Ohio | Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 14, 2011

Mr. Greg Patterson
Procter & Gamble, Health Care Research Center
8700 Mason Montgomery Road
Mason, Ohio 45040

RE: Cessation of Regulated Operations – Procter & Gamble's Governor's Hill Office, 8500 Governor's Hill Drive, Cincinnati, Ohio

Dear Mr. Patterson:

Thank you for assisting me on the February 11, 2011, inspection of Procter & Gamble's Governor's Hill, Cincinnati, Ohio facility. The purpose of the inspection was to determine Procter & Gamble's compliance with Ohio's Cessation of Regulated Operations (CRO) laws and rules as found under Chapter 3752 of the Ohio Revised Code (ORC) and Chapter 3745-352 of the Ohio Administrative Code (OAC). Based on the inspection, Ohio EPA has determined that Procter & Gamble has violated the following State CRO regulations:

1. **ORC 3752.07(A) Securing building, structure or outdoor location against unauthorized entry, OAC 3745-352-30(B):** You must post warning signs in publicly visible locations about each building or structure and each outdoor location of operation. Minimally, you must post warning signs at all facility access locations. You must have enough warning signs to alert persons that the building, structure or outdoor location contains or is contaminated with regulated substances. These warning signs must 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."

   Procter & Gamble did not post appropriate warning signs. **Therefore, Procter & Gamble is in violation of ORC 3752.07(A) and OAC 3745-352-30(B).**

   According to OAC 3745-352-20(A)(1)(b), Procter & Gamble must secure the facility in accordance with OAC 3745-352-30 until you have performed the

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measures required under paragraphs (A)(2)(d) to (A)(2)(f) of this rule and the director has verified your compliance and has concurred with your certification made under paragraph (A)(2)(g) of this rule.

During my inspection on February 11, 2011, I determined that Procter & Gamble performed the measures required under paragraphs (A)(2)(d) to (A)(2)(f), verified your compliance with paragraphs (A)(2)(d) to (A)(2)(f), and concurred with your certifications made under paragraph (A)(2)(g) of OAC 3745-252-20. Procter & Gamble is no longer required to provide the security described above. **Therefore, Procter & Gamble is no longer in violation of ORC 3752.07(A) and OAC 3745-352-30(B).**

Enclosed please find a copy of the checklist completed as a result of the inspection. You can find copies of the laws and other information on the Division of Hazardous Waste Management's web page at: http://www.epa.ohio.gov/dhwm

Should you have any questions, please call me at (937) 285-6093.

Sincerely,

Cathy L. Altman
Division of Hazardous Waste Management

cc: DHWM Date Entry/Facility File
Rebecca Rettenmaier, Colliers International
Edward Frambes, Hamilton County EMA

CA/ca

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

PERMANENT CESSATION OF REGULATED OPERATIONS CHECKLIST				
INSPECTION INFORMATION: Procter & Gamble's Governor's Hill Building				
	NAME		**AFFILIATION**	**PHONE NUMBER**
Inspectors:	Cathy Altman		Ohio EPA	(937) 285-6093
Inspection Dates:	February 11, 2011	**Time(s):**		9:00
Inspection Announced?	Yes ☒ No ☐	**If so, how much advance notice given?**		One weeks
Facility: Rep(s)	Greg Patterson, Procter & Gamble			

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)]		Yes ☒ No ☐ N/A ☐
	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, 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 ☒
NOTE: The owner/operator is also required to secure the facility and post warning signs within 30 days of CRO.			
90-DAY REQUIREMENTS [ORC §3752.06]			
6.	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)(g)]		Yes ☒ No ☐ N/A ☐ Submitted form on 3/22/2010
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].			
7.	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)(h)]		Yes ☐ No ☐ N/A ☒

