

ORC 3745.13 Environmental emergencies cost recovery. When emergency action is required to protect the public health or safety or the environment, any person responsible for causing or allowing an authorized spill, release, or discharge of material into or upon the environment is liable to the municipal corporation, county, township, countywide emergency management agency established under section 5915.06 of the Revised Code, or regional Code, having territorial jurisdiction or responsibility for the emergency management activities in the location of the spill, release or discharge, for the necessary and reasonable, additional or extraordinary costs it incurs in investigating, mitigating, minimizing, removing, or abating the spill, release, or discharge in the course of its emergency action, but, to the extent criteria and methods for response actions prescribed under 40 C.F.R. 300, as amended, may be applied to the type of material involved and the conditions of the spill, release, or discharge. That person is liable for those costs only if the political subdivision, countywide agency, or regional authority employed those criteria and methods in its emergency action. The officers of the municipal corporation, county, township, countywide emergency management agency, or regional authority for emergency management performing the emergency action shall keep a detailed record of its costs for investigating, mitigating, minimizing, removing, or abating the unauthorized spill, release, or discharge; promptly after the completion of those measures, shall certify those costs to the city director of law or village solicitor, as appropriate, of the municipal corporation, the prosecuting attorney of the county in the case of a county, township, or countywide emergency management; and may request that the legal officer or counsel bring a civil action for recovery of costs against the person responsible for the unauthorized spill, release, or discharge.

The legal officer or counsel shall submit a written, itemized claim for the total certified costs incurred by the municipal corporation, county, township, countywide agency, or regional authority for the emergency action to the responsible party and a written demand that those cost be paid to the political subdivision, countywide agency, or regional authority. Not less than thirty days before bringing a civil action for recovery of those costs, the legal officer or counsel shall mail written notice to the responsible party informing the responsible party that, unless the total certified costs are paid to the political subdivision, countywide agency, or regional authority within thirty days after the date of mailing of the notice, the legal officer or counsel will bring a civil action for that amount. In making a determination of an award for reimbursement, the responsible party's status as a taxpayer to the governmental entity shall be taken into consideration. Nothing in this section prevents a political subdivision, countywide emergency management agency, or regional authority for emergency management agency, or regional authority for emergency management from entering into a settlement of a claim against a responsible party that compromises the amount of the claim. Moneys recovered under this section shall be credited to the appropriate funds of the political subdivision, countywide agency, or regional authority from which moneys were expended in performing the emergency action.

Effective June 29, 1988

INCIDENT REPORT

Bloom Township Fire Department

1 DELETE  
2 CHANGE

A	FDID 23105	INCIDENT NO 106	EXP 00	MO 07	DAY 23	YEAR 96	DAY OF WEEK Tuesday 3	ALARM TIME 13:16	ARRIVAL TIME 13:29	TIME IN SERVICE 16:23
B	TYPE OF SITUATION FOUND Spill, leak, no fire 41				TYPE OF ACTION TAKEN Remove hazard 4				MUTUAL AID 1 RECD 2X GIVEN	
C	FIXED PROPERTY USE Prof. supply sales 561				IGNITION FACTOR NO FIRE					
D	CORRECT ADDRESS 3800 COLS-LANC RD.				ZIP CODE 43112			CENSUS TRACT		
E	OCCUPANT NAME (LAST, FIRST, MI) PORTA-KLEEN				TELEPHONE (614) 756-4323			ROOM OR APT		
F	OWNER NAME (LAST, FIRST, MI) MOBILE POWER WASH			ADDRESS				TELEPHONE ( ) -		
G	METHOD OF ALARM FROM PUBLIC Phone direct to FD 1			CO. INSPECTION DISTRICT 560			SHIFT 1	NO. ALARMS 1		
H	NO. FIRE SERVICE PERSONNEL RESPONDED 4		NO. ENGINES RESPONDED 1		NO. ARRIAL APPARATUS RESPONDED			NO. OTHER VEHICLES RESPONDED 1		

I	NUMBER OF INJURIES FIRE SERVICE	OTHER	NUMBER OF FATALITIES FIRE SERVICE	OTHER
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J	COMPLEX	MOBILE PROPERTY TYPE	
K	AREA OF FIRE ORIGIN	EQUIPMENT INVOLVED IN IGHITION	
L	FORM OF HEAT OF IGNITION	TYPE OF MATERIAL IGNITED	FORM OF MATERIAL IGNITED
M	METHOD OF EXTINGUISHMENT	LEVEL OF FIRE ORIGIN	ESTIMATED LOSS (DOLLARS ONLY)

S	IF MOBILE PROPERTY	YEAR	MAKE	MODEL	SERIAL NO.	LICENSE NO.
T	IF EQUIPMENT INVOLVED IN IGNITION	YEAR	MAKE	MODEL	SERIAL NO.	

