



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 3, 2008

Mr. Randy Parker, Director EHS
Shiloh Industries, Inc.
880 Steel Drive
Valley City, OH 44280

Dear Mr. Parker:

RE: SHILOH INDUSTRIES, OHD 059 053 263, CUYAHOGA COUNTY, CRO NOTICE OF VIOLATION

According to Ohio's Cessation of Regulated Operations (CRO) laws and rules as found under Chapter 3752 of the Ohio Revised Code (ORC) and Chapter 3745-352 of the OAC, you are required to drain and remove all regulated substances.

The OAC defines "regulated substances" to include:

- (1) "Extremely hazardous substances," which is defined as substances identified or listed in rules adopted under division (B)(1)(a) of section 3750.02 of the Revised Code;
- (2) "Hazardous substances," which is defined as substances identified or listed in rules adopted under division (B)(1)(c) of section 3750.02 of the Revised Code regardless of whether the substance is an unused product or a waste. "Hazardous substance" does not include any asbestos-containing material applied to or incorporated into a building or structure; any component or structural member of a building or structure; or any equipment, piping, or vessel located at a facility;
- (3) "Flammable substances," which is defined as any material or substance defined as "flammable" or as a "combustible fiber," "combustible liquid," "flammable liquid," or "flammable solid" by the fire code adopted under section 3737.82 of the Revised Code; and
- (4) "Petroleum" which is defined in section 3737.87 of the Revised Code.

During inspections at your facility, Ohio EPA noted that additional efforts to complete CRO remain. Ongoing decommissioning efforts, removal and accumulation of petroleum, flammable substances and potentially small amounts of hazardous substances were still occurring.

1. At the outside oil storage shed area there are: two five gallon buckets of viscous petroleum and oily water, a 55-gallon drum containing an unknown waste residue and tyvek material, a waste water treatment system unit with filter, sand and oil skimmer contents.
2. At a trash compactor in the northeast outside facility area are two significant oil stained areas that were causing a potential release to a storm water drain.
3. Empty offices and operation areas had accumulated toner cartridges, lamps and office electronic and computer equipment, cardboard and paper.
4. The compressor pit remained with a significant amount of oil and residue.

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5. The large press pits at the south end are generating a wastewater and used oil.
6. There remains significant combustible fiber material.

This Notice of Violation presents the status of Ohio EPA's understanding of conditions based on inspection observations and email and verbal communications regarding the Shiloh facility located at 5389 W. 130th Street in Parma.

NOTICE OF VIOLATIONS

1. Designation of a contact person, ORC § 3752.05(C) and OAC 3745-352-35(D): A contact person was identified on the EPA Form 0327. That contact person is Tony Passalacqua. This appears to no longer be correct.

Shiloh Industries must update Ohio EPA with the name and telephone number of the contact person using Form 0327.

2. Did the owner/operator make a written certification to Ohio EPA's Director concerning the completion of the removal action within 90 days after CRO? [ORC §3752.06(A)(6) and OAC rule 3745-352-20(A)(2)(h)]. The owner/operator reported ceasing operations on November 2, 2007 and failed to certify CRO on February 2, 2008 as required or request an extension. Various options regarding an extension were provided verbally and by email with no response received.

Shiloh Industries must immediately be able to provide the certification or provide the response needed to be authorized under an extension.

What if I need more time to comply? OAC 3745-352-20 (3): Upon receipt of a written request, the director or division chief, at his discretion, may grant you more time to comply with paragraph (A) of this rule if he finds from the request that either of the following applies:

(a) You cannot complete the actions required by paragraph (A) of this rule within the time prescribed due to circumstances that are temporary and beyond your control; or

(b) You, exercising reasonable diligence, cannot complete the actions required by paragraph (A) of this rule within the time prescribed due to facility size, operational complexity, or other such relevant factors.

Shiloh Industries failed to comply with removal of all hazardous and regulated substances and materials and failed to file for an extension. Shiloh Industries needs to immediately complete removal per the rules within thirty (30) days or request and extension. Please submit the information needed to address this violation.

3. Did the owner/operator submit to the Director a copy of the most recent emergency and hazardous chemical inventory form that was submitted to the State Emergency Response Commission (SERC), including a statement indicating whether any asbestos-containing materials are present at the facility? [ORC §3752.06(A)(1) and OAC rule 3745-352-20(A)(2)(a)]. Shiloh Industries failed to provide this information.

