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OhioEPA

State of Ohio Environmental Protection Agency

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P.O. Box 1049
Columbus, OH 43216-1049

June 12, 2008

Mr. Paul Bedell
Tri-Palm International, LLC
222 E. Campus View Blvd.
Columbus, OH 43235

Re: **Tri-Palm International, LLC**
CRO (OHD004291100)
Franklin County

Dear Mr. Bedell:

Tri-Palm has not yet completed its obligations for final cessation of regulated operations (CRO) at its closed 265 North Hamilton Road facility in Columbus, Ohio. On December 27, 2007, at Tri-Palm's request, the Director of Ohio EPA granted an extension until April 22, 2008 of the requirements found in Ohio Revised Code (ORC) §3752.06(A)(4) to (6).

In early April 2008, you informed me that final removal of regulated materials had been delayed due to access, materials testing and other circumstances. Ohio EPA received a certification package from Tri-Palm dated May 19, 2008 indicating the removal activities were completed, and I conducted a verification inspection with you and other persons at the facility on June 5, 2008.

Findings of this recent inspection showed progress, and that site security is being provided. However, the following violations were noted:

- 1.) **Removal of regulated substances from stationary equipment, ORC 3752.06(A)(3) and OAC rule 3745-352-20(A)(2)(d):** All regulated substances must be removed from each stationary tank, vat, electrical transformer, vessel and piping that is to remain at the facility.

The following items on site remained to be addressed pursuant to this rule:

- Two yellow float-type switches likely to contain liquid mercury, attached to a pump in a former wastewater sump in the main building.
- A several inches thick layer of unknown waste residues inside a 2-foot metal vertical duct from a former steam cleaning process. The residues were also falling out the bottom of the duct onto a pile on the floor beneath the duct.
- A layer of waste/spillage on the floor and wall in the former Tinning Process Room, very likely to contain lead and/or lead oxides.

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

- Contents of a 10-foot deep subfloor sump for cooling water in the main building, which had reportedly been cleaned out, but still contained a liquid from an unknown source, with visible oil sheen on top.
- The 20,000 gallon underground storage tank reportedly served diesel generators that have been sold and removed from the site by Tri-Palm International. The tank reportedly contains about 6,000 gallons of Number 2 diesel fuel. Please provide evidence of legal sale or transfer of the contents of the tank to the property owner. (It may be appropriate to empty the tank at this time since no apparent use of the fuel on site is evident.)

Additional materials or equipment which may be subject to this requirement needed to be further assessed or addressed by Tri-Palm for the potential presence of regulated substances. If present, they should be addressed accordingly, just as those in the list above. They included:

- Unknown contents of a former waste incinerator that had been removed from service some time ago, located outside the back of the building. The skid-mounted unit was chained and pad locked.
- Contents of a subfloor sump or pit measuring approximately 3 feet by 5 feet by unknown depth, the top of which was filled with loose concrete debris and which was located in the former e-coat process room.
- An 8-12 inch thick layer of residues solidified in the bottom of an e-coat process line tank, which would be expected to be chemically much more concentrated than other forms of this material.

Please take the necessary steps and send a description of actions taken to address the above items, including removing them from the facility if appropriate.

- 2.) **Removal of non-stationary regulated items, ORC 3752.06A)(5) and OAC rule 3745-352-20(A)(2)(c):** All regulated substances and all debris, non-stationary equipment, furnishings, containers and motor vehicles that contain a regulated substance must be removed.

The following items on site remained to be addressed pursuant to this rule:

- A wooden crate full of unused, friable loose refractory or insulation tiles made by Clayton Manufacturing, located in the old boiler room of the main building second floor level, which may contain asbestos.
- A pile of waste residues (resembling a sludge in appearance) underneath the steam cleaning duct mentioned in violation #1 above.
- A pallet of miscellaneous electrical equipment and flow meters in the hazardous waste storage building. Such devices may contain mercury.
- A green forklift from Sunbelt Rentals that had been left behind by Chemtron.
- A small pile of black residue in the hazardous waste accumulation building, that appeared to be absorbent material and residue from a former spill of product or waste in the area.