Check if comments on reverse side

U	OFFICER IN CHARGE (NAME, POSITION, ASSIGNMENT) JEFF COTNER, LIBUTENANT	DATE 07/23/96
	MEMBER MAKING REPORT (IF DIFFERENT FROM ABOVE)	DATE / /

①  
RTH

7/23/96 Porta-Kleen Fuel Spill

4/23/96 - 911 Dispatch received call of odor (~~Diesel~~ Fuel) in Hocking River Approx time 1341 hr.

Greenfield Twp Fire Responded - with mutual Aid from Bloom Twp - City of Lancaster Fire called to cover the River Bridge off Ety Road.

Haz-mat coord. Hoffman called by Sheriff Approx 1400 hr. - I brought to Haz-mat Truck to Lancaster Fire #3 picked up trailer - proceeded to Ety Road - with Lancaster E.CO #2 placed 2 sets of Floating Booms across the Hocking River - Notified Ohio EPA

Haz-mat coord. Hoffman continued with Dan Sells and Bill Brobst - Sells on his way to scene - Brobst on phone to activate team - team activated

I left Lt Watts + Lt Reis in charge of the Ety Road Sector and went to Porta-Kleen to start putting the scenario together - Initial Report from Tom (Exchange at Porta-Kleen for now) - he states about 9:30 or 10:00 AM this morning a truck filled up at their site from a 1,000 gal. Diesel tank and drove off with the nozzle still in his truck - he left not knowing he pulled off the nozzle with fuel running onto the ground.



PAGE NUMBER	DATE	PROJECT
2	7 / 23 / 96	Porta-Kleen Fuel Spill
RDH		

The Driver left the scene and an unknown amount of Fuel was spilled on the ground.

By what Tom told me 600 gal of Fuel was Delivered the Day Before and Approx 90 gallons had Been Pumped out into other trucks - After sticking the tank 1.5' of Fuel were left in the Tank so we figured 200-300 gallons had Been spilled

Ohio EPA was Drake came to the scene and Advised on what he wanted in the way of clean up. BBU was called and sub contracted by MPW who owns Porta-Kleen. Clean up started by BBU Fire units Cleared - haz mat on scene till Approx. 1800hr.

PAGE NUMBER	DATE	SUBJECT
3 RWH	7/24/96	Porta-Kleen Fuel spill next Day evaluation

went Back to porta-kleen the next morning to evaluate how clean up was proceeding.

Wes Drake on scene to supervise BBU cleanup. I talked to Tom of porta-kleen made sure he understood what was going on for clean up and advised him that if his company needed any training or help developing a contingency plan to call us.

while I was there I conferred with Bill Nash of BBU and he told me what they were going to do for clean up

Cleaned Scene

RWH

21 August, 1996  
Ohio Environmental Protection Agency  
Division of Emergency and Remedial Response  
Chemical Emergency Preparedness Unit  
1800 WaterMark Drive  
Columbus, Ohio 43266-0149

RE: OEPA Incident Number **9607-23-3233**  
National Response Center Report Number **353078**

Dear Sir,

In accordance with Ohio Administrative Code 3750-25-25, as an owner or operator of a facility from which a release or discharge has occurred, **Porta Kleen** located at 3800 Columbus-Lancaster Road, Carroll, Ohio 43112, is submitting the following written follow-up notice of release. A release of 300 gallons of diesel fuel, resulting from employee error at a vehicle fueling position, occurred on 23 July 1996. The effected area has been remediated, by means of excavation of contaminated soil, and there is no evidence of damage. A copy of this notice has been sent to the Fairfield County Emergency Management Agency.

Should you have any questions concerning this notice or wish to discuss any portion, please feel free to contact me at 800-519-2699.