Shiloh Industries must immediately provide the hazardous chemical inventory form that was submitted to SERC and include a statement as to whether there are any asbestos-containing materials present at the facility.

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4. Did the owner/operator submit to the Director a copy of the current hazardous chemical list or each material safety data sheet that the owner/operator is required to have on file with the SERC? [ORC §3752.06(A)(2) and OAC rule 3745-352-20(A)(2)(b)]. Shiloh Industries failed to provide this information.

Shiloh Industries must immediately provide a copy of the current hazardous chemical list or material safety data sheet required to be on file with the SERC.

5. Did the owner/operator drain or remove all regulated substances from each stationary tank, vat, electrical transformer, and vessel and from all piping that is to remain at the facility? [ORC §3752.06(A)(4) and OAC rule 3745-352-20(A)(2)(c)]. Shiloh Industries failed to document whether this action has been completed.

Shiloh Industries must provide in writing that all regulated substances have been drained or removed and demonstrate by manifest, bill of lading, shipping ticket or receipt that all materials have been properly disposed, transferred, recycled or as follows, identify per the rule that the contamination or regulated substance may remain.

6. Did the owner/operator submit a list of every stationary tank, vat, electrical transformer, and vessel of any type that contains or is contaminated with regulated substances and that is to remain at the facility? [ORC §3752.06(A)(3) and OAC rule 3745-352-20(A)(2)(d)]. Shiloh Industries failed to document whether any contamination or regulated substance will remain onsite.

Shiloh Industries must provide in writing where contamination or regulated substances remain onsite. This includes the items that are a concern for solid and hazardous waste units, underground storage areas and areas of known or suspected releases.

7. Did the owner/operator remove from the facility all debris, non-stationary equipment and furnishings, non-stationary containers, and motor vehicles and rolling stock that contain or are contaminated with a regulated substance? [ORC §3752.06(A)(5) and OAC rule 3745-352-20(A)(2)(c)]. Shiloh Industries failed to document removal of all debris and regulated substances and whether any of the regulated substances will remain onsite.

Shiloh Industries must provide in writing that all debris and regulated substances have been removed and demonstrate by manifest, bill of lading, shipping ticket or receipt that the materials have been properly disposed, transferred or recycled.

8. Are entry barrier and warning signs maintained to secure against unauthorized entry by the following measures listed below: [OAC rule 3745-352-30(C)]. The Shiloh Industries facility must be inspected weekly with the condition recorded in an inspection log with prompt repair or replacement after discovery.

Shiloh Industries must provide a copy of the weekly inspection logs per the rule that demonstrate gates, fences, and entrance-ways are secured to prevent unauthorized entry. This log must be maintained weekly until CRO obligations are complete.

9. Waste Evaluation OAC 3745-52-11 "Any person who generates a waste in the state of Ohio...shall determine if the waste is a listed hazardous waste..."

Materials and fluids accumulated in the “oil storage shed” were unknowns to Mr. Passalacqua. He reported moving them to an indoor storage area but the characterization and disposition of these wastes are unknown. The waste water treatment system (filter and sand filter and oil skimmer wastes) is understood to have been from the die wash area. Reportedly, this process generated nonhazardous waste. However, all waste must be presumed hazardous waste until characterized as otherwise:

1. A 55- gallon open top drum with tyvek and underlying sludge debris - Needs **characterized and properly disposed.**
2. Waste water treatment system wastes - Needs **characterized and properly disposed.**
3. A full 5-gallon bucket of thick oil material - **Needs characterized and properly disposed.**
4. A full 5-gallon bucket of oily water - **Needs characterized and properly disposed.**

Shiloh Industries must ensure that all materials or wastes that are disposed are properly characterized. This includes all lamps, electronics, aerosol cans, fluids, petroleum, paints and solvent. In addition, regulated substances include the flammable substances such as flammable and combustible fibers and solids.

Shiloh Industries must provide documentation of the waste evaluation and disposal documentation for the above and include recycling, transfer and disposal documentation for all generated universal wastes, solid wastes, recycled materials, used oils, wastewater, etc.

