



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

**RE: Fort Amanda Specialties LLC
OHD987054657
Allen County
DMWM, NWDO
Partial Return to Compliance**

March 22, 2013

Mr. Brett Anderson
Fort Amanda Specialties LLC
1747 Fort Amanda Road
Lima, Ohio 45804

Dear Mr. Anderson:

Thank you for sending in the response to my February 5, 2013, Partial Return to Compliance (PRTC). Your response was received by the Ohio Environmental Protection Agency (Ohio EPA) on February 22, 2013, and included a cover letter and tank certification documents. Ohio EPA's compliance evaluation inspection associated with the violations listed below took place on April 24, 2012.

All tank certification documentation for tank TA-05-008 was reviewed by Ohio EPA's Central Office. Fort Amanda Specialties LLC's (FAS's) compliance with Ohio's hazardous waste tank rules and regulations is described below. Please note that FAS has not abated all listed violations.

The following is a summary of the violations observed after review of FAS's tank certification documentation and the facility's compliance with respect to each violation. In an attempt to streamline this letter, details concerning previously abated violations or general concerns which have been addressed in previous correspondence have been omitted. In order to correct these violations you must do the following and send me the required information **within 14 days of your receipt of this letter**. Please note that any additional submitted documentation concerning the tank assessment must include the certification statement found in Ohio Administrative Code (OAC) rule 3745-50-42(D) as outlined below.

Violations:

- 1. OAC rule 3745-66-92(A), Design and installation of new tank system or components:** Owners or operators of a new tank " ...must obtain a written assessment reviewed and certified by a qualified professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code attesting that the system has sufficient structural integrity and is acceptable for the storing and treating of hazardous waste..."

FAS failed to have a written assessment reviewed and certified by a qualified professional engineer in accordance with paragraph (D) of OAC rule 3745-50-42.

On February 22, 2013, Ohio EPA received documentation that based on many years of trouble-free operation of the tank system and results of extensive inspections, the tank installation was done to acceptable design standards and is validated. Ohio EPA agrees that many years of trouble-free operation, as stated in FAS's response, validates the tank system has sufficient structural strength, compatibility with the waste, and corrosion protection so that it will not collapse, rupture, or fail.

Therefore, this violation is considered abated on February 22, 2013.

- 2. OAC rule 3745-66-92(A), Design and installation of new tank system or components:** "For new tank systems or components in which the external shell of a metal tank or any external metal component of the tank system is or will be in contact with the soil or with water, a determination by a corrosion expert..." must be included in the written assessment.

FAS failed to have a certified written assessment of the ancillary equipment (piping from the point of generation to the tank and from the tank to the point of disposal).

On December 18, 2012, Ohio EPA received external and internal tank inspection documentation. The external and internal tank inspection and the associated piping inspection found a number of deficiencies, most of which were noted as being corrected to the satisfaction of the inspector. However, the following deficiencies have not yet been noted as being resolved:

- Support sump/drain under tank. This is a non-mandatory recommendation of the inspector.
- Repair areas of insulation damage and insulation seal damage on pipes.
- Replacement of carbon steel backing flanges for pipes. This is a non-mandatory recommendation of the inspector.

On February 22, 2013, Ohio EPA received documentation that showed all mandatory deficiencies have been resolved and all non-mandatory deficiencies have been or will be addressed in the future.

Therefore, this violation is considered abated on February 22, 2013.

3. **OAC rule 3745-66-92(A), Design and installation of new tank system or components:** "For underground tank system components that are likely to be affected by vehicular traffic, a determination of design or operational measures that will protect the tank system against potential damage..." must be included in the written assessment.

FAS failed to have a certified written assessment of the ancillary equipment (piping from the point of generation to the tank and from the tank to the point of disposal).

On February 22, 2013, Ohio EPA received documentation that all piping and vessels associated with this hazardous waste tank are above ground. Therefore, these structures are not likely to be affected by vehicular traffic.

Therefore, this violation is considered abated on February 22, 2013.

4. **OAC rule 3745-66-92(E):** Abated on December 18, 2012.
5. **OAC rule 3745-66-93(E)(1), Containment and detection of releases:** "...external liner systems must be...provided with an impermeable interior coating or lining that is compatible with the stored waste and that will prevent migration of waste into the concrete..."

The concrete liner at FAS is coated with Atlas Rezklad 1255. However, FAS failed to submit supporting information regarding the compatibility of the coating with the stored waste and documentation that the coating will prevent migration of waste into the concrete.

On February 22, 2013, Ohio EPA received documentation that FAS intends to coat the dike wall with RezKlad E-135S. However, according to FAS's waste profile sheet, attachment 2, the tank contents consist of up to 1% acetone. The documentation provided concerning the RezKlad E-135S shows that the coating is rated "fair" by the manufacturer for acetone. FAS should confirm that this coating is suitable for the waste managed in the tank. If this coating is used by FAS, then the coating and secondary containment should be assessed after containment of a leak to confirm the coating and secondary containment will continue to perform as required.

In order to abate this violation, FAS must provide the external liner system with an impermeable interior coating or lining that is compatible with the stored waste. FAS has indicated that this coating will be installed in the Spring of 2013 and is weather dependent.

Please notify me within 5 business days of installation so that I may be present, if available. Documentation showing that the coating has been properly installed must be submitted to Ohio EPA in order to abate this violation. This violation will remain outstanding until the time that FAS properly installs the required coating and submits paperwork which documents the installation to Ohio EPA.

6. **OAC rule 3745-66-93(F)**: Abated on December 18, 2012.

Recommendations:

1. **OAC rule 3745-66-92(A)(2)**: This recommendation is considered resolved.
2. **OAC rule 3745-66-92(A)(5)(a), Design and installation of new tank system or components**: Submitted calculations in the assessment used a specific gravity of 1.0. However, the submitted waste characterizations indicate specific gravity is 1.1.

On February 22, 2013, Ohio EPA received documentation that MEK wastewater has a typical specific gravity of 1.0. However, the calculations provided with the external and internal inspection report used a specific gravity of 1.1. This recommendation is considered resolved.

3. **OAC rule 3745-66-92(A)(5)(b), Design and installation of new tank system or components**: This rule applies only if the tank is located in a saturated zone or within a seismic fault zone. Although tank TA-05-008 is not located in a seismic fault zone, it is located in a seismic impact zone. Ohio EPA recommends that FAS check the tank design to account for the tank's location within a seismic impact zone and determine if any foundation or tank upgrades are warranted.

On December 18, 2012, Ohio EPA received documentation that FAS will ask a qualified professional engineer to review the tank foundation construction. Calculations were provided with the external and internal inspection report, but the conclusion was that seismic calculations are not required. The submitted documentation did not specify if upgrades to the foundation or tank are warranted due to the location of the tank within a seismic impact zone.

On February 22, 2013, Ohio EPA received documentation that due to small size of the tank, seismic calculations are not necessary. The tank inspector found the design and construction of the tank and foundation to be adequate. This recommendation is considered resolved.

Mr. Brett Anderson
March 22, 2013
Page 5

FAS needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, FAS is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to kara.reynolds@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, FAS is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Please send all correspondence **within 14 days of receipt of this letter**, to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Should you have any questions, please feel free to call me at (419) 373-3065.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/cg

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Lisa Gifford, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO

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.