8.	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 ☐
9.	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 ☐
10.	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)(c)]		Yes ☒ No ☐ N/A ☐
11.	Did the owner/operator drain or remove all regulated substances from each stationary tank, vat, electrical transformer, and vessel and from all piping, which is to remain at the facility? [ORC §3752.06(A)(4) and OAC rule 3745-352-20(A)(2)(d)]		Yes ☒ No ☐ N/A ☐
12.	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)(d)(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)(d)(ii)]	Yes ☒ No ☐ N/A ☐
	OR		
	c.	Transfer the regulated substances off-site in compliance with applicable waste management laws? [ORC §3752.06(A)(4)(c) and OAC rule 3745-352-20(A)(2)(d)(iii)]	Yes ☐ No ☐ N/A ☒
13.	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)(d)]		Yes ☐ No ☒ N/A ☐
14.	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)(d)(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)(d)(ii)].	Yes ☒ No ☐ N/A ☐
	OR		
	c.	Cause the debris, equipment, furnishings, and containers to be transported off-site in compliance with applicable waste management laws and regulations? [ORC §3752.06(A)(5)(c) and OAC rule 3745-352-20(A)(2)(d)(iii)]	Yes ☐ No ☐ N/A ☒
15.	Did the owner/operator record in a log the standard industrial method used to remove the regulated substance from each item?		Yes ☒ No ☐ N/A ☐

	[OAC rule 3745-352-20(A)(2)(e)]		
SECURITY & WARNING SIGNS REQUIREMENTS OF OWNER/OPERATOR [ORC §3752.07 AND OAC RULE 3745-352-30]			
16.	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?		Yes ☒ No ☐ N/A ☐
	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.	Demonstrated to the satisfaction of the Director or his/her designee that the proposed security measures secure against unauthorized entry?	Yes ☒ No ☐ N/A ☐
17.	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 3745-352-30(B)]:		Yes ☐ No ☒ N/A ☐
	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 contains ignitable regulated substances and includes 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 ☐
18.	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.			
19.	If the facility has an U.S. EPA I.D. number, has the owner/operator submitted a deactivation request letter?		Yes ☐ No ☐ N/A ☒
NOTE: The inspector should submit a copy of the final CRO letter to Central Office's Regulatory and Information Services Section for I.D. deactivation. If the facility continues to need its I.D. number, the inspector should instruct the owner/operator to submit a deactivation request letter once the I.D. is no longer needed.			
20.	Were there any <90 day accumulation units for hazardous waste?		Yes ☐ No ☒ N/A ☐

	List Where Unit(s) Were/Are:	Storage shed	
21.	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 ☒
22.	During the partial and final closure periods, were all contaminated equipment, structures, and soil properly disposed 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 ☒
NOTE: If necessary, the inspector should supply the owner/operator with the requirements for generator closure and inform them they must close all unit(s) and have documentation that closure was completed (LQGs only) A thorough hazardous waste inspection should be conducted for a subject TSD facility with more stringent requirements. http://www.epa.state.oh.us/dhwm/guidancedocs.html#closure			
	a.	Were generated hazardous wastes handled in accordance with all applicable requirements of Chapter 3745-52 of the Administrative Code?	Yes ☐ No ☐ N/A ☒
23.	Will there be building demolition or renovation? If yes:		Yes ☐ No ☒ N/A ☐
	Has a *Notification of Demolition and Renovation Form* been submitted?		Yes ☐ No ☐ N/A ☒
NOTE: Facility demolition work (even partial demolition) 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/asbestos/asbestos.html *The inspector should check with DAPC or local air authority to determine if a notification form has been submitted. If notification was not submitted, the inspector should provide the form to the facility.*			
24.	Are there any wells on the property?		Yes ☐ No ☒ N/A ☐
	If yes, where are the wells?		
	What are the wells used for?		
NOTE: If a well is used for drinking water, the inspector should inform DDAGW.			
25.	Is there open dumping of solid waste on the property?		Yes ☐ No ☒ N/A ☐
NOTE: The inspector should inform DSIWM about open dumping of solid waste.			