State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

December 4, 2007

SCIOTO COUNTY
(SOUTHERN OHIO PORT AUTHORITY)
DHWM/SEDO
NON NOTIFIER

Mr. Mick Sturgill, Chairman
Southern Ohio Port Authority
c/o Village of New Boston
3890 Rhodes Avenue
New Boston, Ohio 45662

Dear Mr. Sturgill:

On October 16, 2007, I inspected the Southern Ohio Port Authority's ("SOPA") Diesel Shop located at 500 Industry Road in New Boston to determine SOPA's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). I sent you a Notice of Violation (NOV) letter on October 24, 2007. To date, SOPA has failed to respond to the October 24, 2007 NOV letter and remains in violation of the following:

(1) ***OAC Rule 3745-52-11, Waste Evaluation:*** Any person who generates a waste in Ohio must evaluate the waste to determine if it is hazardous. If so, it must be managed as such.

Numerous containers of unknown contents were abandoned in the Diesel Shop by past owners and operators. As current owner, SOPA is responsible for compliance with this rule. While Ohio EPA has conducted limited sampling some containers (as described below in citation #2), not all wastes were evaluated.

In order to abate this violation, SOPA or its consultant should immediately conduct a complete inventory of all containers (for example, paints and aerosol cans) left in the building by previous owners, evaluate the contents pursuant to OAC 3745-52-11, and if hazardous, manage them as such. Note that Ohio EPA is willing to share with your consultant the analytical results for wastes that were sampled by Ohio EPA.

(2) ***OAC Rule 3745-52-34(A)&(D), Accumulation Time of Hazardous Waste***: (A) A generator may accumulate hazardous waste onsite for ninety days or less without a permit as long as (D) the waste is in containers and labeled with the accumulation date and the words "hazardous waste.

Based on limited sampling and analysis by the Ohio EPA in March 2007 of several containers in the diesel shop which were left behind by previous owner/operators, several containers in the Diesel Shop contain hazardous waste. The containers are unlabeled and undated. The known hazardous wastes include the following:

a. A one-gallon container which is 1/3 full of "Mobil Chemical Company 7-T-35 Thinner" (D001 hazardous waste);

b. A one-gallon container which is 1/3 full of "DuPont 80965 Carolina Thinner" which is labeled with duct tape as "Carolina Thinner" (D001 hazardous waste);

c. A one-quart container of "Rema Tip Top Special Vulcanizing Cement" (D040/D028 hazardous waste);

d. A one-quart container, ½ full of "PPG Ditzler Flo-Dry Enamel Reducer" (D001/D018/D040 hazardous waste);

e. A one-quart container of "Rema Tip Top Liquid Pre-Buff Cleaner" (D019/D039/D040 hazardous waste);

f. A one-quart plastic bottle labeled "acid" located on the floor behind the door of a storeroom located under the staircase on the east side of the building;

g. A full 55-gallon drum in a storeroom on the second story that contains a viscous beige liquid (D001/D039 hazardous waste).

h. A number of underground tanks exist on the Diesel Shop property. Three of these tanks were sampled by Ohio EPA in March 2007:

1. An underground tank or pit on the north side of the building ("North Pit") which contains an unknown volume of black liquid at the bottom of the pit that includes a top phase that is contaminated with lead (D008 hazardous waste) and 1.4 ppm PCBs. Note that during the sampling event, Ohio EPA samplers also obtained a reading of 50 mR/hour of radiation inside the tank. This tank is not to be confused with the similarly named "Northeast Pit" which is located closer to the northeast corner of the building. SOPA must determine the volume contained in this tank and notify this office of that information. SOPA also must recycle or dispose of the contents of this tank in accordance with all applicable laws, and either decontaminate the tank or remove and scrap it.

2. An underground storage tank with a large, above-ground stand pipe on the west side of the diesel shop ("UST 1") contains an unknown volume of thick, oily, nonhazardous wastewater or used oil that that includes a pink top phase which is contaminated with chromium and lead

(D007/D008 hazardous waste). SOPA must determine the volume contained in this tank and notify this office of that information. SOPA must also recycle or dispose of the contents of this tank in accordance with all applicable laws and either decontaminate the tank or remove and scrap it.

3. A tank ("OWS Pit") in the Oil/Water Separator building (also known as the Oil Skimmer building) located next to the Diesel Shop which contains approximately 80,000 gallons of nonhazardous wastewater. The top phase of this wastewater contains a dark oil, which is contaminated with chromium and lead (D007/D008 hazardous waste. SOPA must determine the volume contained in this tank and notify this office of that information. SOPA must also recycle or dispose of the contents of this tank in accordance with all applicable laws and either decontaminate the tank or remove and scrap it.

As current owner of the Diesel Shop, SOPA is responsible for managing wastes in compliance with the above regulation. In order to abate this violation, SOPA must immediately either recycle or dispose of the contents of all of the above containers and tanks described above by either reusing them for their intended purpose, sending them to a reputable recycler, or manifesting them offsite as a hazardous waste. You must provide documentation to this office of the disposition of each container of waste. For example, if recycled, please describe where and how recycling of each container occurred. If disposed of, please submit a copy of a manifest for each container or for the contents of each tank. Note that any containers which are not sent offsite immediately must be labeled with the words "hazardous waste" and the date on which SOPA purchased the Diesel Shop.

(3) ***OAC Rule 3745-66-73 (B), Management of Containers:*** A container holding hazardous waste shall not be opened, handled or stored in a manner which may rupture the container or cause it to leak.

A quart sized plastic bottle of acid (D002 hazardous waste) located on the floor of the Diesel Shop, hidden in a pile of rubble behind a door on the first floor storeroom (under the stairs leading to the second story), is being stored in a precarious manner. In addition, the plastic container holding the waste is aged and may soon begin to deteriorate.

In order to abate this violation, SOPA should immediately either recycle or dispose of the contents of this bottle by either sending them to a reputable recycler or manifesting it offsite as a hazardous waste.

(4) ***Inspections, OAC rule 3745-66-74:*** The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and deterioration. Inspections must be recorded in an inspection log or summary.

SOPA has failed to conduct weekly inspections of containers stored in the Diesel Shop. In order to abate this violation, you must begin to conduct and record weekly inspections of all containers pursuant to this rule. Inspections must continue until containers are removed from the site for recycling or disposal. In order to document compliance with this rule, please submit to this office two weeks worth of inspection records.

Please submit the above requested information to this office **within 15 days** of the date of this letter demonstrating that all violations have been abated.

GENERAL COMMENTS

SOPA has not provided Ohio EPA with the additional information requested below. Please submit this information **within 15 days** of the date of this letter:

(a) A number of 55-gallon drums of used oil and several smaller drums of grease are stored inside the Diesel Shop near the door closest to the northeast corner of the shop. An additional drum of used oil is located in one of the maintenance pits inside the building. Please immediately contact a used oil recycling facility and have these wastes recycled within thirty days of the date of this letter.

Should you have any questions, please feel free to contact me at 740-380-5293.

Sincerely,

Donna Goodman

Donna Goodman
District Representative
Division of Hazardous Waste Management'

DG/mlm

Enclosure

cc: Chris Osborne, DERR

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.