- A pile measuring about 5 feet by 10 feet in area, of solid waste debris on the pavement underneath a compactor platform by a loading dock outside the north end of the building, and which included numerous small electronic modules that are likely to include lead solder.

Additional materials which may be subject to this requirement needed to be further assessed or addressed by Tri-Palm for the potential presence of regulated substances. If present, they should be addressed accordingly just as those in the list above. One such item was noted:

- A layer or pile of residue on the floor in the back of a spray booth for a former anti-corrosion and explosion proofing coating process in the main building.

Please send copies of manifests, bills of lading or product pickup receipts showing the proper removal of each of these items in order to resolve this violation.

- 3.) **Stationary Regulated Items That will Remain, ORC 3752.06(A)(5) and OAC rule 3745-352-20(A)(2)(d):** All stationary equipment that will be left containing or contaminated with a regulated substance, must be precisely described as to the location and contents.

The following items were noted during my visit and were not mentioned on the May 19, 2008 CRO information submittal:

- An out-of-use former incinerator for solid wastes, that was located to the north of the main building, which individuals present during my visit considered is likely to contain asbestos.
- Piping formerly attached to boilers in the former boiler room, which may contain asbestos.
- A foam fire suppression system including a 500-gallon storage tank in the former hazardous materials storage building.
- Numerous portable fire extinguishers located throughout the buildings (if the continuing presence thereof is required according to local fire code requirements).

- 4.) **Certification of Completion, ORC 3752.06(A)(6) and OAC rule 3745-352-20(A)(2)(h):** Certification of completion of removal activities is required within the 90-day timeframe or another extended time limit agreed to by the Director.

A certification of completion of CRO activities was submitted dated May 19, 2008 – after the April 22, 2008 extension had expired. Due to the other unresolved issues above, the certification was still premature.

After resolving violations #1 and #2 above, please update and submit the final CRO certification package with additional, corrected information to resolve violations #3 and #4. It is not necessary to resubmit the same attachments, only the new information.

In addition to the violations noted above, the following comments/concerns are noted:

- The large electrical transformers were located outside the south side of the building and numbered approximately 10; each of them was believed to contain up to 50 gallons of oil. The transformers are being left in use, according to your May 19th submittal.

Mr. Paul Bedell
Tri-Palm International, LLC
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- An old burned out water cooler in a cardboard box was noted next to a pile of gravel on the ground at the edge of the pavement to the north of the main building. You indicated it would be picked up. A water heating unit found on the ground nearby the vehicle maintenance building, was placed next to the solid waste compactor pile noted above, to be cleaned up when that area was addressed.
- A pit underneath a former vapor degreaser described in your May 19th submittal (Section 2.5 item 1), was noted to consist of uncoated concrete with visible large cracks in the side(s). CRO requirements do not extend to any assessment or cleanup of soils in such areas, but such actions may be advisable.
- A subfloor sump (approximately 3 feet by 3 feet, and 6 feet deep) near an entry doorway in the former waste water treatment room had filled with rainwater from a roof leak in the area. It was full of water at the time of my June 5th walkthrough visit. A warning sign near this unit (stating it is full, and the contents) is recommended, and the hatch cover should be kept closed for safety reasons.

You have indicated it might take two to three weeks to complete the remaining actions. I look forward to receiving the remaining information from you soon. A final targeted walkthrough visit will be conducted at that time to verify Tri-Palm's completion of the remaining CRO activities. If you have any questions, please contact me at (614) 728-3885.