From the Ohio Administrative Code 3750-25-25 :

(2) Written release notification requirements:

- (a) As soon as practicable but no later than thirty days after the release or discharge, the owner or operator ..... shall submit to the Ohio EPA and the committee of the planning district .... a written follow-up emergency notice for the release or discharge.
- (b) The written follow-up emergency notice shall set forth and update the verbal notice and shall include all of the following additional information (mandatory information):
  - (i) **Actual time, date and duration of the release or discharge;**  
09:00, July 23, 1996.  
Duration of release 20 minutes.  
Resulting in the release of 300 gallons of diesel fuel.
  - (ii) **Actual time and date of discovery of the release or discharge;**  
09:30, July 23, 1996.

- (iii) **Actions taken to respond to and contain the release or discharge;**  
At 09:30 site personnel initiated emergency response containment and clean-up of the effected soil and placed a call to the company's response contractor. At 10:00 response contractor was at facility to take over remediation and the removal of contaminated soil. Additional response contractors where called onto the facility at 14:45 when it was determined that the material had entered a stream. The contractor used absorbent pads to collect the material and absorbent booms to minimize the spread of the material.
- (iv) **Indicate the Ohio EPA spill number and the National Response Center case number on the submitted information;**  
OEPA incident number 9607-23-3233.  
National Response Center case number 353078.
- (v) **Location of the facility from which the release or discharge occurred (street or mailing address);**  
Porta Kleen  
3800 Columbus-Lancaster Road  
Carroll, Ohio 43112
- (vi) **Location of the release or discharge (street(s), county, township, city);**  
Facility property of Porta Kleen located at :  
3800 Columbus-Lancaster Road  
Fairfield County  
Bloomfield Township  
Carroll, Ohio 43112
- (vii) **Chemical name (common name or technical name) and Chemical Abstracts Service (CAS) registry number of the substance involved in the release or discharge;**  
Diesel fuel. No CAS number.
- (viii) **Specifically identify the environmental medium or media impacted and the extent of impact;**  
Soil immediately around the fueling station and small stream adjacent to property.
- (a) **Name of waterway and length of area affected.**  
Unnamed tributary of the Hocking River. Approximately 1 ½ miles of the stream was effected with a slight sporadic sheen on the water from the small amount of fuel which entered the water before the response contractor contained the point of entry.

**(b) If no water was affected then indicate surface area in square feet or yards.**  
Surface area effected by the release was 600 square yards.

**(c) If the release or discharge was monitored, indicate the method of detection, concentrations, and wind direction and speed if the release was airborne.**

No monitoring of the release was conducted.

**(d) Amount recovered or neutralized. If neutralized, describe the method of neutralization.**

There was 52.71 tons of contaminated soil disposed of and an additional 4,200 gallons of liquid waste disposed. Analytical was not provided to a calculation of amount recovered.

**(e) Describe any actions taken to reduce the impact of the release or discharge.**  
Excavation of soil and the use of absorbent boom and pads in the stream.

**(ix) Provide a chronological summary of the incident. Include a chronology of communications with state and local government agencies.**

**July 23, 1996:**

**09:00 :** Operator error at the fueling position at the facility. While fueling a truck the driver pulled away from the position with the fueling nozzle still in the fuel tank.

**09:30 :** Release of 300 gallons of diesel fuel was discovered, fuel had stopped discharging from the hose. Site personnel initiated emergency response containment and clean-up. Call was placed to response contractor.

**10:00 :** Response contractor arrives on property and starts to remediate the soil with diesel fuel by excavation.

**13:30 :** While clean up was under way local Police and Fire authorities arrived at the facility to inform the owner/operator that the diesel fuel had reached a small stream adjacent to the property and small amounts were flowing down stream. Authorities and owner/operator representatives investigated and located the point of entry into the small stream.

**14:30 :** Wesley Drake with the Ohio EPA arrived at the facility.

**14:45 :** Call was placed by the owner/operator for additional response personnel and material to address the diesel fuel in the stream.

**15:00 :** Additional personnel and equipment arrive on the property. Boom is placed in the stream in three locations to minimize the extent of spreading. Absorbent pads are placed in the stream to remove and recover diesel fuel from the water.

**16:55 :** Spill reported to the Ohio EPA. Incident number 9607-23-3233. Due to site activities, confusion and oversight it was unclear if the incident had been reported to the OEPA. When no site personnel could furnish an incident number, the release was reported.



17:10 : Spill reported to the Bloomfield Township Fire Department.

17:15 : Spill reported to the Fairfield County Emergency Planning Committee, Mr. Dan Bolger.