10. Used Oil Storage Requirements for Generators (Labels), OAC 3745-279-22(C): Shiloh Industries failed to properly label containers of oil at the oil storage shed and the press pit areas.

To return to compliance you must provide photographs that demonstrate these containers are now labeled as “used oil” per the rule. Please ensure that all containers are labeled and remain properly labeled. Provide a shipping ticket to demonstrate the receiving entity of this material.

11. OAC 3745-279-22(D) Response to Releases of Used Oil: “Upon the detection of a release of used oil to the environment, a generator shall...clean up and manage properly the released used oil...”

There are two locations with oily residue on the ground outside at a storm drain in the northeast east corner of the facility. One is at a trash compactor and the other at a nearby storage rack. You failed to prevent and cleanup, when needed, releases of used oil at this storm drain location.

You must clean up the releases and modify management or operation practices to eliminate the cause of the releases. Soils contaminated with used oil can typically be disposed to a municipal solid waste facility. You must take management steps to ensure collection of all fluids with recognition and cleanup of releases, when they occur. You must inform employees of these procedures including the labeling requirement and provide to me in writing that: 1) employees and contract employees have been so trained, 2) fluid management procedures have been implemented, and 3) stained, oily areas have been cleaned up. 4) provide sign-in sheets for the training of all employees including contract employees.

Generalized regulations for understanding management of used oil are presented in the enclosed *Fact Sheet* on “The Regulation of Used Oil” and a “Compliance Screening Checklist”.

GENERATOR CLOSURE
Additional Hazardous Waste Generator Unit Concern

Did the owner/operator close his facility in a manner that: [OAC 3745-66-11]
Complies with the closure requirements of OAC rules 3745-66-10 to 3745-66-20, 3745-66-97, 3745-67-28, 3745-67-58, 3745-67-80, 3745-68-10, 3745-68-51, 3745-68-81 and 3745-69-04?

This facility was at one time a large quantity generator of hazardous waste during operations by Shiloh Industries and Modern Tool & Die and is therefore subject to closure/cleanup requirements for all areas where hazardous waste was accumulated or potentially released.

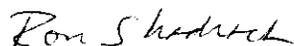
Shiloh identified that during their operations hazardous waste was accumulated at the site in at least two areas. These areas are:

1. An indoor area identified in a March 2004 site map as, Location I "Shipping and Receiving" and identified by Mr. Passalacqua;
2. An indoor location in the eastern central "Warehouse" as identified on a March 2004 site map. This location was identified by Mr. Passalacqua as used to store a D001 waste sodium and nitrate salts; and also could include:
3. An outdoor hazardous waste storage area identified in the March 2004 site map as "B – Hazardous Wastes";
4. Other hazardous waste accumulation or potential release areas indicated in Ohio EPA's letter dated April 25, 2008 regarding identification of closure areas and requirements.

Failure to list specific deficiencies in this communication does not relieve Shiloh Industries from the responsibility of complying with all applicable laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please **submit the requested documentation to my attention within 30 days** of receipt of this letter. Enclosed is a completed CRO inspection checklist. Should you have any questions, please feel free to contact me at (330) 963-1146 or at ron.shadrach@epa.state.oh.us.

Sincerely,



Ronald J. Shadrach
Division of Hazardous Waste Management

RJS:ddw

Enclosure

ec: Frank Popotnik, DHWM, NEDO
cc: Harry Sarvis, DHWM, CO
Ralph McGinnis, DHWM, CO
Mr. Ed Waddles, Modern Tool & Die

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

For Ohio EPA use only

E-mail this completed form to
 tammy.mcconnell@epa.state.oh.us or mail it to Tammy
 McConnell, Central Office

