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State of Ohio Environmental Protection Agency

Northeast District Office

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

October 8, 2008

George Bushn
Golden Aluminum Extrusion
1650 Alumax Circle
Plant City, FL 33567

**RE: GOLDEN ALUMINUM EXTRUSION, OHD 004 168 837, TRUMBULL COUNTY
CESSATION OF REGULATED OPERATIONS, NOTICE OF VIOLATION**

Dear Mr. Bushn:

On October 3, 2008, Ohio EPA, represented by Ed D'Amato, conducted an inspection of Golden Aluminum Extrusion (GAE), in Warren Ohio, to determine compliance with Ohio EPA's Cessation of Regulated Operations (CRO) laws found in Chapter 3750 of the Ohio Revised Code (ORC) and Chapter 3745-352 of the Ohio Administrative Code (OAC).

GAE ceased regulated operations on June 6, 2008 and was to have completed CRO by September 6, 2008. At the time of the inspection, the following regulated substances had not been removed:

1. Several 55-gallon drums of various waste materials and several totes containing used oil near the loading dock. Trenches under these containers must also be cleaned.
2. Dried sludge that was below the former drying oven.
3. Paint line sludge located in the pit in the former painting area.
4. Drum of paint-line conveyor lube in the former painting area.
5. Paint in the former paint storage room.
6. Aerosol cans found near the former paint storage room.
7. Materials from several yellow flammable liquid storage cabinets found throughout the facility.
8. Propane tank in Dawn Monroe's former office.
9. Heels of oil in several half-drums and a 5 gallon bucket of oil located by the former press area.
10. Computers and related equipment in various locations throughout the facility.

As a result, Golden Aluminum Extrusion is in violation of Ohio Administrative Code (OAC) rule: **3745-352-20(A)(2)** requires that a facility:

Remove from the facility all regulated substances and all debris, non-stationary equipment and furnishings, non-stationary containers and motor vehicles and rolling stock that contain or are contaminated with regulated substances...by doing any or a combination of the following:

- * *Lawfully transfer the regulated substances... to another operating facility that you own or operate; or*
- * *Lawfully transfer ownership of the regulated substances...to another person; or*
- * *Cause the regulated substances...to be transported off the premises of the facility and be managed in compliance with [appropriate federal and state laws].*

To demonstrate efforts toward correcting this violation, Golden Aluminum Extrusion must respond to this letter, in writing, **within 30-days** of the date of this letter and complete removal or transfer all regulated substances and submit documentation to this office showing their disposition.

Please note that in addition to the above, GAE must also do the following:

1. If any machinery or equipment containing regulated substances is to remain at the facility (such as air compressors containing oil), GAE must submit a list of the machinery or equipment to this office.
2. In addition to the above, GAE is subject to hazardous waste generator closure requirements for its hazardous waste tank, containment, and ancillary equipment as well as its former less-than-90-day hazardous waste accumulation area in the former paint area.

Enclosed is a copy of the inspection checklist.

Failure to list specific deficiencies in this communication does not relieve Golden Aluminum Extrusion 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

Enclosure

EJD:ddw

cc: Ralph McGinnis, DHWM, CO
ec: Frank Popotnik, 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: Golden Aluminum Extrusion EPA ID#: OHD004168837
 Street: ~~1000~~ 1000 University St NE City: Warren
 County: Trumbull State: Ohio Zip: 44483

Mailing Address: _____
 (If different from above)

Telephone Number: _____ Fax Number: _____

Owner/Operator: Golden Aluminum Extrusion
 Street: 1650 Alumax Cir City: Plant City
 County: _____ State: FL Zip: 33567

Telephone Number: 813-707-5229 Fax Number: _____

Contact Person: George Bush
 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): 10/3/08 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-NEDO</u>	<u>(330) 963-1200</u>
Facility Rep(s): <u>Dawn Monroe</u>	<u>GAE</u>	<u>unk.</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# Not yet

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___ 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)]
- b. The condition is recorded in an inspection log? [OAC rule 3745-352-30(C)(2)]
- c. Prompt repair or replacement after discovery of damage, lost or removed? [OAC rule 3745-352-30(C)(3)]

Yes___ No N/A___ RMK#_____

Yes___ No N/A___ RMK#_____

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 or will the facility submit a *Change of Generator Activity Status* form? Yes No
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 No 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 No 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: No
- Yes — Has a *Notification of Demolition and Renovation* form been submitted? Yesⁱⁱⁱ — No^{iv} —
6. Are there any wells on the property? Yes^v — No
- If yes, where are the wells?
- What are the wells used for?
7. Is there open dumping of solid waste on the property? Yes^{vi} — No

REMARKS

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- i. Supply the facility with the form and tell them they must submit it.
 - ii. 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).
 - iii. Check with the appropriate agency to determine if a form has been received.
 - iv. Supply the facility with a form and contact the appropriate agency stating that demolition will occur.
 - v. If used for drinking water, let DDAGW know about the well.
 - vi. Let DSIWM know about the open dumping of solid waste.