17:25 : Spill reported to the National Response Center. Report number 353078.

15:00 - 24:00 : Work continued flushing a storm drain, placing and retrieving absorbent boom and pads in the stream, vacuuming to remove product from collection points, and excavating the soil.

**July 24, 1996:**

06:30 - 21:00 : Remediation activities continued at the facility. Excavated three inspection holes, vacuum removal of liquids and placement and removal of absorbent pads.

**July 25, 1996**

06:45 - 18:00 : Remediation activities continue. Excavation of contaminated soil and transportation of soil to landfill.

**July 26, 1996**

12:00 - 17:00 : Remediation activities continue. Transportation of contaminated soil to landfill.

**July 27, 1996**

08:00 - 12:00 : Remediation activities continue. Removal of absorbent booms and absorbent pads from the stream and facility.

**July 29, 1996**

07:00 - 16:30 : Remediation activities continue. Excavation of contaminated soil, removal and replacement of 18" pipe, which had to be removed due to release and excavation.

**July 30, 1996**

07:00 - 11:30 : Remediation activities continue. Completed replacement of pipe and transported contaminated soil to landfill for disposal.

- (x) **Provide manifest, bills of lading, laboratory analyses which were generated by the owner and operator of the facility and are germane to the incident.**

See attachments. Attachments #1-7.

- (xi) **Describe any extenuating circumstances which caused the release or discharge.**

Employee error in the fueling of a truck. The facility has re-instructed it's employees in the proper operation and procedures for fueling vehicles.

- (xii) **Describe any known or anticipated acute or chronic health risks associated with the release or discharge.**

No know acute or chronic health risks.

**(xiii) Where appropriate, advice regarding medical attention necessary for individuals exposed to the substance released or discharged.**

None.

**(xiv) A summary of all actions taken by the owner or operator to prevent a recurrence of the release or discharge.**

Immediately after the incident, the above ground fuel tank was emptied and the use of the tank discontinued. Employees of the facility were re-instructed in the proper operation, procedure and precautions for fueling vehicle. Currently all refueling is performed off-site at a commercial fueling station. The owner/operator is currently evaluating design and engineering proposals for a fueling station.

(xv) An owner or operator of a facility from which a release or discharge occurred may submit the following additional information (**voluntary information**) in the written follow up emergency notice:

(a) **Indicate any air, water or other permit numbers which may be pertinent to this incident and to the efficient/emission limitations which may apply.**  
None.

(b) **To the extent information is available, identify damage to wildlife and/or vegetation.**  
No damage to vegetation or wildlife on the facility property and no evidence of damage to vegetation on the banks of the small stream.

(c) **To the extent information is available, identify impact to human health and safety (evacuations, human exposure, death, or seen as injuries).**  
There was no impact to human health and safety due to this release.

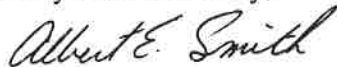
(d) **Economic impact.**

(i) **Estimate the dollar value, if any, of the release or discharged product.**  
\$325.00

(ii) **Estimate the replacement or repair cost of the equipment replacement or repair.**  
\$4,800.00

(iii) **Estimate the costs of cleanup.**  
\$18,500.00

Respectfully submitted by,



Albert E. Smith, MPW Industrial Services, Inc.

For

**Porta Kleen**

cc: Mr. Dan Boldger, Fairfield County Emergency Planning Committee







# WASTE RECORD

To comply with OAC 3745-27-08(M), all relevant information must be provided

Date 7-25-96 Time In 9:54 Time Out 6:07:18G

Name of Hauler BBA SERVICES LLC

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Driver \_\_\_\_\_

License of Vehicle 91-764

Type of Waste: (circle) Residential Municipal Commercial Industrial Asbestos

Agricultural Mining Other (specify) SOIL

Waste: Yards \_\_\_\_\_ Tons 10.01 (attach weight slip) PO # 1564 JH

Waste Generator: (if commercial or residential route, note it)

Name PORTA - CLEAN

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Tipping Fees \_\_\_\_\_ Cash \_\_\_\_\_ Credit ✓

SOURCE OF WASTE: COUNTY FAYETTE CO. STATE OH

COMPANY TO BILL FOR TIPPING FEES BBA SERVICES

The undersigned certifies that the material disposed of at the Athens-Hocking Reclamation Center as noted above is non-hazardous solid waste as defined by the Ohio Revised Code and Ohio Administrative Code.

