



FILE COPY

State of Ohio Environmental Protection Agency

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

May 22, 2008

Mr. Stephen Fleming
Safety-Kleen Corp.
11925 Tramway Drive
Cincinnati, OH 45241

Re: **Safety Kleen Corp.**
CRO (OHD981188840)
Licking County

Dear Mr. Fleming:

On May 5, 2008, Ohio EPA received your certification of Regulated Substance and Equipment Removal (90-day final form), dated 4/30/08 for the closed Safety-Kleen Corp. distribution facility at 2041 James Parkway in Heath, Ohio. I scheduled an on-site inspection walkthrough with you and conducted it on May 15, 2008. Present were Larry Parr on behalf of Mid-Ohio Development (the property owner), and D.J. from Safety-Kleen Groveport branch.

At this time, Safety-Kleen Corp. has not yet completed its obligations for final cessation of regulated operations (CRO) at the Hebron Distribution Center. The following violations were noted:

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

A Toyota electric forklift, powered by large lead-acid batteries, remained inside the building. It was probably being kept to facilitate removing and loading of many pallets and some rack equipment that remained in the building.

This vehicle must be removed in order to complete the CRO regulatory obligations. Please notify me when and how this has been accomplished.

- 2.) **Removal of non-stationary regulated items, 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.

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

Approximately eight loading docks were noted to have hydraulic floor leveling plates mounted in front of them, which are believed to contain hydraulic fluid. This had not been noted in the final information submitted.

Please amend the final CRO certification to include the necessary information on this equipment and its contents.

- 3.) **Warning Signage Requirements, ORC 3752.07(A) and OAC rule 3745-352-20(A)(1)(b), and, by reference, OAC rule 3745-352-030(B) and (C):** The owner or operator must post warning signs to prohibit trespassing and stating, *"The building contains or is contaminated with regulated substances that may endanger public health or safety if released into the environment."* Warning sign lettering must be visible from a distance of at least 25 feet, and be firmly affixed. It must be inspected at least every 7 days and the conditions of each entry barrier, security measure, and warning sign must be recorded in an inspection log. (Repairs to the above security measures must be made promptly after any discovery.)

The required warning signage was not posted at the entry doors that were checked during my May 15, 2008 inspection visit. There was no record of weekly inspections being conducted as required, during the time period beginning March 13, 2008.

Please immediately begin to provide the necessary warning signage and weekly inspections, and make copies of the logs available for review pending final completion of other CRO actions.

- 4.) **Generator Closure of <90-day accumulation units, OAC rule 3745-66-11:** The owner/operator must close their facility in a manner that ensures all contaminated equipment and structures are decontaminated and minimizes the need for further maintenance; and controls; and minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste or hazardous constituents.

The flammable materials storage room floor had not been adequately decontaminated. Visible residues remained on the floor surface, including dark oily ring marks where barrels had been stored. The floor surface had been coated with gray epoxy and was very scuffed. Some minor cracks in the floor were present but most of them had been previously sealed by caulking.

Please complete the cleaning of this area to remove and properly dispose of any visible possible waste residues. Provide a copy of a receipt or other record for the completion of this work that includes documentation of proper management of any associated wastewaters generated from the activity.

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

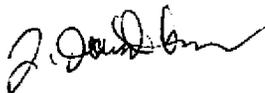
- Mr. Parr mentioned just receiving a copy of an assessment or report that he believed described Safety-Kleen's generator closure activities at this site. Ohio EPA has not seen or received any such report.

Mr. Stephen Fleming
Safety-Kleen Corp.
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- Some apparent staining from red paint process spillage was noted on the floor in the southeast end of the building near a former paint booth process location.
- An approximate 3-by-4-foot area of eroded concrete and chalky staining on the floor near the east wall about 70 feet north of the southeast corner of the building, was noted. It was believed to have been associated with a former caustic leaning process. More cleaning of this area is recommended.
- No wells were on the property and no demolition activities are planned.

I look forward to receiving the remaining items from you soon. I will probably need to view conditions at the facility one more time when the necessary actions specified above are completed. 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: Larry Parr
Ralph McGinnis
CDO File
Steven Smith, Information Officer, Licking Co. LEPC
Mark Huggins, Chief, Heath Fire Department

CESSATION OF REGULATED OPERATIONS CHECKLIST

<input checked="" type="checkbox"/> Permanent Cessation	<input type="checkbox"/> Temporary Discontinuation	<input type="checkbox"/> Requesting Waiver for Temporary Discontinuation
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Company: Safety-Kleen Corp. EPA ID#: OHD981188840
 Street: 2041 James Parkway City: Heath
 County: Licking State: Ohio Zip: 43056

Mailing Address: 11925 Tramway Drive, Cincinnati, OH 45241
 (If different from above)

Telephone Number: (513)956-2172 Fax Number: _____

Owner/Operator: Safety-Kleen Corp. 5400 Legacy Drive, Plano TX 75024
 Telephone Number (513)956-2172

Contact Person: Steve Fleming (and on-site for final walk through: Clyde _____)
11925 Tramway Drive, Cincinnati, OH 45241 (513)956-2172

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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Name : _____
 Street: _____ City: _____
 County: _____ State: _____ Zip: _____
 Telephone Number: _____ Fax Number: _____

Inspection Date: 5/15/2008 Time: 11:00 AM

Inspection Announced: YES NO If so, how much advance notice given?: 3 days

	<u>Name</u>	<u>Affiliation</u>	<u>Telephone Number</u>
Inspectors:	J. David Hohmann	Ohio EPA CDO- DHWM	614-728-3885
Facility Rep:	<u>Clyde</u>	<u>Safety Kleen</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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> RMK# _____
b. Local Emergency Planning Committee	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> RMK# _____
c. Local Fire Department	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> RMK# _____
2. Did the owner/operator designate a contact person? [ORC §3752.05 and OAC rule 3745-352-20(A)(1)(c)]

Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 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)]

a. Address of principal office of the owner/operator.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> RMK# _____
b. Business or residence address.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> RMK# _____
c. Telephone number of contact person.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> RMK# _____
4. Has the contact person changed? [ORC §3752.05(C) and OAC rule 3745-352-35(D)]

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> RMK# _____

5. If the contact person changed his/her address or telephone numbers, [N/A]

Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> RMK# _____

Owner/operator also must secure facility and post warning signs within 30 days of CRO. See pp 5-6 of checklist.

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
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
If so, the owner/operator is not subject to CRO for its hazardous waste and must instead comply with the hazardous waste requirements.
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
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
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
 - 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
 - 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
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
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
 - 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. 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 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. 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___
 - 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 ___ Noⁱ ___
2. Were there any <90 day accumulation units for hazardous waste? Yes ___ No ___
If so, where?: _____

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 ___
- 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 ___
- 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 ___
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 ___
- a. Were generated hazardous wastes handled in accordance with all applicable requirements of Chapter 3745-52 of the Administrative Code? Yes ___ No ___ N/A ___

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? Yesⁱⁱ ___ Noⁱⁱⁱ ___
6. Are there any wells on the property? Yes^{iv} ___ No ___
If yes, where are the wells?
What were the wells used for?
7. Is there open dumping of solid waste on the property? Yes^v ___ No ___

i. In lieu of the facility now submitting a form, the inspector should submit a copy of the final CRO letter