Sincerely,



J. David Hohmann
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

c: Ralph McGinnis
Steve Rath
CDO File

JDH/nsm Tri Palm CRO NOV

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: **Tri-Palm International, LLC** EPA ID#: **OHD004291100**
 Street: 265 North Hamilton Road City: Columbus County: Franklin State: Ohio Zip: 43213-0150
 Mailing Address: 222 E. Campus View Blvd., Columbus, OH 43235 (If different from above)
 Telephone: (614) 861-1350 (x1598) Fax: _____

Owner/Operator: same as above..

Contact Person: Paul Bedell

If the following applies, check the appropriate box and provide information: **N/A**

<input type="checkbox"/> Holder of First Mortgage	<input type="checkbox"/> Fiduciary	<input type="checkbox"/> Receiver	<input type="checkbox"/> Indenture Trustee
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Inspection Date: 6/5/2008 Time: 10:00 AM to 12:30 PM

Inspection Announced: YES NO If so, how much advance notice given?: 4 days

	<u>Name</u>	<u>Affiliation</u>	<u>Telephone #</u>
Inspector:	J. David Hohmann	Ohio EPA CDO- DHWM	614-728-3885
Facility Rep:	Paul Bedell	Tri-Palm International	(614) 861-1350 x1598
	Tu Dile	Tri-Palm International	(614) 861-1350 x1206

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
 - b. Local Emergency Planning Committee Yes No N/A
 - c. Local Fire Department Yes No N/A
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
3. Did the owner/operator include the following information about the contact person? [ORC §3752.05(B) and OAC rule 3745-352-35(B)]
 - a. Address of principal office of the owner/operator. Yes No N/A
 - b. Business or residence address. Yes No N/A
 - c. Telephone number of contact person. Yes No N/A
4. Has the contact person changed? [ORC §3752.05(C) and OAC rule 3745-352-35(D)] Yes No N/A
5. If the contact person changed his/her address or telephone numbers, [N/A] Yes No N/A

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: At Tri-Palm's request, they received a six month extension for the Final CRO certification until April 22, 2008. The final certification was dated May 19, 2008 and received May 21, 2008.
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: In the past Tri-Palm has operated as a LQG.

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
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
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: The following still needed to be addressed as of June 5, 2008 walkthrough visit: Two yellow float-type switches likely to contain liquid mercury, attached to a pump in a former wastewater sump in the main building. A several inches thick layer of unknown waste residues inside a 2-foot metal vertical duct from a former steam cleaning process. The residues were also falling out the bottom of the duct onto a pile on the floor beneath the duct. A layer of waste/spillage on the floor and wall in the former Tinning Process Room, very likely to contain lead and/or lead oxides. Contents of a 10-foot deep subfloor sump for cooling water in the main building, which had reportedly been cleaned out, but still contained a liquid from an unknown source, with visible oil sheen on top. A 20,000 gallon underground storage tank that reportedly served diesel generators which have been sold and removed from the site by Tri-Palm International. The tank reportedly still contains about 6,000 gallons of Number 2 diesel fuel. Evidence of legal sale or transfer of the contents of the tank to the property owner needed to be provided. It may be appropriate to empty the tank at this time since no apparent use of the fuel on site is evident.
The following additional materials or equipment also needed to be assessed and/or addressed under this requirement: Unknown contents of a former waste incinerator that had been removed from service some time ago, located outside the back of the building. (The skid-mounted unit was chained and pad locked.) Contents of a subfloor sump or pit measuring approximately 3 feet by 5 feet by unknown depth, the top of which was filled with loose concrete debris and which was located in the former e-coat process room. An 8- to 12-inch thick layer of residues solidified in the bottom of an e-coat process line tank, which would be expected to be chemically much more concentrated than other forms of this material.
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: The transformers noted on that list numbered approximately 10, and each of them may contain up to about 50 gallons of oil. Not mentioned on the list were: An out-of-use former incinerator for solid wastes, that was located to the north of the main building, which individuals present during my visit considered is likely to contain asbestos. Piping formerly attached to boilers in the former boiler room, which may contain asbestos. A foam fire suppression system including a 500-gallon storage tank in the former hazardous materials storage building. Numerous portable fire extinguishers located throughout the buildings (if the continuing presence thereof is required according to local fire code requirements).
7. Did the owner/operator do the following?
a. Transfer 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
OR b. Transfer ownership of 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: Except that the transfer of about 6,000 gallons of Number 2 Fuel Oil in an old generator fuel storage UST located north of the main building, had not been documented with any receipt.
OR c. Transfer 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
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
The following items on site remained to be addressed pursuant to this rule: A wooden crate full of unused, friable loose refractory or insulation tiles made by Clayton Manufacturing, located in the old boiler room of the main building second floor level, which may contain asbestos. A pile of waste residues (resembling a sludge in appearance) underneath the steam cleaning duct mentioned in violation #1 above. A pallet of miscellaneous electrical equipment and flow meters in the hazardous waste storage building. (Such devices may contain mercury.) A green forklift from Sunbelt Rentals that had been left behind by Chemtron personnel. A small pile of black residue in the hazardous waste accumulation building, that appeared to be absorbent material and residue from a former spill of product or waste in the area. A pile measuring about 5 feet by 10 feet in area, of solid waste debris on the pavement underneath a compactor platform by a loading dock outside the north end of the building, and which included numerous small electronic modules that are likely to include lead solder. Also (depending on its composition): a layer or pile of residue on the floor in the back of a spray booth for a former anti-corrosion and explosion proofing coating process in the main building.
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)] *RMK: With the exceptions noted above* Yes No N/A
- 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
- 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

