



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director



1IN0012920081017

HAMILTON MICHELMAN INC *

PIEKUTOWSKI, MA | 2008/10/17



State of Ohio Environmental Protection Agency
Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

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Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

October 17, 2008

Mr. Steve Schifman
Michelman, Inc.
9080 Shell Road
Cincinnati, Ohio 45236

**Re: Michelman, Inc. -- OH0108055;1IN00129*CD -- CEI/Pre-Permit Inspection --
Notice of Violation**

Dear Mr. Schifman:

On October 8, 2008, Marianne Piekutowski of this office met with Charles Lewis and Barb Lantry-Miller to conduct a NPDES pre-permit/compliance evaluation (CEI) inspection at the Michelman facility. The purpose of this inspection was to update the facility's NPDES permit renewal application and evaluate compliance with the terms of the NPDES permit. Please note that the report, by its format, tends to highlight negative areas.

As indicated on the attached NPDES Compliance Inspection Report, all areas that were rated, with the exception of the Effluent/Receiving Water and Permit, received a satisfactory rating. The Permit section received a rating of marginal because the facility's NPDES renewal application has not been submitted. The Effluent/Receiving water section received a rating of marginal because of the release from the dumpster and discharges associated with the Kemper Warehousing Industrial Park pump station.

Thank you and your staff for the time extended during the inspection. If you have any questions, please contact Ms. Piekutowski of this office at 937.285.6108.

Sincerely,

Martyn G. Burt
Environmental Supervisor
Division of Surface Water

Enclosures

Cc: Barb Lantry-Miller, Michelman
Charles Lewis, Michelman





State of Ohio Environmental Protection Agency
Southwest District Office

NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1IN00129*CD	OH0108855	10/08/2008	C	S	2

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Michelman, Inc. 9080 Shell Road Cincinnati, Ohio 45236	1:00 pm	04/01/2004
	Exit Time	Permit Expiration Date
	2:00 pm	03/31/2009
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Barb Lantry-Miller Charles Lewis	513.794.4201 513.794.4267	
Name, Address and Title of Responsible Official	Phone Number	
Steve Schifman, CEO Michelman, Inc. 9080 Shell Road Cincinnati, Ohio 45236	513.793.7766	

Section C: Areas Evaluated During Inspection					
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
M	Permit	N	Flow Measurement	N	Pretreatment
S	Records/Reports	N	Laboratory	N	Compliance Schedule
S	Operations & Maintenance	M	Effluent/Receiving Waters	S	Self-Monitoring Program
S	Facility Site Review	N	Sludge Storage/Disposal	N	Other
N	Collection System				

Section D: Summary of Findings (Attach additional sheets if necessary)	
See attached report.	
Inspector	Reviewer
Marianne Plekutowski Division of Surface Water Southwest District Office	Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office
Date 10/17/08	Date 10/17/08

Permit # : 1IN00129*CD Error! Reference source not found.

NPDES # : OH0108855 Error! Reference source not found.

Sections E thru K: Complete on all inspections as appropriate

Y – Yes, N – No, N/A – Not Applicable, N/E – Not Evaluated

Section E: Permit Verification

Inspection observations verify the permit

- (a) Correct name and mailing address of permittee Y
- (b) Correct name and location of receiving waters..... Y
- (c) Product(s) and production rates conform with permit application (Industries)..... NA
- (d) Flows and loadings conform with NPDES permit..... Y
- (e) Treatment processes are as described in permit application... NA
- (f) New treatment process(es) added since last inspection..... N
- (g) Notification given to State of new, different or increased discharges..... N
- (h) All discharges are permitted..... Y
- (i) Number and location of discharge points are as described in permit..... Y

Comments/Status:

Section E: Permit Verification

- (a) Any significant violations since the last inspection..... Y
- (b) Permittee is taking actions to resolve violations..... Y
- (c) Permittee has a compliance schedule..... N
- (d) Compliance schedule contained in
- (e) Permittee is meeting compliance schedule..... NA

Comments/Status:

a) The facility had a spill and incidents related to overflows of a private lift station. These have been addressed.

