



State of Ohio Environmental Protection Agency

Southwest District Office

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

July 1, 2009

Re: SENCO Global Fastening Solutions
Small Quantity Generator
OHT 400 012 050 (Plant #2)
Hamilton County
Return to Compliance

Mr. Robert J. Schmidt
Manager of Environmental Affairs & Insurance
SENCO Global Fastening Solutions
4270 Ivy Pointe Boulevard
Cincinnati, Ohio 45245

Dear Mr. Schmidt:

On June 1, 2009 I received your response to my April 23, 2009 Partial Return to Compliance (PRTC)/Notice of Violation (NOV) letter. The documentation you submitted included records of testing and maintenance of emergency equipment.

On June 18, 2009 Ohio EPA conducted a return to compliance inspection of SENCO Global Fastening Solutions (GFS). The inspection was conducted to determine your compliance with Ohio's hazardous waste laws found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). You represented SENCO GFS while I represented Ohio EPA. During the inspection, I received documentation from you which included non-hazardous and hazardous waste manifests, a land disposal restriction form, a waste profile sheet, and a used oil bill of lading. As a response to my June 18, 2009 inspection, on June 30, 2009 you provided additional information which included records of testing and maintenance of emergency equipment.

Based on the June 18, 2009 inspection and review of your documentation, SENCO Plant #2 has now abated violations #1-4, 6, and 7 discovered during the March 25, 2009 inspection as listed below:

Letter Citation #	Rule Citation
1	OAC Rule 3745-52-34 (A)(2), Accumulation Time of Hazardous Waste
2	OAC Rule 3745-65-33, Testing and Maintenance of Equipment
3	OAC Rule 3745-65-35, Required Aisle Space
4	OAC Rule 3745-66-71, Condition of Containers

Letter Citation #	Rule Citation
6	OAC Rule 3745-273-13 (D)(1), Waste Management – Standards for Small Quantity Handlers of Universal Waste
7	OAC Rule 3745-273-14 (E), Labeling/Marking – Standards for Small Quantity Handlers of Universal Waste

During the March 25, 2009 inspection SENCO Plant #2 did incur a violation of OAC Rule 3745-66-73 (A), management of containers (citation #5 as cited in the April 23, 2009 NOV), however, this violation was abated during the March 25, 2009 inspection when the 55 gallon satellite drum of hazardous waste adhesive located in the fine wire area of the plant was closed by replacing the bung plug.

In addition, at the time of the March 25, 2009 inspection SENCO Plant #2 was operating as a hazardous waste facility by storing hazardous waste (paint booth filters) that was generated off premises at SENCO Plant #1 without having a hazardous waste installation and operation permit. The hazardous waste observed during the March 25, 2009 inspection has been shipped to a designated facility, and therefore, no further action is required to address the violations of ORC 3734.02 (E) and (F) identified in citation #8 of the April 23, 2009 NOV. At any time Ohio EPA may assert its right to have SENCO begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

Generator Closure

Given the fact that Plant #2 (OHD 400 012 050) located at 8450 Broadwell Road may cease operation in the near future, Ohio EPA would like to remind you that as a previous large quantity generator (LQG) SENCO Plant #2 is required to complete generator closure of its hazardous waste accumulation areas (i.e. hazardous waste 90/180 day accumulation areas, tank storage units, etc. – this does not include satellite accumulation areas). If hazardous waste was stored in a tank, the generator must meet the closure performance standards in OAC Rule 3745-66-97 (except paragraph C) for that storage unit.

Generator closure of hazardous waste accumulation areas is only a requirement for LQGs. If the business in question is or was a LQG and they are closing their facility, OAC Rule 3745-52-34 requires that the generator meet the closure performance standard of OAC Rule 3745-66-11, as well as the applicable disposal or decontamination requirements of OAC Rule 3745-66-14. SENCO Plant #2 is subject to generator closure because in the past it had been a LQG. OAC Rule 3745-52-34 specifically exempts certain generators from the rule requirements regarding time allowed for closure, having a written closure plan, certification of closure, cost estimates for closure, and financial assurance for closure. Further, OAC Rule 3745-52-34 does not impose an obligation or duty on Ohio EPA to approve the closure measures either before or after the generator closure activity takes place. The generator closure is self-

implementing. Generators should be aware of the closure performance standard, the requirements of OAC Rule 3745-52-34 and make a good faith effort to meet that standard. Ohio EPA's guidance document on meeting the closure requirements for generators (see Chapter 1, Section 1.10 of the Closure Plan Review Guidance (CPRG) for generator closure requirements) is available on our web page at: <http://www.epa.state.oh.us/dhwm/cprg.html>.

EPA ID Number

A US EPA ID Number is site-specific. The EPA ID Number associated with Plant #2 is OHT 400 012 050. During the inspection, you indicated that pending the outcome of the possible sale of the company, Plant #2 may cease operation during July 2009. Therefore, as a notifier of regulated waste activity, if you cease operation please send a letter, on your company's letterhead, requesting to deactivate the existing ID number for the SENCO Plant #2 facility, once it is no longer needed. Please send the letter to Kristina Durnell in our Central Office at Ohio EPA, Lazarus Government Center, 50 West Town Street, P. O. Box 1049, Columbus, Ohio 43215.

Note that the Ohio EPA interpretation is; if there is an ownership change, the new owner cannot use the existing EPA ID Number that is associated with that address until they contact the Ohio EPA. If you have additional questions regarding your EPA ID Number, then please refer to the instructions which can be found online at: www.epa.state.oh.us/dhwm/notiform.html.

Cessation of Regulated Operations (CRO)

Certain generators who treat or store hazardous waste are subject to closure, but when a generator handles other regulated materials, they may be subject to the CRO Rule under OAC Rule 3745-352. Again, given the fact that you may cease operations at SENCO Plant #2, we want to make you aware of Ohio's CRO laws, OAC Chapter 3745-352. Under Ohio's CRO laws, companies that are required to submit annual hazardous chemical reports to the State Emergency Response Commission are also required when regulated operations cease, to secure the facility until all regulated substances are properly removed. Please refer to Ohio EPA's guidance document, "Cessation of Regulated Operations (CRO) Program." A copy of this guidance document was left with you during the January 22, 2009 inspection; however, a copy of this document is available on our web page at:

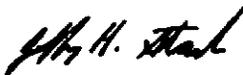
http://www.epa.state.oh.us/dhwm/cro/CRO_Manual.pdf.

A complete explanation of the CRO laws and additional CRO information can be found on Ohio EPA's web page at:

http://www.epa.state.oh.us/dhwm/l_rcro.html.

Should you have any questions regarding this letter, please call me at (937) 285-6456.

Sincerely,



Jeffery H. Stark
District Representative
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/SWDO, File
Kelly Smith, CO DHWM
Elissa Miller, Legal

JS/ca

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.