2. Site EPA ID No. [REDACTED]		EPA ID Number: OHD 059 058 263	
Name: Shiloh Industries, Inc.		Website: (Optional)	
Street Address: 5389 W. 130th St.			
City, Town, or Village: Parma		State: OH	
County Name: Cuyahoga		Zip Code: 44011	
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"/>
First Name: Tony		MI:	Last Name: Passalacqua
Phone Number: 330-558-2051		Phone Number Extension:	
E-Mail Address: apassalacqua@shiloh.com			
Fax Number: 330-558-2670		Fax Number Extension:	
Street or P.O. Box: 5569 Innovation Drive			
City, Town or Village: Valley City		State: Ohio	
Country:		Zip Code: 44280	
Name of Site's Legal Owner: Modern Tool & Die		Date Became Owner (mm/dd/yyyy):	
Owner Type:	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"/>	Street or P.O. Box: 5965 Grafton Rd.		
City, Town or Village: Valley City		Owner Phone #: 330-225-2600	
State: Ohio		Country:	
Zip Code: 44280		Name of Site's Operator: Shiloh Industries, Inc.	
Date Became Operator (mm/dd/yyyy): 1999		Owner Type:	
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"/>
Street or P.O. Box:			
City, Town or Village:		Operator Phone #:	
State:		Country:	
Zip Code:		Yes <input type="checkbox"/> No <input type="checkbox"/>	
10. Is the site involved in Regulated Waste Activity (Mark "X" in all of the appropriate boxes)?			
<input type="checkbox"/> Not Regulated	<input type="checkbox"/> Conditionally Exempt Small Quantity Generator		
<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> United States Importer of Hazardous Waste		
<input checked="" type="checkbox"/> Large Quantity Generator (LQG)	<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator		
<input type="checkbox"/> Small Quantity Generator (SQG)			
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace		
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Small Quantity On-Site Burner Exemption		
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption		
<input type="checkbox"/> Underground Injection Control Facility			

10B: Universal Waste Activities (Indicate types of universal waste managed (check all boxes that apply))

<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Large Quantity Handler of Universal Waste
<input type="checkbox"/> Destination Facility for Universal Waste	(add additional information here)

Check all boxes below that apply for each of the three types of facilities above:

	Managed	10C: Used Oil Activities (Indicate type(s) of Activity(ies))	
Batteries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Mercury containing equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
		<input type="checkbox"/> Used Oil Re-refiner	

Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for the federally regulated hazardous waste(s) managed at the site. List them in the order they are presented in the regulations (see 40 CFR 261.11). If more space is needed, use the back of this page. If there are more than 7 waste codes, you may use the same as listed in the recent RCRA info source record, you do not need to list them all. Instead, indicate the date of the most recent records.

D001	D002	D009	F002	F003	F005	D019
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Comments: Use this area to describe whether the inspection was announced or whether the waste is stored in tanks or containers.

Announced	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Other Comments: D008, D035, D039, D040 - Facility is currently undergoing CRO, is beyond 90 day and not filed for extension.
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)
Ron Shadrach, DHWM, NEDO		4/15/2008 11:00

CERTIFICATION: I certify under penalty of law that this document and the data submitted herein were prepared, compiled, and submitted in accordance with the provisions of the law. I am a duly sworn and qualified person in the profession of environmental health and safety. I am not providing false, misleading, or incomplete information or data. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

Name of Signatory:	Name of Signatory:	Date (mm/dd/yyyy)

CESSATION OF REGULATED OPERATIONS CHECKLIST

<input checked="" type="checkbox"/> Permanent Cessation	<input type="checkbox"/> Temporary Discontinuation	<input type="checkbox"/> Requesting Waiver for Temporary Discontinuation
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Company: Shiloh Industries, Inc. EPA ID#: OHD 059 053 263

Street: 5389 W. 130th Street City: Parma

County: Cuyahoga State: Ohio Zip: 44011

Mailing Address: 880 Steel Drive, Valley City, Ohio 44280
(If different from above)

Telephone Number: 330-558-2051 Fax Number: _____

Owner/Operator: _____

Street: _____ City: _____

County: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____

Contact Person: Mr. Tony Passalacqua

Street: see above City: _____

County: _____ State: _____ Zip: _____

Telephone Number: 330-558-2051 Fax Number: _____

If the following applies, check the appropriate box and provide information:

<input type="checkbox"/> Holder of First Mortgage	<input type="checkbox"/> Fiduciary	<input type="checkbox"/> Receiver	<input type="checkbox"/> Indenture Trustee
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Name : _____