Section G: Operation & Maintenance

Treatment Works:

Treatment facility properly operated and maintained

- (a) Standby power available.....generator or dual feed NA
- (b) Adequate alarm system available for power or equipment failures.. NA
- (c) All treatment units in service other than backup units..... NA
- (d) Wastewater Treatment Works classification (OAC 3745-7)..... NA
- (e) Operator of Record holds unexpired license of class required by permit..... NA
Class: NA
- (f) Copy of certificate of Operator of Record displayed on-site..... NA
- (g) Minimum operator staffing requirements fulfilled (OAC 3745-7)... NA
- (h) Routine and preventative maintenance scheduled/performed... NA
- (i) Any major equipment breakdown since last inspection..... NA
- (j) Operation and maintenance manual provided and maintained..... NA
- (k) Any plant bypasses since last inspection..... NA
- (l) Regulatory agency notified of bypasses..... NA
On MORs and/or Spill Hotline (1-800-282-9378)
- (m) Any hydraulic and/or organic overloads since last inspection..... NA

Record Keeping:

- (a) Log book provided..... NA
- (b) Format of log book (i.e. computer log, hard bound book)

NA

- (c) Log book(s) kept onsite (in an area protected from weather)..... NA
- (d) Log book contains the following:
 - I. Identification of treatment works..... NA
 - II. Date/times of arrival/departure for Operator of Record and any other operator required by OAC 3745-7..... NA
 - III. Daily record of operation and maintenance activities (including preventative maintenance, repairs and request for repairs)..... NA
 - IV. Laboratory results (unless documented on bench sheets)... NA
 - V. Identification of person making log entries..... NA
- (d) Has the operator of record submitted written notification to the permittee, Ohio EPA and (if applicable) any local environmental agencies when a collection system overflow, treatment plant bypass or effluent limit violation has occurred..... NA

Section G: Operation & Maintenance (con't)

Collection System:

- (a) Percent combined system: %
- (b) Any collection system overflows since last inspection..... NA
(CSO and/or SSO)
- (c) Regulatory agency notified of overflows (SSOs)..... NA
- (d) CSO O&M plan provided and implemented..... NA
- (e) CSOs monitored and reported in accordance with permit..... NA
- (f) Portable pumps used to relieve system..... NA
- (g) Lift station alarms provided and maintained..... NA
- (h) Are lift stations equipped with permanent standby power
or equivalent..... NA
- (i) Is there an inflow/infiltration problem (separate sewer system),
or were there any major repairs to collection system since
last inspection..... NA
- (j) Any complaints received since last inspection of basement flooding NA
- (k) Are any portions of the sewer system at or near capacity..... NA

Comments/Status:

Section H: Sludge Management

- (a) Sludge management plan (SMP)
Submitted date: Approval #: Not submitted N/A

- (b) Sludge management plan current..... NA
- (c) Sludge adequately disposed..... NA
(Method:)
- (d) If sludge is incinerated, where is ash disposed of
- (e) Is sludge disposal contracted..... NA
(Name:)
- (f) Has amount of sludge generated changed significantly since
last inspection..... NA
- (g) Adequate sludge storage provided at plant..... NA
- (h) Land application sites monitored and inspected per SMP..... NA
- (i) Records kept in accordance with State and Federal law..... NA
- (j) Any complaints received in last year regarding sludge..... NA
- (k) Is sludge adequately processed (digestion, pathogen control)..... NA

Comments/Status:

Section I: Self-Monitoring Program

Flow Measurement:

- (a) Primary flow measuring device operated and maintained..... Y
Type of device: Ultrasonic & Parshall flume Ultrasonic & Weir Weir
Calculated from influent Other (Specify: vortex flow meter w/totalizer)

- (b) Calibration frequency adequate NA
(Date of last calibration: Non-resettable totalizer)
- (c) Secondary instruments operated and maintained..... NA
- (d) Flow measurement equipment adequate to handle full range
of flows..... NA
- (e) Actual flow discharged is measured..... NA
- (f) Flow measuring equipment inspection frequency
 Daily Weekly monthly other

Comments/Status:

The facility does not usually discharge. The non-contact cooling water is recycled.

