



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

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

July 16, 2009

**RE: GREIF PACKAGING, LLC (GREIF)
DARKE COUNTY
CRO NOV/RTC**

Mr. Nick Sheets
Greif Packaging, LLC
366 Greif Parkway
Delaware, Ohio 43015

Dear Mr. Sheets:

On June 26, 2009, Ohio EPA conducted an inspection of Greif's facility located at 526 Markwith Ave. in Greenville, Ohio to determine your 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). Bob Anderson represented Greif, and I represented Ohio EPA. Based on this inspection, Ohio EPA has determined that Greif violated the following state CRO law and rules:

1. Warning Sign Requirements, ORC 3752.07(A) and OAC 3745-352-30(B):

Within 30 days after CRO, you are required to post the following signs: (1) one that prohibits trespassing and states "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." and (2) another that is posted on or reasonably proximate to locations that contains ignitable regulated substances and includes the language, "No Smoking". These signs are to remain until all regulated materials are removed from the facility.

Greif failed to post these warning signs and **also failed to keep a log of their condition as required by OAC 3745-352-30(C)**. No signs were observed on June 26, 2009, and per our telephone conversation on July 13, 2009 no log of their condition was kept either. Ohio EPA's June 26, 2009 inspection verified that no regulated materials remained at Greif. This action **corrected** the above violations.

Additionally, we spoke on July 13, 2009 about deactivation of your EPA I.D. number and generator closure. I am leaving both CRO Checklist items 19 and 21 unanswered, respectively, given you are unsure about deactivating your ID number at this time and have not performed generator closure, to-date. When you decide to deactivate your ID number, please submit a deactivation request letter to:

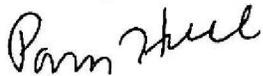
Ohio EPA-DHWM
P.O. Box 1049
Columbus, OH 43216-1049

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Also, on July 7, 2009, I e-mailed information to Greif regarding Ohio EPA's generator closure requirements. You had asked if a statement that none of the hazardous waste stored in Greif's 90 day storage building would react with/penetrate through the concrete floor of this building. This type of information (along with any other info, such as the condition of the floor) would suffice. Ohio EPA recommends you create a memo as documentation to keep in your files as proof of generator closure.

I have enclosed a copy of the checklists completed during the inspection. Should you have any questions, please feel free to call me at (937) 285-6091.

Sincerely,



Pam Hull
District Representative
Division of Hazardous Waste Management

Enclosure

cc: Dinah Crawford, SWDO-DHWM/SWDO CRO & generator files
Darke County Emergency Management, Attention: June Mung
Greenville Township Fire Dept., Attention: Chief Chris Geer
SWDO-CRO & generator files: Greif Packaging, LLC

PH/rif

PERMANENT CESSATION OF REGULATED OPERATIONS CHECKLIST			
INSPECTION INFORMATION			
NAME		AFFILIATION	PHONE NUMBER
Inspectors:	Pam Hull	Ohio EPA/SWDO/DHWM	937-285-6091
Inspection Dates:	6/26/09	Time(s):	10:35
Inspection Announced?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If so, how much advance notice given?	1 month
Facility Rep(s)	Bob Anderson		

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"/>
	b.	Local Emergency Planning Committee?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Local Fire Department?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a.	Address of principal office of the owner/operator?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Business or residence address?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Telephone number of contact person?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <i>valid</i> 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.		Did the owner/operator record in a log the standard industrial method used to remove the regulated substance from each item? [OAC rule 3745-352-20(A)(2)(e)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a.	Boarded, locked or used other means to secure all windows, doors and other potential means of entry?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Fencing?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c.	Lighting and a surveillance system?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d.	Guard or security service? ADT Security	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	e.	Demonstrated to the satisfaction of the Director or his/her designee that the proposed security measures secure against unauthorized entry?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	d.	Legible from a distance of at least 25 feet? [OAC rule 3745-352-30(B)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	e.	Constructed to withstand weather and affixed to secure against removal? [OAC rule 3745-352-30(B)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	The condition is recorded in an inspection log? [OAC rule 3745-352-30(C)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Prompt repair or replacement after discovery of damage, lost or removed? [OAC rule 3745-352-30(C)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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List Where Unit(s) Were/Are:		hazardous waste building – see attached
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21.	Did the owner/operator close his facility in a manner that: [OAC 3745-66-11]	
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a.	Minimizes the need for further maintenance?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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23.	Will there be building demolition or renovation? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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Has a <i>Notification of Demolition and Renovation Form</i> been submitted?		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<p><i>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</i></p> <p><i>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.</i></p>		
24.	Are there any wells on the property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	If yes, where are the wells?	Various
	What are the wells used for?	<p>Ground Water Monitoring wells (GMMWs) - 2 drums of non-hazardous purge water were on-site during 6/26/09 inspection. Received waste profile from Michael Papp of Earth Tech (AECOM) on 7/15/09 verifying non-hazardous.</p> <p>These GMMWs are associated with Ohio EPA's Division of Emergency and Remedial Response (DERR). In late 2008, Greif officially entered the VAP using a pay-as-you-go (PAYGO) option. Right now, DERR is in the process of reviewing the information and answering those specific questions. Afterward, Greif will likely pursue a Covenant Not To Sue which, upon DERR's approval, will release Greif from environmental liability.</p>
<p><i>NOTE: If a well is used for drinking water, the inspector should inform DDAGW.</i></p>		
25.	Is there open dumping of solid waste on the property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<p><i>NOTE: The inspector should inform DSIWM about open dumping of solid waste.</i></p>		

GREIF

GREENMILE PAL PLANT