If the waste material has been specifically approved for acceptance at this landfill by the submission of chemical analysis or other laboratory data, it is certified that this material conforms with the samples analyzed. If the waste material is asbestos, it is certified that the material has been properly packaged, labeled, and transported, and that the hauler will hold the landfill harmless from all claims, fines or penalties imposed upon the landfill operator for and violation of law or regulations for improper transportation, packaging, labeling or handling, prior to being put into the possession of the landfill operator.

All parties disposing of any waste at this landfill agree to fully indemnify the landfill operator for any and all claims, fines or penalties, including clean up costs, engineering fees and claims of any third parties, which may be caused, either directly or indirectly, by those parties bringing in waste materials to the landfill which are not permitted to be disposed of at this facility by limitations in any landfill permits or by the Ohio Solid Waste Laws and Regulations.

All parties disposing of any waste at the landfill or otherwise entering the premises agree to hold the landfill harmless and waive all claims for any personal injury or property damage to any vehicle or person entering the premises whether caused by an act or neglect of landfill personnel or equipment or by persons entering the landfill. This waiver will not discharge any intentional torts by landfill personnel.

\_\_\_\_\_  
Landfill Representative

104236

# WASTE RECORD

To comply with OAC 3745-27-08(M), all relevant information must be provided

Date 7-25-96 Time In 11:30 Time Out 6:07 PM

Name of Hauler BBW SERVICE

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Driver \_\_\_\_\_

License of Vehicle 96-717

Type of Waste: (circle) Residential Municipal Commercial Industrial Asbestos

Agricultural Mining Other (specify) SELL

Waste: Yards \_\_\_\_\_ Tons 16.25 (attach weight slip) PO# 156435

Waste Generator: (if commercial or residential route, note it)

Name PORTA - CLIN

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Tipping Fees \_\_\_\_\_ Cash \_\_\_\_\_ Credit

SOURCE OF WASTE: COUNTY FAYETTE STATE OH


COMPANY TO BILL FOR TIPPING FEES BBW SERVICE

The undersigned certifies that the material disposed of at the Athens-Hocking Reclamation Center as noted above is non-hazardous solid waste as defined by the Ohio Revised Code and Ohio Administrative Code.

If the waste material has been specifically approved for acceptance at this landfill by the submission of chemical analysis or other laboratory data, it is certified that this material conforms with the samples analyzed. If the waste material is asbestos, it is certified that the material has been properly packaged, labeled, and transported, and that the hauler will hold the landfill harmless from all claims, fines or penalties imposed upon the landfill operator for and violation of law or regulations for improper transportation, packaging, labeling or handling, prior to being put into the possession of the landfill operator.

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All parties disposing of any waste at the landfill or otherwise entering the premises agree to hold the landfill harmless and waive all claims for any personal injury or property damage to any vehicle or person entering the premises whether caused by an act or neglect of landfill personnel or equipment or by persons entering the landfill. This waiver will not discharge any intentional torts by landfill personnel.



  
Landfill Representative

# WASTE RECORD

To comply with OAC 3745-27-08(M), all relevant information must be provided

Date 7-25-96 Time In 12:54 Time Out 607180

Name of Hauler BBW SERVICES

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Driver \_\_\_\_\_

License of Vehicle 96-768

Type of Waste: (circle) Residential Municipal Commercial Industrial Asbestos

Agricultural Mining Other (specify) SOIL

Waste: Yards \_\_\_\_\_ Tons 12.07 (attach weight slip) PO # 1524 JB

Waste Generator: (if commercial or residential route, note it)

Name PORTA - CLEAN

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Tipping Fees \_\_\_\_\_ Cash \_\_\_\_\_ Credit

SOURCE OF WASTE: COUNTY FAIRFIELD STATE OH

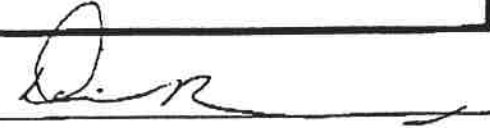
COMPANY TO BILL FOR TIPPING FEES BBW SERVICES

The undersigned certifies that the material disposed of at the Athens-Hocking Reclamation Center as noted above is non-hazardous solid waste as defined by the Ohio Revised Code and Ohio Administrative Code.

