



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

September 6, 2013

**RE: SOUTH SHORE FINISHERS, INC.
OHD 130 462 559
CUYAHOGA COUNTY
CRO/NOV/RTC**

Mr. Donald Dickson
South Shore Finishers, Inc.
1720 Willey Ave
Cleveland, Ohio 44113

Dear Mr. Dickson:

On July 31, 2013, Ohio EPA conducted an inspection of the South Shore Finishers (SSF) facility located at 1720 Willey Avenue, Cleveland, Ohio to determine SSF'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). You represented SSF. Naomi Sabel of Sustainable Communities Associates and Zack Pierce of Bjaam represented the potential new owners. Sue Netzly-Watkins and I represented Ohio EPA.

Although Ohio EPA noted the following violations of Ohio's CRO laws and regulations (see below), no further action is required by the facility:

1. **90-day Notification to the Director, ORC § 3752.06(A)(6) and OAC 3745-352-20(A)(2)(h):** The owner/operator must make a written certification to the director of Ohio EPA concerning the completion of the removal action within 90 days after ceasing regulated operations using form EPA 0329.

The 90 day form was due June 9, 2013. Ohio EPA received a copy of the form on August 16, 2013. This abated the violation.

No further action is required.

2. **Building, Structure or Outdoor Location to be Secured Against Unauthorized Entry; Warning Signs, and Facility Security Requirement (ORC §3752.07 and OAC rule 3745-352-30):** Within 30 days after the cessation of regulated operations at a facility, the owner or operator must secure each building, structure, or outdoor location of operation where regulated operations were conducted by boarding windows, doors, and other methods provided in OAC rule 3745-352-30. Warning signs that prohibit trespassing and that state specific language as provided in the law and rules must be in posted in publicly visible locations in accordance with OAC rule 3745-352-30.

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The owner or operator must inspect entry barriers and warning signs weekly to ensure they are properly maintained. Weekly inspections must be recorded in a log. This log must be available during our inspection. At a minimum, the log shall note the condition of each barrier and warning sign. Any damaged, lost, or removed barrier or sign shall be promptly replaced.

SSF has failed to provide adequate security measures to secure the facility against unauthorized entry. SSF failed to post warning signs and maintain an inspection log.

Since all regulated materials have been removed, the signs and inspections are no longer necessary. No further action is required.

In addition, Ohio EPA inspected SSF's former <90 day accumulation area for compliance with the generator closure performance standards found in OAC rule 3745-66-11. Based on the inspection of the pad and documentation of the consultant who power washed the area, it appears that the unit does meet the closure performance standards and no further action is required.

As a notifier of regulated waste activity, we have deactivated your EPA Identification (ID) number. Should the new owner of the property need a hazardous waste identification number, they will need to apply to have the ID number issued in their name.

I have enclosed a copy of the checklists completed during the inspection. Should you have any questions, please feel free to call me or my supervisor, Frank Popotnik at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Materials and Waste Management

KLN/cl
Enclosures

ec: Frank Popotnik, DMWM, NEDO
Amy Yersavich, DERR, CO
Jeff Mayhugh, DMWM, CO

Natalie Oryshkewych, DMWM, NEDO
Sue Watkins, DERR, NEDO
Ralph McGinnis, DMWM, CO

cc: Cuyahoga County LEPC
Marlene Kinney, DMWM, NEDO

Cleveland Fire Department.
Naomi Sabel, SCA

PERMANENT CESSATION OF REGULATED OPERATIONS CHECKLIST

INSPECTION INFORMATION

NAME		AFFILIATION	PHONE NUMBER
Inspectors:	KAREN NESBIT SUE WATKINS	OHIO EPA	330-963-1200
Inspection Dates:	31 JULY 2013	Time(s):	
Inspection Announced?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If so, how much advance notice given?	10:30 am
Facility: Rep(s)	DON DICKSON - SOUTHSHORE FINISHERS ALSO NAOMI SABEL - SCA ZACH PIERCE - BJAAM		

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)]	
3.	Did the owner/operator include the following information about the contact person: [ORC §3752.05(B) and OAC rule 3745-352-35(B)]	
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)]	
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"/>	

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

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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> <i>abated</i>
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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)].

7.	Does the owner/operator hold a valid 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"/>
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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"/>
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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"/>
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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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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12.	Did the owner/operator do the following:	
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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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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OR

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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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OR			
	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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
OR			
	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"/>
OR			
	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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <i>- with consultant</i>
SECURITY & WARNING SIGNS REQUIREMENTS OF OWNER/OPERATOR [ORC §3752.07 AND OAC RULE 3745-352-30]			
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 type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Legible from a distance of at least 25 feet? [OAC rule 3745-352-30(B)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	Constructed to withstand weather and affixed to secure against removal? [OAC rule 3745-352-30(B)(4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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)]	<i>owner/operator → on site during CRO period</i>
	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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	The condition is recorded in an inspection log? [OAC rule 3745-352-30(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> <i>- CERPA will deact. #</i>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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	List Where Unit(s) Were/Are:	<i>Basement near WWTS</i>
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21.	Did the owner/operator close his facility in a manner that: [OAC 3745-66-11]	
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a.	Minimizes the need for further maintenance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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a.	Were generated hazardous wastes handled in accordance with all applicable requirements of Chapter 3745-52 of the Administrative Code?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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23.	Will there be building demolition or renovation? If yes: <i>not by current owner</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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	Has a Notification of Demolition and Renovation Form been submitted?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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24.	Are there any wells on the property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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	If yes, where are the wells?	
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	What are the wells used for?	
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25.	Is there open dumping of solid waste on the property? <i>- some material inside bldg. - owner to remove</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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