SECURITY & WARNING SIGNS REQUIREMENTS [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
- b. Fencing? Yes No N/A
- c. Lighting and a surveillance system? Yes No N/A
- d. Guard or security service? Yes No N/A
- 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
- 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
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. To 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
- b. Are the 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
- c. Are they posted on, or reasonably near, locations that contain ignitable regulated substances and include the language, "No Smoking?" [OAC rule 3745-352-30(B)(2)] Yes No N/A
- d. Legible from a distance of at least 25 feet? [OAC rule 3745-352-30(B)(3)] Yes No N/A
- e. Constructed to withstand weather and affixed to secure against removal? [OAC rule 3745-352-30(B)(4)] Yes No N/A
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
- b. The condition is recorded in an inspection log? [OAC rule 3745-352-30(C)(2)] Yes No N/A
- c. Prompt repair or replacement after discovery of damage, lost or removed? [OAC rule 3745-352-30(C)(3)] Yes No N/A

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
N/A
2. Were there any < 90 day accumulation units for hazardous waste? Yes No
3. Did the owner/operator close their facility in a manner that: [OAC 3745-66-11]
a. Minimizes the need for further maintenance? Yes No N/A
RMK: As noted above, a pile of black material on the floor in the former hazardous waste accumulation building needed to be cleaned up. The material may have come from a spill of product or waste previously stored in the area.
- 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? *RMK: The hazardous materials central accumulation building appears to have been well managed and exceeded regulatory requirements for generators of hazardous waste for secondary containment.* Yes No
N/A
- 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? *RMK: Once the remaining possible waste residues mentioned above are removed, this requirement will have been met.* Yes No
N/A
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? *RMK: No soil or equipment removed during closure. Decontamination will be accomplished to a visible "clean" standard only.* Yes No
N/A
- a. Were generated hazardous wastes handled in accordance with all applicable requirements of Chapter 3745-52 of the Administrative Code? Yes No
N/A
5. Will any buildings be demolished? If yes: [N/A] Yes No
6. Are there any wells on the property? Yesⁱ No
7. Is there open dumping of solid waste on the property? Yesⁱⁱ No
Yesⁱⁱⁱ No
RMK: Just the water cooler at the edge of the pavement, and the pile of waste debris under the compactor unit which are anticipated to be addressed as part of the followup to the June 5th visit.

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. If used for drinking water, let DDAGW know about the well.

iii. Let DSIWM know about the open dumping of solid waste.