If the waste material has been specifically approved for acceptance at this landfill by the submission of chemical analysis or other laboratory data, it is certified that this material conforms with the samples analyzed. If the waste material is asbestos, it is certified that the material has been properly packaged, labeled, and transported, and that the hauler will hold the landfill harmless from all claims, fines or penalties imposed upon the landfill operator for and violation of law or regulations for improper transportation, packaging, labeling or handling, prior to being put into the possession of the landfill operator.

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**All parties disposing of any waste at the landfill or otherwise entering the premises agree to hold the landfill harmless and waive all claims for any personal injury or property damage to any vehicle or person entering the premises whether caused by an act or neglect of landfill personnel or equipment or by persons entering the landfill. This waiver will not discharge any intentional torts by landfill personnel.**

  
\_\_\_\_\_  
Landfill Representative

# WASTE RECORD

To comply with OAC 3745-27-08(M), all relevant information must be provided

Date 7-26-96 Time In 3:47 Time Out 6:07

Name of Hauler B B U SERVICES

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Driver \_\_\_\_\_

License of Vehicle 96-714

Type of Waste: (circle) Residential Municipal Commercial Industrial Asbestos

Agricultural Mining Other (specify) SOIL 07180

Waste: Yards \_\_\_\_\_ Tons 10.52 (attach weight slip) PO # 1514 JA

Waste Generator: (if commercial or residential route, note it)

Name PORTA - CLEAN

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Tipping Fees \_\_\_\_\_ Cash \_\_\_\_\_ Credit

SOURCE OF WASTE: COUNTY FAIRFIELD STATE OH

COMPANY TO BILL FOR TIPPING FEES B B U SERVICES

The undersigned certifies that the material disposed of at the Athens-Hocking Reclamation Center as noted above is non-hazardous solid waste as defined by the Ohio Revised Code and Ohio Administrative Code.

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Craig Coates  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
Landfill Representative

104331

# WASTE RECORD

607180

To comply with OAC 3745-27-08(M), all relevant information must be provided

Date 7-30-96 Time In 4:30 Time Out \_\_\_\_\_

Name of Hauler BRYAN SCHULTE

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Driver \_\_\_\_\_

License of Vehicle 96-764

Type of Waste: (circle) Residential Municipal Commercial Industrial Asbestos

Agricultural Mining Other (specify) SEAL & METAL

Waste: Yards \_\_\_\_\_ Tons 2.46 (attach weight slip) PO# 1564-38

Waste Generator: (if commercial or residential route, note it)

Name PORTA - HILLMAN

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Tipping Fees \_\_\_\_\_ Cash \_\_\_\_\_ Credit

SOURCE OF WASTE: COUNTY LACKAWANNA STATE OH

COMPANY TO BILL FOR TIPPING FEES BRYAN SCHULTE

The undersigned certifies that the material disposed of at the Athens-Hocking Reclamation Center as noted above is non-hazardous solid waste as defined by the Ohio Revised Code and Ohio Administrative Code.

If the waste material has been specifically approved for acceptance at this landfill by the submission of chemical analysis or other laboratory data, it is certified that this material conforms with the samples analyzed. If the waste material is asbestos, it is certified that the material has been properly packaged, labeled, and transported, and that the hauler will hold the landfill harmless from all claims, fines or penalties imposed upon the landfill operator for and violation of law or regulations for improper transportation, packaging, labeling or handling, prior to being put into the possession of the landfill operator.

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James Colburn

Mil [Signature]  
Landfill Representative



**LOCAL**

**OPEPA called in after fuel leak**

Ohio Environmental Protection Agency was called to a fuel spill that ran into a creek in Carroll Tuesday.

An employee of Porta Kleen, 3800 Columbus-Lancaster Road, was refueling a truck and forgot to remove the nozzle before pulling away from the pump, officials said. Fuel then spilled onto the ground.

Fairfield County Emergency Management Agency Director Dan Bolger and Al Smith, general manager of environmental services for MPW Industrial Services of Hebron, said an estimated 300 gallons of fuel spilled.

MPW is contracted by Porta Kleen for emergency response.

While MPW was working to clean the spill, Fairfield County Sheriff's Office received a call from a Lithopolis Road resident who smelled the gas in a creek next to his house, so BBU Services of Lancaster and OPEPA were called to help in the cleanup.

Heather Van Deest, spokeswoman for OPEPA, said the gasoline soaked into the ground through a field tile in an underground drainage system and flowed into a tributary of the Hocking River.

