

**Environmental
Protection Agency**

Tim Schwaband, Governor
Lee Fisher, Lt. Governor
Chris Konecki, Director

September 30, 2010

Kale Moberg
State Industrial Products
333 N. High St.
Hebron, OH 43025

**RE: STATE INDUSTRIAL PRODUCTS, OHD004520987, CUYAHOGA COUNTY
CESSATION OF REGULATED OPERATIONS**

Dear Mr. Moberg:

Thank you for your responses to Ohio EPA's August 20, 2010 letter regarding Cessation of Regulated Operations (CRO) at State Industrial Products former manufacturing facility located at 3100 Hamilton Avenue in Cleveland, Ohio, which ceased operations on May 6, 2010. Your responses were received via e-mail on August 25, 2010 and September 29, 2010.

Ohio EPA, represented by Edward D'Amato and Frank Popotnik, conducted a Cessation of Regulated Operations (CRO) inspection at the facility on August 10, 2010.

You explained that the only portion of the facility that will be closing is the manufacturing section on the west end of the building, which is currently owned by the State of Ohio. A call center, sales, other office functions, building maintenance and product warehousing will continue in the remainder of the building. Manufacturing operations were transferred to State Industrial Products' Hebron, Ohio facility. The closing process began in late 2009/early 2010.

You also explained that the former less-than-90-day hazardous waste accumulation area, which is located in a part of the facility that will remain open, will not be closed. It is State Industrial Products' intent to continue to use the accumulation area for any wastes that are generated through maintenance of the still active portion of the building.

The inspection included a walkthrough of the manufacturing portion of the facility, an inspection of the CRO signs posted on the building, and a review of the weekly inspection log.

The documentation you submitted included the following:

1. A list of all regulated materials that have been transferred or sold since the closing process began.
2. Copies of all disposal manifests for hazardous and non-hazardous wastes that have been generated since the closing process began.
3. A list of any equipment containing regulated substances that remains in the building and when they will be sold, disposed or transferred.

STATE INDUSTRIAL PRODUCTS
SEPTEMBER 30, 2010
PAGE – 2 –

4. Photographs showing that the containers of regulated materials identified during the inspection were relocated to the open portion of the facility.
5. A copy of the 90-day final form and related documents.

Ohio EPA has reviewed the documentation and determined that it is sufficient to demonstrate that State Industrial Products has fulfilled its obligations under the Cessation of Regulated Operations for the former manufacturing portion of the Lakeside Avenue facility.

Failure to list specific deficiencies or violations in this communication does not relieve State Industrial Products 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.

Enclosed is a copy of the checklist used for the inspection.

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

Enclosure

cc: Ralph McGinnis, DHWM, CO
Paula Canter, DHWM, CO
Cuyahoga County LEPC
Cleveland Fire Prevention Bureau
ec: Frank Popotnik, DHWM, NEDO

CESSATION OF REGULATED OPERATIONS CHECKLIST

<input checked="" type="checkbox"/> Permanent Cessation	<input type="checkbox"/> Temporary Discontinuation	<input type="checkbox"/> Requesting Waiver for Temporary Discontinuation
---	--	--

Company: State Industrial Products EPA ID#: OHD004520987
 Street: 3100 Hamilton Ave City: Cleveland
 County: Cuyahoga State: Ohio Zip: 44114

Mailing Address: 333 N. High Street Hebron, OH 43025
 (If different from above)

Telephone Number: 740-929-6370 Fax Number: _____

Owner/Operator: State Industrial Products

Street: 3100 Hamilton Ave City: Cleveland
 County: Cuyahoga State: OH Zip: 44114
 Telephone Number: 216-931-7505 Fax Number: _____

Contact Person: Kale Moberg

Street: 4901 Campbell Rd City: Hebron
 County: 333 N. High St State: OH Zip: 43025
 Telephone Number: 740-929-6370 x5804 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
---	------------------------------------	-----------------------------------	--

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:	Ed D'Amato	OEPA-NEDO	330-963-1200
	Frank Popotnik	"	"
Facility Rep(s)	_____		

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# _____
see #6

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

5. Will any buildings be demolished? If yes: Yes X No
 Has a *Notification of Demolition and Renovation* form been submitted? Yesⁱⁱⁱ No^{iv} *unknown when demolition will occur*
6. Are there any wells on the property? Yes^v No X
 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 X

REMARKS

-
- i. 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.
 - 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.

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: in active portion of facility. Will remain in use

- 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?
 - 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>.