



State of Ohio Environmental Protection Agency

Northeast District Office

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

August 21, 2009

Tim Jackett  
Tartan and C&C Yachts  
1920 Fairport Nursery Rd.  
Fairport Harbor, OH 44077

**RE: TARTAN AND C&C YACHTS/GRAND RIVER INVESTMENTS OHD 980 999 890  
LAKE COUNTY, LQG-CEI**

Dear Mr. Jackett:

On August 6, 2009, Ron Shadrach and I conducted a follow-up inspection to Ohio EPA's June 16, 2009 inspection at Tartan and C&C Yachts (Tartan/C&C). The purpose of the inspection was to assess the progress Tartan/C&C has made in responding to Ohio EPA's June 19, 2009 Notice of Violation (NOV). You and your maintenance employee, Bud, represented Tartan and C&C Yachts during the inspection.

It was explained that the containers of materials that Ohio EPA has required Tartan/C&C to address generally included the following:

- Spent acetone and lacquer thinner that will be sent back to the supplier (Superior Chemical) for reclamation.
- Obsolete polyester and vinyl ester resins and polyester gel coats that have been/will be polymerized and disposed as solid waste.
- Old/obsolete epoxy resins and hardeners that will be polymerized and disposed as solid waste.
- Eighty empty drums have already been sent to a scrap metal recycler.
- Seven drums of spent acetone that had been prepped for shipment back to Superior Chemical. These drums were labeled and staged on pallets for pick-up.

During the inspection, Ohio EPA worked with Bud to inventory the above remaining containers. A copy of the container inventory is attached.

It was apparent that Tartan/C&C Yachts has made progress with the containers since the June 16, 2009 inspection. However, neither you nor Bud were able to immediately locate offsite shipment/disposal documentation for the most recent shipments. Bud explained that he would be able to gather the documentation. Ohio EPA will have to review this documentation.

Until all materials have been properly managed and disposed, and copies of documentation showing the disposition of the waste have been submitted, the violation cited in the NOV will remain outstanding:

**1. Hazardous Waste Determination  
OAC 3745-52-11**

*Any person who generates a waste in the state of Ohio...shall determine if the waste is a hazardous waste...*

In addition to the above, releases of unknown material were observed in the soil behind the main building (north side) along and near the wall near the west corner. See attached photos. These releases must be cleaned to the visual extent of contamination and the soil must be properly disposed. You must submit photographs showing this has been cleaned up and documentation showing the proper disposal of the soil.

Lastly, you explained that, along with other investors, you may try to purchase the company and move it to another location. Among the reasons you cited for moving the operation was the cost to heat the building in the winter. The Ohio Department of Development offers assistance to companies for energy efficiency initiatives. More information can be found at: <http://development.ohio.gov/cdd/oeec/services.htm>

The US Department of Energy also provides assistance, including financial assistance. More information can be found at: <http://www1.eere.energy.gov/industry/>

Financial Assistance: <http://www1.eere.energy.gov/industry/financial/index.html>.

Failure to list specific deficiencies in this communication does not relieve Tartan/C&C Yachts or Grand River Investments from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please respond **within 30 days** of receipt of this letter providing your previous disposal documentation, concurrent disposal documentation and progress, and a target date of when the removal/cleanup effort will be completed. Please feel free to contact me at (330) 963-1170 if you have any questions.

Sincerely,



Edward J. D'Amato  
Environmental Specialist  
Division of Hazardous Waste Management

EJD:ddw

cc: Natalie Oryshkewych, DHWM, NEDO  
ec: Frank Popotnik, DHWM, NEDO  
Ron Shadrach, DHWM, NEDO