Bolger said the spill posed no environmental risk, but the effects still were being evaluated Tuesday

nals. Betty J. Beavers, 64, of 643 Pine St., was treated and released from Fairfield Medical Center after the accident at about noon at North High Street and East Sixth Avenue.

Beavers' car was struck by a pickup truck driven by Donald L. Coakley, 34, of 2443 E. Main St. Lancaster police reported. He and his passenger, Gary L. Miller, 32, of 1121 E. Walnut St., were not injured.

Police cited Coakley for running a stop sign at the intersection.

Stop signs were placed at the intersection when the traffic lights were knocked out by the earlier collision of two semi trucks, an accident which resulted in the closure of the intersection while the trucks were removed and milk spilled from one was cleaned from storm sewers by Lancaster Fire Department.

The drivers, Tracy Scott Arensberg, 36, Newark, and Edward Kenneth Seibert, 33, Highland Heights, Ky., were not injured.

No citations were issued at the time of the accident, which remains under investigation by Lancaster police. Both drivers told officers the traffic light was green when they went through.

Service-Safety Director Earl "Burch" Strawn in a news release issued Monday said the stop signs will remain at the Sixth Avenue and High Street intersection forming a four-way stop through Friday until the traffic lights can be repaired.

**Fe pr**

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was treated at field Medical dent at 8955 I

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**CW school board to hold session**

**Cars repc stolen in**

# LOCAL

## Complaint filed after decision

Less than one week after Fairfield County Commissioners voted to vacate a portion of a Rushcreek Township road, a complaint was filed asking that the decision be reversed.

On July 18, commissioners unanimously voted to vacate an approximately 20-foot section of Durbin Run Road. Those who had signed the petition in favor of the vacation cited safety concerns as the reason the vacation was needed.

On Wednesday a complaint listing Hide-A-Way Hills and a resident, Joseph Hibbler, as defendants was filed in Fairfield County Common Pleas Court.

The complaint says the improvement granted by the vacation abuts the Fairfield-Hocking County line, and under Ohio Revised Code, requires joint action of both counties. It also states that the vacation will deny Hibbler and other Hide-A-Way Hills residents access to their property.

## Cleanup of fuel leak nearly done

Contractors Thursday were finishing cleanup after a 300-gallon diesel fuel spill at a local business Tuesday.

Soil at Porta Kleen, 3800 Columbus Lancaster Road

The spill occurred when an employee pulled a truck away from a refueling pump before removing the nozzle. The nozzle fell on the ground, and fuel spilled until the pump was empty, OEPA reported.

The fuel soaked into the ground through a field tile in an underground drainage system and flowed into a tributary of the Hocking River.

"The majority of the fuel was removed from the river prior to the rain (Wednesday)," Van Deest said, adding that any remaining fuel was dispersed and diluted by the rain.

Whether the OEPA will take action against Porta Kleen because of the spill remains to be decided, Van Deest said.

"Our main concern is trying to work toward prevention of something like this from happening again," she said.

Al Smith of MPW Industrial Services, a Hebron company contracted by Porta Kleen for emergency services, said Thursday his company was meeting with the OEPA to determine whether the cleanup at Porta Kleen's property was complete. The cleanup in the creek was finished, he said.

## Man arrested on arson charge

A Whitehall man remained in Fairfield County Jail Thursday after his arrest Tuesday on a warrant for arson.

Pickerington Police Department filed the charge against Anthony Allen Gallagher, 26, Whitehall.

He is accused of setting fire to a 1005 Paula Vieira at a Divanina

## Festival profile ...

**Name:**

Chris Miller

**Residence:**

Lancaster

**Occupation:**

Print production manager

**Volunteer duties:**

Transports performers

from Port Columbus to Lancaster

**How long have you been volunteering?** Ninth year

**Why do you volunteer?** "I enjoy it. I take two weeks vacation, and I get to meet a lot of people. It's enjoyable to hear all this music."



Miller

Portier said police had been unable to disprove Gallagher's claim of an alibi to mark him as a suspect until they followed leads from a recent anonymous phone call.

Gallagher's bond was set at \$50,000, of which he must post 10 percent to be released, and a \$10,000 recognizance.

A preliminary hearing in his case is set for Wednesday.

## Wedding dress, jewelry stolen

Thieves stole a wedding dress and jewelry from a city resident

Thursday at Washington