



State of Ohio Environmental Protection Agency

Northeast District Office

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Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

June 15, 2009

Kelvin Scott, Resident Agent  
Plastech Engineered Products, Inc.  
22000 Garrison Rd.  
Dearborn, MI 48124

Kelvin Scott, Resident Agent  
Plastech Engineered Products, Inc.  
45000 Helm St.  
Plymouth, MI 48170

James Carroll  
Chief Liquidating Officer  
Carroll Services, LLC  
4 Mount Royal Ave., Suite 420  
Marlboro, MA 01752

**RE: PLASTECH ENGINEERED PRODUCTS-ANDOVER FACILITY  
OHD068896778, ASHTABULA COUNTY, CRO NOV**

Gentlemen:

On February 11, 2009, Ohio EPA conducted an inspection of the former Plastech Engineered Products, Inc. - Andover Facility (Plastech) located on the Maple Street Extension in Andover, Ohio. The purpose of the inspection was to determine Plastech's compliance with Ohio's Cessation of Regulated Operations (CRO) laws as found in Chapter 3752 of the Ohio Revised Code (ORC) and Chapter 3745-352 of the Ohio Administrative Code (OAC). Ohio EPA documented the following violations of Ohio's CRO laws:

1. **ORC §3752.04 and OAC rule 3745-352-20(A)(1)(a), Notice of cessation of regulated operations.** The owner or operator, not later than thirty days after the cessation of all regulated operations at the facility, must submit to the director of Ohio EPA (director), the local emergency planning committee (LEPC) and the local fire department, a notice of the cessation of all regulated operations at the facility. The notice shall be submitted on a form prescribed by the director.

Plastech failed to notify Ohio EPA of the Andover facility's cessation of regulated operations. To abate this violation, Plastech must submit a completed CRO form 0327 to all required entities. Please refer to Appendix A in the document entitled "Cessation of Regulated Operations Manual" for a copy of this form.

2. **ORC §3752.05(A)(B) and OAC rule 3745-352-20(A)(1)(c), Designating a contact person for the facility.** Each owner or operator who is required to submit a notice of cessation of regulated operations must designate a contact person for the reporting facility. The written designation of the contact person must accompany the notice submitted under ORC §3752.04. The written designation must include the address of the principal office of the owner or operator, the business or residence address and telephone number of the contact person and must be made on the form prescribed by the director.

Plastech failed to designate a contact person for the Andover facility. To abate this violation, Plastech must submit a completed CRO form 0327 to all required entities. Please refer to Appendix A in the document entitled "Cessation of Regulated Operations Manual" for a copy of this form.

3. **ORC §3752.06(A)(1)(2) and OAC rule 3745-352-20(A)(2)(a)(b), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must do all of the following:

- Submit to the director a copy of the most recent emergency and hazardous chemical inventory form for the facility submitted to the State Emergency Response Commission (SERC) accompanied by a statement indicating whether any asbestos-containing materials are present at the facility; and
- Submit to the director a copy of the current hazardous chemical list, or of each of the material safety data sheets (MSDS), that the owner or operator is required to have on file with the SERC.

Plastech failed to submit a copy of the most recent emergency and hazardous chemical inventory form submitted to the SERC and the most current hazardous chemical list or MSDS that Plastech is required to have on file with the SERC. To abate this violation, Plastech must submit to Ohio EPA all documentation required by ORC §3752.06 and OAC rule 3745-352-20. For additional information, please refer to the document entitled "Cessation of Regulated Operations Manual."

4. **ORC §3752.06(A)(4)(5) and OAC rule 3745-352-20(A)(2)(d), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must do all of the following:

- Drain or remove all regulated substances from each stationary vat, tank, electrical transformer, vessel and from all piping that is to remain at the facility and manage them in compliance with ORC 3752.06(A)(4)(a)(b)(c);
- Remove from the facility all debris, non-stationary equipment and furnishings, non-stationary containers, motor vehicles and rolling stock that contain or are contaminated with a regulated substance and manage them in compliance with ORC 3752.06(A)(5)(a)(b)(c).

Plastech failed to remove all regulated substances from the facility, as well as any item that contains or is contaminated with a regulated substance. For a list of regulated substances that were not removed, please refer to Attachment A which summarizes Ohio EPA's observations made during the February 11, 2009 inspection. Additionally, Ohio EPA did not assess the facility for the presence of asbestos containing materials or Polychlorinated Biphenyls (PCBs) that may be present in electrical equipment. To abate this violation, Plastech must remove all regulated substances in compliance with ORC §3752.06(A)(4)(5) and OAC rule 3745-352-20(A)(2). Submit documentation (e.g. manifests, bills-of-ladening, receipts, etc.) that certify all regulated substances were lawfully removed from the Andover facility.

5. **ORC §3752.06(A)(6) and OAC rule 3745-352-20(A)(2)(d), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must make a written certification to the director that the actions required under ORC §3752.06(A)(4)(5) were completed in compliance with those laws and any other applicable law adopted under ORC §3752.03. The certification must be made on the form prescribed by the director and, in addition to the information required by ORC §3752.06(A), must include, the owner's or operator's name and the address of the owner's or operator's principal office.