Street: _____ City: _____

County: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____

Inspection Date(s): _____ Time(s): _____

Inspection Announced: YES NO If so, how much advance notice given?: _____

	<u>Name</u>	<u>Affiliation</u>	<u>Telephone Number</u>
Inspectors:	<u>Ron Shadrach,</u>	<u>Ohio EPA, DHWM, NEDO</u>	<u>330-963-1146</u>
Facility Rep(s)	<u>Tony Passalacqua</u>	<u>Shiloh Industries, Inc.</u>	<u>330-558-2051</u>
	<u>Randy Parker</u>	<u>" " "</u>	<u>330-558-2621</u>

30-DAY REQUIREMENTS

- 1. Did the owner/operator of the reporting facility submit a notice of the cessation of all regulated operations (CRO) on a form prescribed by the Director to the following within 30 days of CRO? [ORC 3752.04 and OAC rule 3745-352-20(A)(1)(a)]
 - a. Director of Ohio EPA Yes No N/A RMK# _____
 - b. Local Emergency Planning Committee Yes No N/A RMK# _____
 - c. Local Fire Department Yes No N/A RMK# _____
- 2. Did the owner/operator designate a contact person? [ORC §3752.05 and OAC rule 3745-352-20(A)(1)(c)] Yes No N/A RMK# _____
- 3. Did the owner/operator include the following information about the contact person? [ORC §3752.05(B) and OAC rule 3745-352-35(B)] Yes No N/A RMK# _____
 - a. Address of principal office of the owner/operator. Yes No N/A RMK# _____
 - b. Business or residence address. Yes No N/A RMK# _____
 - c. Telephone number of contact person. Yes No N/A RMK# _____
- 4. Has the contact person changed? [ORC §3752.05(C) and OAC rule 3745-352-35(D)] Yes No N/A RMK# 1
- 5. If the contact person changed his/her address or telephone numbers, did the owner/operator or contact person provide the Director with the new address or telephone number? [ORC §3752.05(D) and OAC rule 3745-352-35(D)] Yes No N/A RMK# 1

NOTE: The owner/operator is also required to secure the facility and post warning signs within 30 days of CRO. See pp 5-6 of this checklist.

REMARKS

1. The designated contact person no longer appears correct.

90-DAY REQUIREMENTS [ORC §3752.06]

- 1. Did the owner/operator make a written certification to Ohio EPA's Director concerning the completion of the removal action within 90 days after CRO? [ORC §3752.06(A)(6) and OAC rule 3745-352-20(A)(2)(h)] Yes No N/A RMK# 2

NOTE: The owner/operator may receive approval from the Director to extend the 90-day period. [ORC §3752.06(B) and OAC rule 3745-352-20(A)(3)]

2. Does the owner/operator hold a **valid** hazardous waste facility installation and operation permit or renewal permit or has obtained a generator identification number issued under the state's hazardous waste program? [ORC §3752.06(C) and OAC rule 3745-352-20(A)(2)(g)]

Yes No N/A RMK# _____

NOTE: If so, the owner/operator is not subject to CRO for its hazardous waste and must instead comply with the hazardous waste requirements.

Yes No N/A RMK# 3

3. Did the owner/operator submit to the Director a copy of the most recent emergency and hazardous chemical inventory form that was submitted to the State Emergency Response Commission (SERC), including a statement indicating whether any asbestos-containing materials are present at the facility? [ORC §3752.06(A)(1) and OAC rule 3745-352-20(A)(2)(a)]

Yes No N/A RMK# _____

4. Did the owner/operator submit to the Director a copy of the current hazardous chemical list or each material safety data sheet that the owner/operator is required to have on file with the SERC? [ORC §3752.06(A)(2) and OAC rule 3745-352-20(A)(2)(b)]

Yes No N/A RMK# _____

5. Did the owner/operator drain or remove all regulated substances from each stationary tank, vat, electrical transformer, and vessel and from all piping, that is to remain at the facility? [ORC §3752.06(A)(4) and OAC rule 3745-352-20(A)(2)(c)]

Yes No N/A RMK# _____

6. Did the owner/operator submit a list of every stationary tank, vat, electrical transformer, and vessel of any type that contains or is contaminated with regulated substances and that is to remain at the facility? [ORC §3752.06(A)(3) and OAC rule 3745-352-20(A)(2)(d)]

Yes No N/A RMK# _____

7. Did the owner/operator do the following?

a. Transfer the regulated substances to another facility owned or operated by the owner/operator? [ORC §3752.06(A)(4)(a) and OAC rule 3745-352-20(A)(2)(c)(i)]

