



September 18, 2026

Justin Tucker
Freepoint Eco-Systems
522 Milliken Drive
Hebron, OH 43025

**Re: Freepoint Eco-Systems
Notice of Violation (NOV)
NOV
RCRA C - Hazardous Waste
Licking County
OHD987044914**

Hazardous Waste Program - DERR

Subject: Complaint, #260803070834_WEC, FCI, Notice of Violation / Partial Resolution of Violation

Dear Mr. Tucker:

Thank you for accompanying me during Ohio EPA's August 24, 2026, complaint investigation of Freepoint Eco-Systems located at 522 Milliken Drive, Hebron, Ohio 43025. The goal of the Focused Compliance Inspection (FCI) was to investigate the validity of the complaint #260803070834_WEC, which alleged improper hazardous waste management. The investigation was also conducted to determine Freepoint Eco-Systems' compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and the rules adopted pursuant to ORC § 3734.12 found in Chapter 3745 of the Ohio Administrative Code (OAC). The investigation included a review of the complaint allegation, Freepoint Eco-Systems' operations and written documentation associated with facility operations as they relate to the complaint.

Findings

Ohio EPA determined the complaint was valid and observed the following violations of Ohio's hazardous waste laws and rules. To bring Freepoint Eco-Systems into compliance, Ohio EPA recommends promptly addressing these violations within 14 days of your receipt of this letter.

- 1. OAC Rule 3745-52-17(A)(5)(a)(i), Labeling and marking of containers and tanks:** A large quantity generator shall mark or label the generator's containers with the words "Hazardous Waste."

During the investigation, the roll-off dumpster containing benzene wastewater and sludge (D018) next to the hazardous waste storage frac tank was not labeled with the words “Hazardous Waste.”

On August 24, 2026, Ohio EPA received Freepoint Eco-Systems’ response which included images of the roll-off labeled with the words “Hazardous Waste.” **Therefore, this violation has been resolved.**

2. **OAC Rule 3745-52-17(A)(5)(a)(iii), Labeling and marking of containers and tanks:** A large quantity generator shall clearly mark or label the generator’s containers with the date upon which each period of accumulation or treatment begins.

During the investigation, the roll-off dumpster next to the frac tank, and two roll-off dumpsters in the southeast corner of the same gravel lot (all containing benzene wastewater and sludge, D018) were not dated at the time of inspection.

On August 24, 2026, Ohio EPA received Freepoint Eco-Systems’ response which included images of the roll-off dumpsters with a start date of accumulation. **Therefore, this violation has been resolved.**

3. **OAC Rule 3745-52-17(A)(1)(d)(i), Management of containers:** A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste.

During the investigation, the roll-off dumpster containing benzene wastewater and sludge (D018) next to the hazardous waste storage frac tank was partially uncovered.

On August 24, 2026, Ohio EPA received Freepoint Eco-Systems’ response which included an image of the roll-off dumpster with the cover tarp properly affixed. **Therefore, this violation has been resolved.**

4. **OAC Rule 3745-66-92(A), Tank systems requirements, design and installation of new tank systems or components:** Owners or operators of new tank systems or components shall ensure that the foundation, structural support, seams, connections, and pressure controls (if applicable) are adequately designed and that the tank system has sufficient structural strength, compatibility with the wastes to be stored or treated, and corrosion protection so that the tank system will not collapse, rupture, or fail. The owner or operator shall obtain a written assessment reviewed and certified by a qualified professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code attesting that the system has sufficient structural integrity and is acceptable for storing and treating of hazardous waste.

During the investigation, a written tank assessment certified by a qualified professional engineer available for the hazardous waste storage frac tank was not available.

In order to resolve this violation, Ohio EPA recommends that Freepoint Eco-Systems obtain a written tank assessment certified by a qualified professional engineer for the hazardous waste storage frac tank and provide the document to this office for review or cease to use the tank.

- 5. OAC Rule 3745-66-92(G), Tank systems requirements, design and installation of new tank systems or components:** The owner or operator shall obtain and keep on file at the facility written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system in accordance with the requirements of paragraphs (B) to (F) of this rule to attest that the tank system was properly designed and installed and that repairs, pursuant to paragraphs (B) and (D) of this rule, were performed. These written statements also shall include the certification statement as required in paragraph (D) of rule 3745-50-42 of the Administrative Code.

During the investigation, written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system for the hazardous waste storage frac tank were not available.

In order to resolve this violation, Ohio EPA recommends that Freepoint Eco-Systems obtain written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system for the hazardous waste storage frac tank and provide the document to this office for review or cease to use the tank.

