



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

April 15, 2013

RE: MID AMERICA PACKAGING  
OHD986983153  
SUMMIT COUNTY  
CRO NOV/RTC

Mr. Max Mosley  
3725 Saddle Club Circle  
Pace, FL 32571

Dear Mr. Mosley:

On December 18, 2012, January 8 and April 3, 2013, Ohio EPA conducted an inspection of the Mid America Packaging (MAP), Twinsburg, Ohio facility to determine MAP's 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). Susann Sloan and John Davis represented MAP for the December 18, 2012 inspection. Dan Wagner with the Twinsburg Fire Department was also present at the December inspection. You represented MAP for the January and April inspections. I represented Ohio EPA for all three inspections. Shannon Ryan with Ohio EPA was also present for the April 3, 2013 inspection. Ohio EPA's inspections included a walk-through of the entire facility.

During the first inspection, it was noted that several items remained (e.g. lubricating oils, paints, kerosene) on-site.

Based on this finding, MAP was in violation of the following:

1. **ORC §3752.06(A)(4) and (5) and OAC rule 3745-352-20(A)(2)(d), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must do all of the following:
  - Drain or remove all regulated substances from each stationary vat, tank, electrical transformer, vessel and from all piping that is to remain at the facility and manage them in compliance with ORC 3752.06(A)(4)(a)(b)(c);
  - Remove from the facility all debris, non-stationary equipment and furnishings, non-stationary containers, motor vehicles and rolling stock that contain or are contaminated with a regulated substance and manage them in compliance with ORC 3752.06(A)(5)(a)(b)(c).

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MAP failed to remove all regulated substances from the facility, as well as any item that contains or is contaminated with a regulated substance. During the January 8, 2013 inspection, you requested additional time to remove some of the material to parties who could use the material vs. sending it off site as waste. I agreed to give you the extra time. Per the inspection on April 3, 2013, all regulated substance had been removed from the facility.

No further action is required.

It should be noted that a tow motor and lift are remaining on site. You stated that these would be sent to another Packaging Corp. facility when they are no longer needed. In addition, you have contracted with painters to paint certain areas of the facility. You stated that you would ensure that the contractors do not leave any waste or paint behind when they finish.

I have enclosed a copy of the checklists completed during the inspection. Should you have any questions, please feel free to call me at (330) 963-1159.

Sincerely,



Karen L. Nesbit  
Division of Materials and Waste Management

KLN:ddw

Enclosure

ec: Frank Popotnik, DMWM, NEDO

cc: Summit County LEPC  
Dan Wagner, Twinsburg Fire Dept.  
Ralph McGinnis, DMWM, CO (w/attachment)

## PERMANENT CESSATION OF REGULATED OPERATIONS CHECKLIST

INSPECTION INFORMATION			
	NAME	AFFILIATION	PHONE NUMBER
Inspectors:	Nesbit Ryan (4-3-13 only)	Ohio EPA	330-963-1159
Inspection Dates:	Dec 18, 2012    April 3, 2013 Jan 8, 2013	Time(s):	
Inspection Announced?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If so, how much advance notice given?	_____
Facility: Rep(s)	SEB NOV		

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"/>
<p><i>NOTE: The owner/operator is also required to secure the facility and post warning signs within 30 days of CRO.</i></p>		

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"/>
<i>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)].</i>		
7.	Does the owner/operator hold a <b>valid</b> 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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>OR</b>		
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 type="checkbox"/> N/A <input type="checkbox"/>

<b>OR</b>			
	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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>OR</b>			
	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"/>
<b>OR</b>			
	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"/>
<b>SECURITY &amp; WARNING SIGNS REQUIREMENTS OF OWNER/OPERATOR [ORC §3752.07 AND OAC RULE 3745-352-30]</b>			
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Guard or security service?	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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 type="checkbox"/> N/A <input checked="" 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  No  N/A

*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  No  N/A

**List Where Unit(s) Were/Are:**

21. Did the owner/operator close his facility in a manner that: [OAC 3745-66-11]

a. Minimizes the need for further maintenance? Yes  No  N/A

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  No  N/A

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  No  N/A

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  No  N/A

*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  No  N/A

23.	Will there be building demolition or renovation? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	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 <a href="http://www.epa.state.oh.us/dapc/atu/asbestos/asbestos.html">http://www.epa.state.oh.us/dapc/atu/asbestos/asbestos.html</a></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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	If yes, where are the wells?	
	What are the wells used for?	
<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>		