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

December 7, 2012

RE: MAHONING COUNTY
SHERMAN INTERNATIONAL
NPDES PERMIT NO. 3ID00036
SFY 2013 CEI/NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Om P. Sharma
Sherman International
367 Mansfield Avenue
Pittsburgh, PA 15220

Mr. Sharma:

On November 19, 20 and 23, 2012, this writer conducted unannounced inspections of the Sherman International site in Campbell, OH. The intent of the inspection was to evaluate the groundwater recovery system. Outfall 007 was also inspected for the presence of oil. Finally, the compliance record for the site was reviewed for any violations of the NPDES Permit.

Observations
Following are observations made during the recent inspections:

1. A significant amount of oil was discharging through outfall 007 to the Mahoning River at the time of the three inspections. The oil was flowing under the booms and was found to be discharging to the river. The discharge of oil constitutes a violation of Part I. A. 4 of the NPDES Permit, a violation of Ohio Revised Code (R.C.) 6111.07, and a violation of 6111.04 on all three days of inspections. The discharge of oil that forms a sheen in the Mahoning River is also a violation of Ohio Administrative Code 3745-1-04(B). Two photographs taken on November 20 and 23 are included in Attachment A of this report.

   Sherman was notified on November 20, 2012 of the oil discharge via the email included in Attachment B of this report. In response, Sherman International did report that absorbent pads had been placed at the outfall on November 21, 2012 in an attempt to absorb some of the oil before it discharged into the main channel of the river. However, the use of the absorbent pads and booms were only partially successful and the oil continued to discharge to the Mahoning River on November 23, 2012 in violation of Part I. A. 4 of the NPDES Permit, R.C 6111.07 and R.C. 6111.04.

2. Sump No. 2 was overflowing oil and water onto the ground at the time of all three inspections. Oil had discolored vegetation and soil around the containment box. The discharge of oil and contaminated water to the ground surface is evidence of failure to properly maintain and operate the system, which constitutes a violation of Part III.3.A of the NPDES Permit and a violation of Ohio Revised Code (R.C.) 6111.07. The sump must immediately be repaired such that the system operates as approved to transfer contaminated water to the treatment system.

3. It was the understanding of this writer that the discharge of wastewater from the ground water recovery system was through a white PVC pipe that empties onto the banks of the Mahoning River. No discharge was observed through the pipe at the time of the inspection, and it appeared as though there had not been a discharge for several weeks.

   Water was flowing back into Sump No. 1 from the treatment system at the time of the inspection. Please provide a response explaining why water was discharging to the sump and not through the final outfall pipe. The discharge of water to the sump has been the result of mechanical problems at the treatment system in the past.

4. There was no pressure in the pneumatic system that is used to activate the recovery wells parallel to the river. . It is the understanding of this writer that the pneumatic system must maintain at least 60 PSI in order to operate the recovery wells. Also, the discharge lines for at least one of the wells was kinked and appeared incapable of passing groundwater to the treatment system. It appeared that the groundwater recovery wells were inoperable at the time of the inspection. Please provide a response explaining the status of the groundwater recovery wells and a schedule to repair the system, if necessary.

5. Trash and oil soaked waste was apparent in the location of the waste oil tank containment area. General trash such as plastic bottles and litter was also identified. The waste material must be properly disposed within two weeks of the date of this letter. Future accumulation of solid waste material must be properly disposed within one week of generating the waste material.

6. Part III.12 of the NPDES Permit identifies procedures that Sherman International must follow in the event of a discharge of contamination from the site, including the discharge of contaminants through outfall 007. Sherman International is required by the permit to follow those procedures. Failure to do so on November 19, 20 and 23 places Sherman in violation of the NPDES Permit and R.C. 6111.07 on all three days.

   Any past discharges of oil to the Mahoning River, including those from November 19, 2012, any future discharge of contaminants to the Mahoning River from the Sherman International site, must be reported to 1-800-282-9378 as soon as the spill is identified. Be advised that a sheen in the main river corridor or behind the booms anchored in the river at the outfall is considered a reportable event. Since Sherman International is now on a daily schedule to inspect the site, Sherman must now report any discharge on a daily basis until the discharge is terminated.

