



**Environmental
Protection Agency**

John R. Kasich, **Governor**

Mary Taylor, **Lt. Governor**

Scott F. Kelly, **Director**

Re: Defiance County
Johns Mansville Plant #8
Compliance Inspection
Storm Water

August 31, 2012

Mr. Matt Brown
Johns Mansville Plant #8
925 Carpenter Road
Defiance, Ohio 43512

Preliminary Investigation of Storm Water at Johns Mansville Plant #8

Dear Mr. Brown:

We have received your letter dated August 23, 2012, which describes actions you have taken at your site to address our concerns related to the storm water discharging off your site during rain events. This letter describes efforts you have made in the last month to monitor and more carefully manage storm water originating from your site which has elevated levels of ammonia, phenols and dye. Your initial sampling results and our observations of red colored water in the "swimming pool", designed to collect only the first ¼" of rain during a storm event, and storm water retention pond, which primarily collects roof storm water from above the production area, support the theory that this roof storm water may be the source of the contaminants. Ohio EPA's plant inspections were conducted by Ms. Dana Martin-Hayden on July 18, 24, 31, and August 17, 2012. Ohio EPA representatives that have also attended these inspections included Ms. Pat Tebbe on July 18, 2012, Mr. Judson Delancey on July 24, and Mr. Tom Poffenbarger and Ms. Elizabeth Wick, on July 31, 2012.

The efforts you have taken to isolate the contaminated production roof area storm water have included removing overflow structures to the older and larger piped surface storm sewer and diverting the production roof water and some of the parking lot area storm water (all still on the south side of the plant) to the "swimming pool" tank. From the "swimming pool" tank, the storm water is then pumped into the process water storage lagoon where it is discharged to the City of Defiance at a rate the City of Defiance has determined is low enough to not cause the City to violate their ammonia limits.

As a result of the efforts you have taken in the last month, there no longer exists a hard piped route for the roof storm water suspected of containing the elevated pollutants to discharge from this facility during very large rain events. Therefore, Ohio EPA informed the City of Defiance via an email on August 30, 2012 that the plug could be removed from the last manhole located on your property. This plug was installed to prevent all of the storm water from the south side of the property, including the production area roof water, from draining into the City of Defiance storm sewer. The storm sewer that will now be able to discharge to the City of Defiance is collecting water from the parking lot area and grassy area on the south side of the plant.

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We understand that you are considering the enlargement of the storm water pond on the west side of the facility for storage of the production area roof storm water, which is suspected as the contaminant source. It is our understanding from your letter and from our previous inspections on site, July 31, and August 17, 2012, that you plan to sample this roof storm water and correlate the variation in water quality results to your Best Management Practices (BMPs) related to cleaning the process area roof. From our July 31, 2012, inspection, it was clear that some of the maintenance/cleaning activities which are conducted on the roof above the production areas of the plant may be removing particulate that is causing the storm water in the west retention pond to be colored (a red color during my last three inspections), and have elevated values for ammonia and phenols.

We look forward to seeing the results of this study. We request that you provide the sample collection times and concentrations of phenol in addition to inches of rain on the rain gauge and ammonia concentrations. Also, please include a description of how you will enhance your BMP efforts and document that storm water quality meets water quality standards. We remind you that the storm water must meet the requirements of Ohio Administrative Code (OAC) 3745-1-04; Criteria applicable to all waters; which states in (C) "Free from materials entering the waters as a result of human activity producing color, odor, or other conditions in such a degree to create a nuisance;" Your evaluation procedure for the storm water's ability to be discharged to the storm sewer should contain an assessment for color and documentation from personnel that will attest to the performance of this visual test.

Your factory has an SIC code which requires you to have coverage for storm water under a National Pollutant Discharge Elimination System (NPDES) permit. Currently, you have coverage for storm water discharges. This permitting mechanism may continue to be a valid option for your facility if you are able to demonstrate through the study outlined above that you can implement your BMPs and your Storm Water Pollution Prevention Plan (SWP3) effectively to prevent the discharge of contaminated storm water from your site. Otherwise, we will require the submission of an application for an individual NPDES permit application. In addition to reviewing the report above, we will conduct follow up inspections to monitor how you have assessed and documented your progress.

Ohio EPA appreciates your quick response to isolating the process area roof storm water. However, we are concerned that you are not isolating it further from the process wastewater stored on site in a lagoon located on the east side of the property. The concentration of contaminants in your process wastewater may be 50-200 times more than that contained in your storm water. A typical permitted Wastewater Treatment Plant (WWTP) will only be able to take a small amount of the process pond wastewater due to the very high ammonia levels (Ammonia range is 200-2000mg/l in the process water pond). Therefore, we strongly encourage you to make provisions for additional storage of the production area roof storm water during high rain fall events.

During the inspection of August 17, 2012, 17 animal burrows spaced across three (3) sides of the process wastewater lagoon were documented. There were no animal burrows found in the side of the pond facing the facility. In addition, the pond has valuable capacity being taken up with a very thick sludge layer.

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The sludge layer was present on the sides of the lagoon and reached up to 10 feet from the shoreline. During our inspections of July 31 and August 17, large pieces of sludge (approximately 6"X5"X1/4") from the lagoon were observed on the lagoon embankments. Clusters of the sludge were found all over the south side from the wind blowing the dry sludge off the top of the lagoon. The sludge needs to be removed from this lagoon to provide additional capacity. The animal boroughs must be immediately repaired to ensure lagoon integrity and to ensure that the lagoon embankments do not fail.

In summary, we will review the results of the study correlating rainfall to sample results. We will conduct follow up inspections to monitor your progress in implementing the BMPs and SWP3 at your facility to determine if a General Industrial Multi-Sector NPDES permit continues to be an appropriate permitting mechanism for your facility. We will inspect the process water lagoon to ensure that measures have been taken to ensure the structural integrity of the lagoon embankments.

Please submit a written response, within 15 days of the date of this letter, detailing a time line for meeting the concerns addressed above and the actions Johns Manville plans to take to address these concerns.

We appreciate your cooperation. If you have any questions, please call me at 419.373.3067.

Sincerely,



Dana Martin-Hayden
Environmental Specialist II
Division of Surface Water

/llr

pc: City of Defiance, Mr. Mark Lehnert, City of Defiance Water Pollution Control
City of Defiance, Mr. Lee Raush, City of Defiance Engineer
Defiance County, EMA, Julie Ritenhouse
NWDO DSW File

ec: Pat Tebbe, DSW, NWDO
Elizabeth Wick, DSW, NWDO