- 6. OAC Rule 3745-66-93(E)(1)(a), Secondary containment, containment and detection of releases – tanks:** External liner systems shall be designed or operated to contain one hundred per cent of the capacity of the largest tank within the external liner system's boundary.

During the investigation, the external liner housing the hazardous waste storage frac tank was not designed to contain one hundred per cent of the capacity of the largest tank within the external liner system's boundary.

In order to resolve this violation, Ohio EPA recommends that Freepoint Eco-Systems install an external liner designed to contain one hundred per cent of the capacity of the largest tank within the external liner system's boundary or cease to use the tank and liner.

- 7. OAC Rule 3745-256-85(C)(1), Tanks – air emissions standards for tanks, surface impoundments, and containers:** The owner or operator shall determine the maximum organic vapor pressure for a hazardous waste to be managed in the tank using "Tank

Level 1” controls before the first time the hazardous waste is placed in the tank. The maximum organic vapor pressure shall be determined using the procedures specified in paragraph (C) of rule 3745-256-84 of the Administrative Code. Thereafter, the owner or operator shall perform a new determination whenever changes to the hazardous waste managed in the tank could potentially cause the maximum organic vapor pressure to increase to a level that is equal to or greater than the maximum organic vapor pressure limit for the tank design capacity category specified in paragraph (B)(1)(a) of this rule, as applicable to the tank.

During the investigation, the maximum organic vapor pressure for a hazardous waste to be managed in the hazardous waste storage frac tank using “Tank Level 1” controls was not available.

In order to resolve this violation, Ohio EPA recommends that Freepoint Eco-Systems determine the maximum organic vapor pressure for a hazardous waste to be managed in the hazardous waste storage frac tank using “Tank Level 1” controls and provide the document to this office for review or cease to use the tank.

- 8. OAC Rule 3745-256-90(B)(2)(a), Recordkeeping – tanks, surface impoundments, and containers:** The owner or operator using a fixed roof to comply with the “Tank Level 1” control requirements specified in paragraph (C) of rule 3745-256-85 of the Administrative Code shall prepare and maintain records for each determination for the maximum organic vapor pressure of the hazardous waste in the tank performed in accordance with the requirements of paragraph (C) of rule 3745-256-85 of the Administrative Code. The records shall include the date and time the samples were collected, the analysis method used, and the analysis results.

During the investigation, records from determinations of the maximum organic vapor pressure for a hazardous waste to be managed in the hazardous waste storage frac tank using “Tank Level 1” controls was not available.

In order to resolve this violation, Ohio EPA recommends that Freepoint Eco-Systems determine the maximum organic vapor pressure for a hazardous waste to be managed in the hazardous waste storage frac tank using “Tank Level 1” controls and provide the document to this office for review or cease to use the tank.

- 9. OAC Rule 3745-256-87(C)(3), Containers – tanks, surface impoundments, and containers:** Whenever a hazardous waste is in a container using “Container Level 1” controls, the owner or operator shall install all covers and closure devices for the container, as applicable to the container, and secure and maintain each closure device in the closed position except as listed in subsections (a) through (e) of this rule.

During the investigation, the roll-off dumpster containing benzene wastewater and sludge (D018) next to the hazardous waste storage frac tank was partially uncovered.

On August 24, 2026, Ohio EPA received Freepoint Eco-Systems' response which included an image of the roll-off dumpster with the cover tarp properly affixed. **Therefore, this violation has been resolved.**

Conclusion

The Ohio EPA requests that Freepoint Eco-Systems promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and rules. Within 14 days of receipt of this letter, please provide documentation to Ohio EPA of the actions taken to resolve the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs as appropriate may be submitted via the postal service or electronically to Mason.Harris@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly resolved. Failure to comply with Chapter 3734. of the ORC and rules promulgated thereunder may result in an administrative or civil penalty.

The submission of any requested information in response to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Chapter 3734. of the ORC.

This NOV is only associated with the areas of the operations that were inspected or the documentation reviewed and does not constitute a waiver of potential violations not discovered.

A copy of the investigation report including completed checklists will be sent with a separate letter. You can find Ohio's hazardous waste rules and other information on the division's web page at: <https://epa.ohio.gov/divisions-and-offices/environmental-response-revitalization>.

Should you have any questions, please contact me at (614) 387-6181 or Mason.Harris@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mason B Harris".

Mason Harris

Hazardous Waste Program

Division of Environmental Response and Revitalization (DERR)

cc. Martin Smith, DERR

Andy Maneff, DERR

Zak Kabelen, DERR

EPA.RCRAInfoData@epa.ohio.gov