property, or property transfers are summarized below:

In 2020 RIS completed the following construction projects:

- *RIS installed additional concrete in various areas of the Facility including the trailer "Hold Area," and driveways leading to operational areas.*
- *Beginning in September 2020, RIS began remedial activities in Dawley Ditch. Specifically, in 2020 RIS removed vegetation in Dawley Ditch to prepare the area for removal of sediment and underlying clays.*
- *RIS completed some repairs to the North Landfill that included excavation of erosion gullies and placement of clay over the areas. The areas were subsequently seeded and mulched.*
- *RIS completed work to improve surface water drainage in non-operational areas of the facility, including repair of a drainage pipe and reestablishment of drainage swales. The work is anticipated to be complete in the summer months of 2021.*
- *A Receiving Support building was constructed in 2020. The building is utilized to house equipment and personnel who support RIS tanker and containerized waste Receiving function.*
- *In 2020, RIS constructed a Battery Charge Building to charge tow motor batteries.*

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



Signature of Authorized Representative

5-17-2021

Date

Neil E. Gorman - Vice President, Ross Incineration Services, Inc.

Printed Name and Title

Contact Information

Telephone Number: 440 748-5847

E-mail Address: skaiser@rossenvironmental.com

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Grafton, OH 44044