

2



State of Ohio Environmental Protection Agency

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P.O. Box 1049
Columbus, OH 43216-1049

January 09, 2009

Mr. Gilbert Black
Weinland Park Development
575 West First Street
Columbus, OH 43215

**Re: Weinland Park Development – OHR000151670
LQG – Pad Closure
Notice of Violation/Return to Compliance**

Dear Mr. Black:

On January 05, ²⁰⁰⁹~~2008~~, Ohio EPA staff myself and David Hohmann conducted a closure oversite inspection at the building 101 remediation on Grant Avenue across the street from the former Decorative Surfaces International facility. The inspection was conducted to determine compliance with Ohio's laws and rules as found in Chapter 3734 of the Ohio Revised Code and Chapter 3745 of the Ohio Administrative Code (OAC) and the Revision 3 of the closure plan for the site.

As a result of the inspection, it has been determined that Weinland Park Development violated the following OAC rules:

1. **OAC Rule 3745-52-34(D)(4), Accumulation Time of Hazardous Waste:** A large quantity generator of hazardous waste (LQG) may accumulate, for 90 days or less, hazardous waste that is generated on-site, without an Ohio hazardous waste permit, provided that the generator marks the containers with the words "hazardous waste" and marks the containers with the accumulation start .

Weinland Park Development had one 20 cubic yard roll off box of D004 hazardous waste that was not labeled with words identifying the contents and did not have an accumulation start date listed.

Weinland Park Development contacted Performance Site Environmental (the remediation contractor) who placed a hazardous waste label on the container. Ohio EPA staff met you at the site on January 6, 2009 and confirmed the label was in place identifying the contents of the container and with an accumulation start date of 12-04-2008.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korteski, Director

Ohio EPA is an Equal Opportunity Employer

The scarification appeared to have met the closure performance standard with regard to depth and area however there were two small areas where yellow / green staining remained even after the scarification. I talked to you and Mark Barrett who was supervising the demolition of the building 101 pad about this issue on the morning January 07, 2009. It was agreed these two stained areas should be disposed as hazardous waste. The rest of the pad will be appropriately managed and the soil under the pad would be sampled and tested for chromium in the area where the staining had been under the Voluntary Action Program. Based on the outcome of this sampling appropriate action would be taken to meet health based standards under that program.

Please be aware that if the roll-off box remains on site for more than one week (seven days) after the waste was known to hazardous, then weekly inspections must be conducted and logged on a written log. By conducting inspections issues such as the bungee cords missing from the tarp can be identified and repairs can be made as needed. Hazardous waste must be covered at all times unless adding or removing waste from the roll-off box.

Should you have any questions or need additional information, I can be reached by telephone at 614-728-5036.

NOTICE: Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve Weinland Park Development from having to comply with all applicable regulations.

Respectfully,



Chris Bulinski
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

Enclosures

c: Kristina Dumell, DHWM/CO
DHWM, CDO File
Matt Knecht- HzW Environmental
Chris Ruff- Performance Site Environmental
Fred Myers, DERR/CDO

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OH000151670 040004294351 Name: Weinland Park Development Website: _____ (Optional) Street Address: 1280 North Grant Avenue City, Town, or Village: Columbus State: OH County Name: Franklin Zip Code: 432015 Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Gilbert MI: _____ Last Name: Black Phone Number: 614-545-3684 Phone Number Extension: _____ E-Mail Address: _____ Fax Number Extension: _____ Fax Number: _____ Street or P.O. Box: 575 West First Street City, Town or Village: Columbus Zip Code: 43215 State: OH
Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Weinland Park Development Date Became Owner (mm/dd/yyyy): _____ Owner Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Type: _____ Street or P.O. Box: 575 Weinland Park City, Town or Village: _____ Owner Phone #: _____ State: _____ Country: _____ Zip Code: _____ Name of Site's Operator: _____ Date Became Operator (mm/dd/yyyy): _____ Owner Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Type: _____ Street or P.O. Box: _____ Operator Phone #: _____ City, Town or Village: _____ United States Zip Code: _____ State: _____

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input checked="" type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
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TYPE OF REGULATED WASTE ACTIVITY (MARK 'X' IN ALL OF THE APPROPRIATE BOXES)

<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

<input type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner

Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

D007

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Chris Bulinski		1/5/2009 10:45

OPTIONAL CERTIFICATION. 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 submitted 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 Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)