Section I: Self-Monitoring Program (con't)

Sampling:

- (a) Sampling location(s) are as specified by permit..... Y
- (b) Parameters and sampling frequency agree with permit..... Y
- (c) Permittee uses required sampling method..... Y
- (d) Sample collection procedures are adequate..... Y
 - (i) Samples refrigerated during compositing..... NA
 - (ii) Proper preservation techniques used..... NA
 - (iii) Containers and sample holding times prior to analysis conform with 40 CFR 136.3..... NA
- (e) Monitoring records (i.e., flow, pH, DO) maintained for a minimum of three years including all original strip chart recordings (i.e, continuous monitoring instrumentation, calibration and maintenance records)..... Y
- (f) Adequate records maintained of sampling date, time, location, etc.. Y

Laboratory:

General

- (a) EPA approved analytical testing procedures used (40 CFR 136.3).. Y
 - (b) If alternate analytical procedures are used, proper approval has been obtained..... NA
 - (c) Analyses being performed more frequently than required by permit. N
 - (d) If (c) is yes, are results in permittee's self-monitoring report..... NA
 - (e) Commercial laboratory used..... N
- Parameters analyzed by commercial lab:

Lab name:

Quality Control/Quality Assurance

- (f) Quality assurance manual provided and maintained..... Y
 - (g) Satisfactory calibration and maintenance of instruments/equipment. Y
 - (h) Adequate records maintained..... Y
 - (i) Results of latest USEPA quality assurance performance sampling program: Satisfactory Marginal Unsatisfactory
- Date: NA

Comments/Status:

The facility uses its pH meter from the product QC laboratory. The meter is calibrated.

Section J: Effluent/Receiving Water Observations

Outfall Number	Outfall sign in place?	Oil sheen	Grease	Turbidity	Foam	Solids	Color	Other
001	No*	No	No	No	No	No	No	No

Comments/Status:

The discharge goes to a storm sewer then into Bechtoldt Creek. There was no non-contact cooling water being discharged on the day of the inspection. There was storm water discharging. The facility has coverage under the general industrial storm water permit.

Section K: Multimedia Observations

- (a) Are there indications of sloppy housekeeping or poor maintenance in work and storage areas or laboratories..... N
- (b) Do you notice staining or discoloration of soils, pavement or floors.. N
- (c) Do you notice distressed (unhealthy, discolored, dead) vegetation.. N
- (d) Do you see unidentified dark smoke or dust clouds coming from sources other than smokestacks..... N
- (e) Do you notice any unusual odors or strong chemical smells..... N
- (f) Do you see any open or unmarked drums, unsecured liquids, or damaged containment facilities..... N

If any of the above are observed, ask the following questions:

- (1) What is the cause of the condition?
- (2) Is the observed condition or source a waste product?
- (3) Where is the suspected contaminant normally disposed?
- (4) Is this disposal permitted?
- (5) How long has the condition existed and when did it begin?

Comments/Status:

MICHELMAN, INC.
NPDES PRE-PERMIT/COMPLIANCE EVALUATION INSPECTION
DATE OF INSPECTION: October 8, 2008

ITEMS FOR DISCUSSION:

There has been no regular discharge from the facility during the term of the current permit. The renewal application has not been submitted yet. The eligibility status of coverage under the general non-contact cooling water was discussed. The facility should consider applying for coverage under this permit. A copy of the general permit and the Notice of Intent (NOI) was provided in a separate email attachment. Because the renewal application was not submitted within 180 days of the expiration date, the facility will receive a rating of marginal for the Permit Section.

COMPLIANCE EVALUATION:

The facility's compliance history was checked from October 1, 2003 through October 1, 2008. There were reporting frequency violations from April through August and December of 2004. The monitoring reports used the code AC and noted that the non-contact cooling water was recycled. The pH was reported under the code of 00400. There were columns for the pH, Maximum and Minimum (00401 and 00402) that were left blank. This shows up as frequency violations. The use of the code AL for no discharge during the month would eliminate this.