7. Sherman International shall also report to the National Response Center (NRC), any discharge of oil that creates a sheen in the Mahoning River. This applies to any sheens identified behind the booms anchored in the Mahoning River. The occurrences must be reported to the NRC 24-hr. telephone number (1-800-424-8802)

8. Sherman International must maintain a record of inspections conducted at the Campbell site. The record must include the date of inspection, the name of the person conducting the inspection, the observations and actions taken during the inspection, and the initials of the person conducting the inspection. Since Sherman International is currently required to conduct dialing inspections of the treatment system and the river, the record

of inspections should have daily entries

Compliance Review

The compliance record for Sherman International was reviewed as part of this inspection. The period of review was November 2011 through October 2012. Following is a list of limit violations reported by Sherman International during the review period.

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
May 2012	603	Oil and Grease, Total	30D Conc.	15	24.9	5/1/2012
May 2012	603	Oil and Grease, Total	30D Qty.	0.33	.95	5/1/2012
May 2012	603	Oil and Grease, Total	1D Conc.	20	24.9	5/31/2012
May 2012	603	Oil and Grease, Total	1D Qty.	0.43	.95	5/31/2012
August 2012	603	pH	1D Conc.	6.5	6.44	8/30/2012
September 2012	603	pH	1D Conc.	6.5	6.42	9/30/2012

Be advised that the above violations of the NPDES Permit constitute violations of R.C. 6111.07 and 6111.04. Also, be advised that Ohio EPA has no record of reporting by Sherman International for the months of November 2011 or October 2012. Failure to report as required by the NPDES is also considered a violation of the permit and R.C. 6111.07.

Other violations of Part III of the NPDES Permit are identified above. Violations of Part III of the permit constitute violations of R.C. 6111.07.

Request for Records

This office requests that you provide all records pertaining to the disposal of oil from the ground water recovery system. The period of record must cover the years 2002 through the present. Copies of actual transport tickets, volume transported, locations for disposal, invoices paid for transport and disposal, and any other record pertaining to the disposal of oil from the site must be provided. Copies of the records should be provided with your response to this inspection report.

You may contact this writer at (330) 963-1251, or at john.kwolek@epa.state.oh.us to discuss any questions you may have regarding this inspection report. A response to this inspection report must be provided no later than December 31, 2012.

Respectfully,

John Kwolek
District Engineer
Division of Surface Water

cc. Krishna Sharma, Chairperson, Sherman International Corporation
Katie Courtright, Brownfield Specialist

ec. Sue Watkins, Ohio EPA, DERR, NEDO
Reggie Brown, Ohio EPA, DERR, NEDO

Attachment A

Photograph 1. Oil accumulated at Outfall 007 on November 20, 2012.

Photograph 2. Oil discharging at Outfall 007 to main channel of Mahoning River on November 23, 2012.

Photograph 3. Oil and water overflowing Sump 2A on November 20, 2012

Photograph 4. Trash and oil-soaked debris on Sherman property November 20, 2012

Attachment B

Following is the November 20, 2012 email sent from this writer to Sherman International regarding the accumulation of oil at the 007 outfall. The email demonstrates the immediacy of the situation on November 20, 2012.

To: Subhas Bole [sbole@shermanusa.com]
Cc: diradm@campbellohio.gov
Attachments: IMG_0509[1].JPG (5 MB) Tuesday, November 20, 2012
5:17 PM

Mr. Bole:

Today, November 20, 2012, I conducted an inspection of the Sherman property in Campbell, OH. There was a significant amount of oil at the outfall to the Mahoning River. Much was being contained behind the booms; however, a significant amount was migrating into the main river channel. Sherman International must immediately address the problem by placing absorbent pads at the outfall to collect the oil and to prevent the oil from migrating into the main channel of the river. This action must be taken tomorrow, November 21, 2012, and the area must be routinely inspected to replace spent pads as necessary. Inspections of the system should be conducted at least twice per week. Pads and other equipment used to collect the oil must be properly disposed, and records regarding the disposal of contaminated material must maintained and provided to this office upon request. This action is critical to minimize further contamination of the Mahoning River by Sherman International. Be advised that Sherman International is in violation of Ohio Revise Code 6111.04, the Federal Clean Water Act and possible other federal and state regulations.

A follow-up inspection report will be sent in the next couple of days; however, this notice is being sent out to notify all interested parties of the violations, and to inform Sherman International of the urgency to take appropriate action.

You may contact this writer with any questions you may have. A follow-up inspection will be conducted this Friday, November 21, 2012 to verify that appropriate actions have been taken.

I have attached one of the photos taken at the outfall today, November 20, 2012 for your reference.

John Kwolek
District Engineer
Division of Surface Water
Northeast District Office
(330) 963-1251