Yes No N/A RMK# _____

OR

b. Transfer ownership of the regulated substances to another person through sale or otherwise? [ORC §3752.06(A)(4)(b) and OAC rule 3745-352-20(A)(2)(c)(ii)]

Yes No N/A RMK# _____

OR

c. Transfer the regulated substances off-site in compliance with applicable and appropriate waste management laws? [ORC §3752.06(A)(4)(c) and OAC rule 3745-352-20(A)(2)(c)(iii)] Yes__ No X N/A__ RMK#_____

8. Did the owner/operator remove from the facility all debris, non-stationary equipment and furnishings, non-stationary containers, and motor vehicles and rolling stock that contain or are contaminated with a regulated substance? [ORC §3752.06(A)(5) and OAC rule 3745-352-20(A)(2)(c)] Yes__ No X N/A__ RMK#_____

9. Did the owner/operator do the following:

a. Transfer the debris, equipment, furnishings, containers, and motor vehicles and rolling stock to another facility owned and operated by the owner/operator? [ORC §3752.06(A)(5)(a) and OAC rule 3745-352-20(A)(2)(c)(i)] Yes__ No X N/A__ RMK#_____

OR

b. Transfer ownership of the debris, equipment, furnishings, containers, and motor vehicles, and rolling stock to another person through sale or otherwise? [ORC §3752.06(A)(5)(b) and OAC rule 3745-352-20(A)(2)(c)(ii)] Yes__ No X N/A__ RMK#_____

OR

c. Cause the debris, equipment, furnishings, and containers to be transported off-site in compliance with applicable and appropriate waste management laws and regulations? [ORC §3752.06(A)(5)(c) and OAC rule 3745-352-20(A)(2)(c)(iii)] Yes__ No X N/A__ RMK#_____

REMARKS

2. The 90-day notification has not been received. Regulated materials remain onsite and Ohio EPA has received no documentation regarding disposition of those that have been removed or disposed.

3. Must also comply with hazardous waste rules.

4. Needs to complete and properly document all removal, transfer and disposal of regulated substances.

SECURITY & WARNING SIGNS REQUIREMENTS OF OWNER/OPERATOR [ORC §3752.07 AND OAC RULE 3745-352-30]

1. Did the owner/operator secure the facility against unauthorized entry using one or more of the following as provided in OAC rule 3745-352-30(A)(1)-(5) within 30 days of CRO?

- a. Boarded, locked or used other means to secure all windows, doors and other potential means of entry? Yes X No ___ N/A___ RMK#_____
- b. Fencing? Yes X No ___ N/A___ RMK#_____
- c. Lighting and a surveillance system? Yes X No ___ N/A___ RMK#_____
- d. Guard or security service? Yes X No ___ N/A___ RMK#_____
- e. Notarized statement from the county sheriff's department or the local police stating that the security measures secure against unauthorized entry? Yes ___ No X N/A___ RMK#_____
- f. Demonstrated to the satisfaction of the Director or his/her designee that the proposed security measures secure against unauthorized entry? Yes X No ___ N/A___ RMK# 4_____

2. Did the owner/operator post the appropriate warning signs in the following fashion within 30 days of CRO? [ORC §3752.07(A) and OAC rule 3745-352-20(A)(1)(b)]:

- a. Prohibit trespassing and state: "The building, structure, or outdoor location of operations contains or is contaminated with regulated substances that may endanger public health or safety if released into the environment." [OAC rule 3745-352-30(B)] Yes X No ___ N/A___ RMK#_____
- b. Are warning signs posted on, or reasonable proximate to, the building, structure or outdoor location in sufficient number to alert people? [OAC rule 3745-352-30(B)] Yes X No ___ N/A___ RMK#_____
- c. Posted on, or reasonably proximate to, locations that contain ignitable regulated substances and include the language, "No Smoking?" [OAC rule 3745-352-30(B)(2)] Yes X No ___ N/A___ RMK#_____
- d. Legible from a distance of at least 25 feet? [OAC rule 3745-352-30(B)(3)] Yes X No ___ N/A___ RMK#_____
- e. Constructed to withstand weather and affixed to secure against removal? [OAC rule 3745-352-30(B)(4)] Yes X No ___ N/A___ RMK#_____

