



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

March 26, 2006⁷

RE: HENKEL CORPORATION
OHD 004 467 652
SUMMIT COUNTY
CESSATION OF REGULATED OPERATIONS

Jack Garavanta
Henkel Corporation
32100 Stephenson Highway
Madison Heights, MI 48071

Dear Mr. Garavanta:

On March 23, 2007, Ohio EPA, represented by Ed D'Amato and Robert Almquist, conducted a Cessation of Regulated Operations (CRO) inspection at the Henkel Corporation facility (formerly SIA Adhesives), located at 123 West Bartges St., in Akron, Ohio. Henkel Corporation ceased regulated operations at this location on September 11, 2006. You and Dennis Poje represented Henkel during the inspection.

The following items must be addressed before Ohio EPA can approve closure of the facility:

1. Grease sludge located in the basement was found in a shallow pit where you explained there was formerly a piece of machinery installed above it. The grease must be cleaned out of this shallow pit.
2. A bucket containing used oil was found in Building 276. The used oil must be properly disposed.
3. Outside of Building 501, a small pile of pellets and grey powder was found. You and Dennis Poje explained that this material is not hazardous. This must be cleaned up and disposed.
4. An asbestos survey of the facility indicates that there is asbestos in the building which will not be removed. You must submit a list of the locations where the asbestos will remain.

Please be advised that Henkel Corporation is subject to Generator Closure requirements for its former less-than-90-day accumulation area. The area must be closed in accordance with the closure performance standard found in Ohio EPA's Closure Guidance at the following link:

<http://www.epa.state.oh.us/dhwm/cprg/Final2006CPRG.pdf>

The information in the document pertaining to generator closure can be found in Section 1.9 on pp. 1-23 through 1-26 .

I have checked Ohio EPA's records and found that Henkel did not submit a hazardous waste annual report for 2006. Therefore, Henkel is in violation of the following:

HENKEL CORPORATION
MARCH 26, 2007
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1. **Annual Report**
OAC 3745-52-41

A large quantity generator who ships any hazardous waste off-site shall prepare and submit to Ohio EPA a "Generator Annual Hazardous Waste Report by March first of each year... and shall include...the name and U.S. EPA identification number for each off-site treatment, storage, or disposal facility to which waste was shipped during the year

To abate this violation, you must submit the annual report to Ohio EPA's Central Office and copy this office on your correspondence. Information about submitting annual reports can be found at: http://www.epa.state.oh.us/dhwm/ann_report.html

Failure to list specific deficiencies or violations in this communication does not relieve Henkel Corporation from the responsibility of complying with all applicable Ohio EPA 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 feel free to contact me at: (330) 963-1170 if you have any questions.

Sincerely,



Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

cc: Ralph McGinnis, DHWM, CO
Larry Bunner, Acting Chief, Akron Fire Department
Annette Petranic, Summit County LEPC
Tammy Heffelfinger, DHWM, CO
ec: Frank Popotnik, DHWM, NEDO
Robert Almquist, DHWM, NEDO

CESSATION OF REGULATED OPERATIONS CHECKLIST

<input type="checkbox"/> Permanent Cessation	<input type="checkbox"/> Temporary Discontinuation	<input type="checkbox"/> Requesting Waiver for Temporary Discontinuation
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Company: Henkel Corporation EPA ID#: OH0004467652
 Street: 123 West Bartyes St City: Akron
 County: Summit State: Ohio Zip: ~~44300~~

Mailing Address: 32100 Stephenson Hwy Madison Heights, MI 48071
 (If different from above)

Telephone Number: (248) 589 4830 Fax Number: _____

Owner/Operator: Henkel Corp

Street: 32100 Stephenson Hwy City: Madison Hts

County: _____ State: MI Zip: 48071

Telephone Number: (248) 589 4830 Fax Number: _____

Contact Person: Jack Garavanta

Street: _____ City: _____

County: _____ State: _____ Zip: _____

Telephone Number: _____ 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>Ed D'Amato</u>	<u>OEPA</u>	<u>(330) 963 1200</u>
	<u>Robert Almquist</u>	<u>OEPA</u>	<u>" "</u>
Facility Rep(s)	<u>Dennis Poje</u>	<u>Henkel</u>	
	<u>Jack Garavanta</u>	<u>Henkel</u>	<u>see above</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# _____
- 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# _____

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

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# _____
- 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. 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 ___ 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 ___ 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 ___ 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 ___ 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 ___ N/A ___ RMK# _____

REMARKS

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 No ___ N/A ___ RMK# _____
- b. Fencing? Yes No ___ N/A ___ RMK# _____
- c. Lighting and a surveillance system? Yes No ___ N/A ___ RMK# _____
- d. Guard or security service? Yes ___ 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 ___ 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 No ___ N/A ___ RMK# _____
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 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 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 No ___ N/A ___ RMK# _____
- d. Legible from a distance of at least 25 feet? [OAC rule 3745-352-30(B)(3)] Yes No ___ N/A ___ RMK# _____
- e. Constructed to withstand weather and affixed to secure against removal? [OAC rule 3745-352-30(B)(4)] Yes 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 No N/A RMK# _____
- b. The condition is recorded in an inspection log? [OAC rule 3745-352-30(C)(2)] Yes No N/A RMK# _____
- c. Prompt repair or replacement after discovery of damage, lost or removed? [OAC rule 3745-352-30(C)(3)] Yes No N/A RMK# _____

REMARKS

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 ___ No¹ ___
2. Were there any <90 day accumulation units for hazardous waste? Yes No ___
- List where unit(s) were/are: _____
- _____
- _____
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# _____
- 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# ___
- 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 No² ___ N/A ___ RMK# ___
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 No² ___ N/A ___ RMK# ___
- a. Were generated hazardous wastes handled in accordance with all applicable requirements of Chapter 3745-52 of the Administrative Code? Yes No ___ N/A ___ 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
- Has a *Notification of Demolition and Renovation* form been submitted? Yes³ ___ No⁴
6. Are there any wells on the property? Yes⁵ ___ No
- If yes, where are the wells?
- _____
- _____
- What are the wells used for?
- _____
- _____
7. Is there open dumping of solid waste on the property? Yes⁶ ___ No

REMARKS

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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.