Plastech failed to certify to Ohio EPA that all regulated substances were removed from the Andover facility. To abate this violation, Plastech must submit all documentation required by ORC §3752.06 and OAC rule 3745-352-20. Additionally, Plastech must submit a completed CRO form 0329 to all required entities. Please refer to Appendix B in the document entitled "Cessation of Regulated Operations Manual" for a copy of this form.

6. **ORC §3752.07(A) and OAC rule 3745-352-30(A)(B)(C), Securing buildings, structures or outdoor locations against unauthorized entry.** Within thirty days after the cessation of regulated operations at a facility, the owner or operator must secure against unauthorized entry into each building, structure or outdoor location at the facility where regulated operations were conducted and that contains or is contaminated with regulated substances. The owner or operator must secure each building, structure or outdoor location and any other potential means of entry. Also within the thirty-day period, the owner or operator must post on each building, structure, or outdoor location, in publicly visible locations warning signs that prohibit trespassing and state: "The building, structure, or outdoor location of operation contains or is contaminated with regulated substances that may endanger public health or safety if released into the environment." All entry barriers and warning signs must be inspected weekly as prescribed in OAC rule 3745-352-30(C). The owner or operator must continue the security measures and maintain the warning signs until the owner or operator has complied with ORC § 3752.06 and the director has verified the compliance and concurred with the owner's or operator's certification.

Plastech failed to secure the facility against unauthorized entry, post warning signs and conduct inspections. To abate this violation, Plastech must submit documentation that the facility has been secured against unauthorized entry, warning signs were posted and inspections are being conducted. All documentation submitted must demonstrate compliance with ORC §3752.07 and OAC rule 3745-352-30.

For information concerning the CRO laws, please refer to Ohio EPA's guidance document entitled "Cessation of Regulated Operations Manual," available at: [http://www.epa.state.oh.us/dhwm/cro/CRO\\_Manual.pdf](http://www.epa.state.oh.us/dhwm/cro/CRO_Manual.pdf).

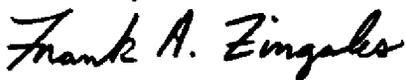
As required by OAC rule 3745-52-34(A)(1)(e) and in accordance with OAC rules 3745-66-11 and 3745-66-14, Plastech must conduct closure (i.e., decontamination) activities for all areas where hazardous wastes were accumulated. For additional information concerning closure activities, please refer to Section 1.10 of Ohio EPA's Closure Plan Review Guidance for RCRA Facilities, available at: <http://www.epa.state.oh.us/dhwm/cprg.html>.

**Within 14 days of the date of this letter, submit a response to the undersigned addressing each violation appearing in this letter. Pertinent documentation to address each violation must accompany your response.**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator of or others from responsibility under Chapters 3704, 3714, 3734 or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FZ:ddw/Enclosure

ec: Harry Sarvis, DHWM, CO  
Ralph McGinnis, DHWM, CO  
Nyll McKenna, DHWM, NEDO  
cc: Amanda Sturm, AGO  
Duane Smith, Trusted Partners LLC

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](mailto:kristina.durnell@epa.state.oh.us)  
 or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b> <b>Site Name</b> <b>Site Location Information</b>  <b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	EPA ID Number: <b>OHD068896778</b> Name: <b>Plastech Engineered Products, Inc.-          Andover Facility</b> Website: (Optional) Street Address: <b>205 Maple Street Extension</b> City, Town, or Village: <b>Andover</b> State: OH County Name: <b>Ashtabula</b> Zip Code: <b>44003</b> 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"/>
<b>Facility Representative</b> Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: <b>Duane</b> MI: Last Name: <b>Smith</b> Phone Number: <b>814-547-3627</b> Phone Number Extension: E-Mail Address: <b>trustedpartner1@yahoo.com</b> Fax Number: Fax Number Extension: Street or P.O. Box: <b>21845 Kyla Dr.</b> City, Town or Village: <b>Saegertown</b> State: <b>PA</b> Zip Code: <b>16433</b>
<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Owner Type: 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"/> Date Became Owner (mm/dd/yyyy): Street or P.O. Box: City, Town or Village: State: Owner Phone #: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): Operator Type: 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"/> Street or P.O. Box: City, Town or Village: State: Operator Phone #: United States Zip Code:

**VIOLATIONS CITED?**  Yes  No

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

<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input 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 checked="" 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<br>(accumulates 5,000 kg. or more) |   |

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

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

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

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- 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.

**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:	<b>Laurie Frederick</b>
Tanks	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Other Comments:	<b>Facility has ceased all operations and is in bankruptcy.</b>
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<b>Facility formerly a LQG. NOV letter for CRO violations issued on 6/15/09.</b>

Name of Inspector(s)

Name of Inspector(s)

Date of Inspection/Time  
(mm/dd/yyyy) (hh:mm)

**Frank Zingales**

**2/11/2009 10:00**

**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)