3. Are entry barrier and warning signs maintained to secure against unauthorized entry by the following measures listed below: [OAC rule 3745-352-30(C)]

- a. Inspected weekly or as agreed by the Director or his/her designee, county sheriff's department or local police department? [OAC rule 3745-352-30(C)(1)] Yes X No ___ N/A___ RMK#_____
- b. The condition is recorded in an inspection log? [OAC rule 3745-352-30(C)(2)] Yes ___ No X N/A___ RMK# 5_____

- c. Prompt repair or replacement after discovery of damage, lost or removed? [OAC rule 3745-352-30(C)(3)]

Yes ___ No N/A ___ RMK# 5

REMARKS

4. Concern - The contact person has changed and Ohio EPA has not been updated with site conditions or progress.

5. Must provide a copy of the log of inspections to verify required efforts are maintained.

ADDITIONAL MULTI-MEDIA QUESTIONS

If the owner/operator holds a valid hazardous waste installation and operation permit or renewal permit or has obtained a generator identification number issued under the state's hazardous waste program, the following four questions may apply.

1. If the facility has an U.S. EPA I.D. number, has the facility submitted a *Notification of Regulated Waste Activity* form? Yes No
2. Were there any <90 day accumulation units for hazardous waste? Yes No

List where unit(s) were/are: These were various documented by Ohio EPA in the letter attached to this checklist and in a Closure Request letter dated April 25, 2008 and sent to MTD (site owner) and Shiloh (site operator).

3. Did the owner/operator close his facility in a manner that: [OAC 3745-66-11]
- a. Minimizes the need for further maintenance? Yes ___ No N/A ___ RMK# 6
- b. Controls, minimizes, or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the groundwater, or surface waters, or to the atmosphere? Yes ___ No N/A ___ RMK# 6
- c. Complies with the closure requirements of OAC rules 3745-66-10 to 3745-66-20, 3745-66-97, 3745-67-28, 3745-67-58, 3745-67-80, 3745-68-10, 3745-68-51, 3745-68-81 and 3745-69-04? Yes ___ No N/A ___ RMK# 6
4. During the partial and final closure periods, were all contaminated equipment, structures, and soil properly disposed of or decontaminated unless otherwise specified in OAC rules 3745-66-97, 3745-67-28, 3745-67-58, 3745-67-80 or 3745-68-10? Yes ___ No N/A ___ RMK# 6

- a. Were generated hazardous wastes handled in accordance with all applicable requirements of Chapter 3745-52 of the Administrative Code? Yes ___ No ___ N/A X RMK# ___

Every demolition of a facility requires notification to Ohio EPA or local air agency regardless of whether asbestos is involved as required by the National Emission Standard for Hazardous Air Pollutants (NESHAPS) Standard for Asbestos. Notification requirements are found in OAC 3745-20-03 and 40 CFR §61.145(b). The notification form is available from Ohio EPA's web page at <http://www.epa.state.oh.us/dapc/atu/atu.html#asbestos>.

5. Will any buildings be demolished? If yes: Yes ___ No X
 Has a *Notification of Demolition and Renovation* form been submitted? Yes³ ___ No⁴ ___

6. Are there any wells on the property? Yes⁵ X No ___
 If yes, where are the wells?

There are monitoring wells known located in the north eastern portion of the building just inside and outside the building.

What are the wells used for?

Underground storage tanks were located in this area. The tanks believed to contain solvent and potentially hazardous waste oil.

7. Is there open dumping of solid waste on the property? Yes⁶ ___ No X

REMARKS

1. Need meet the closure requirements. The level of closure needed to be determined.

1. In lieu of the facility now submitting a form, the inspector should submit a copy of the final CRO letter to Central Office's Regulatory and Information Services for I.D. deactivation.
2. Supply the facility with the requirements for generator closure and tell them they must close the unit and have documentation that closure was completed (LQGs only).
3. Check with the appropriate agency to determine if a form has been received.
4. Supply the facility with a form and contact the appropriate agency stating that demolition will occur.
5. If used for drinking water, let DDAGW know about the well.
6. Let DSIWM know about the open dumping of solid waste.