OBSERVATIONS:

Michelman, Inc. manufactures coatings for food containers for both boxes and the insides of wrappers. In addition to the coatings, the facility also manufactures additives to give coatings different properties. The wastewater generated from the processes is discharged to MSD of Greater Cincinnati.

Michelman, Inc. is a portion of MSD's separate sanitary sewer system. They have coverage under the general industrial storm water permit.

After the February 2008 release, the facility has installed a valve that can be closed to prevent any spilled material from reaching the storm sewer. The outside truck bay areas are collected in a blind sump. The area next to the truck bays now has additional curbing to contain any spilled material. In addition, there were overflows at a private lift station in the Kemper Industrial Park. These occurred in 2006. This issue has since been resolved.

Because of these items, the facility will receive a rating of marginal for Effluent/Receiving Water.

Michelman, Inc.

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The facility needs to either submit a renewal application of its individual NPDES, or apply for coverage under the general non-contact cooling water permit. Facility representatives expressed interest in applying for coverage under this permit. This decision needs to be made as soon as possible.

REQUIRED ACTION

Michelman, Inc. must either submit its NPDES renewal application or apply for coverage under the general non-contact cooling water permit. Please provide this office written notice of which option will be taken. This must be submitted by November 14, 2008. If the individual permit is chosen, a complete application must be received by November 30, 2008.



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December 10, 2008

Mr. Steve Schifman
Michelman, Inc.
9080 Shell Road
Cincinnati, Ohio 45236

Re: Michelman, Inc. – Hamilton County -- OH0108055;1IN00129*CD

Dear Mr. Schifman:

This letter is to serve as a follow up and clarification to the inspection report dated October 17, 2008. The inspection report also served as a notice of violation. The notice of violation was for the following frequency violations noted in the inspection:

COMPLIANCE EVALUATION:

The facility's compliance history was checked from October 1, 2003 through October 1, 2008. There were reporting frequency violations from April through August and December of 2004. The monitoring reports used the code AC and noted that the non-contact cooling water was recycled. The pH was reported under the code of 00400. There were columns for the pH, Maximum and Minimum (00401 and 00402) that were left blank. This shows up as frequency violations. The use of the code AL for no discharge during the month would eliminate this.

The notice of violation is still applicable to these violations. Failure to comply with the terms and conditions of the permit is a violation of Ohio Revised Code 6111.

The other action item noted during the inspection was the submittal of the NPDES renewal application. The facility's NPDES permit states:

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later 180 days prior to the above date of expiration.

The renewal application was due on September 30, 2008. On the date of the inspection, which was October 8, 2008, the application had not been submitted. A letter dated May 28, 2008 was sent reminding the facility the application was due 180 days prior to the expiration date of the current permit. As a part of the inspection, the status of the



December 10, 2008

Page 2

application and the renewal were discussed. Applying for coverage under the general non-contact cooling water permit was also discussed. To remedy the late application, the following action was required:

Michelman, Inc. must either submit its NPDES renewal application or apply for coverage under the general non-contact cooling water permit. Please provide this office written notice of which option will be taken. This must be submitted by November 14, 2008. If the individual permit is chosen, a complete application must be received by November 30, 2008.

On November 7, 2008, the Notice of Intent (NOI) for coverage under the general non-contact cooling water was submitted by Michelman. The submittal of the NOI addresses this portion of the report. The general permit was issued on December 1, 2008, and the paperwork to revoke the individual NPDES permit was completed on December 10, 2008.

This addresses the issues raised in the inspection regarding the facility's renewal application.

If you would have any additional questions, feel free to contact me at 937.285.6108.

Sincerely,



Marianne Piekutowski
Environmental Specialist 2
Division of Surface Water

Cc: Barb Lantry-Miller, Michelman
Charles Lewis, Michelman