

A. Conway

OHIO E.P.A.

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

APR -4 2007

ENTERED In the Matter of

Sanoh America, Inc.
f.k.a. HiSAN, Incorporated
1849 Industrial Drive
P.O. Box 1626
Findlay, OH 45840

Respondent

Director's Final Findings
and Orders

I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

PREAMBLE

It is agreed by the parties hereto as follows:

By: [Signature] Date: 4-4-07

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Sanoh America, Inc., f.k.a. HiSAN Incorporated, ("Respondent"), 1849 Industrial Drive, Findlay, Ohio, pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 6111.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in the ownership or composition of Respondent or in the ownership of the site (defined below) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 6111., and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Respondent, a Michigan corporation doing business in Ohio, is a fully owned subsidiary of Sanoh Industrial Co., Ltd., and is located at 1849 Industrial Drive, Findlay, Ohio, ("site"), in the Tall Timbers Industrial Park. Respondent manufactures automotive parts (brake tubes, fuel tubes, other tubular parts, and brazed products) and has NPDES Industrial General Permit coverage, (Permit No. 2GR00197*BG).
2. Respondent's storm water drainage system is shown in Attachment 1, which is attached hereto and incorporated by reference herein, as if fully rewritten herewith.

3. Storm water flows onto the site through a drainage swale from properties in the Tall Timbers Industrial Park, north of Industrial Drive. Water flow in the drainage swale system is shown by the light blue arrows on the Attachment. Storm water flows to the southeast corner of the site, and then flows to the northeast in a ditch located on the north side of the railroad tracks, where it joins with storm water flow from properties to the northeast along Industrial Drive. The combined flow then travels to the southeast through a culvert beneath the railroad tracks, and finally to the southeast, to the northern corner of an engineered storm water retention basin located on property owned by Findlay Industries. Water is released from the basin via a pre-cast concrete structure located at the southern corner. Discharge from the basin intersects with storm water collected to the southwest and northeast along State Route 12 and flows through an underground pipe beneath State Route 12.
4. On April 11, 2006, at approximately noon, a spill of approximately two hundred gallons of six percent zinc waste occurred while loading a box of water treatment sludge onto a flat roll-off truck. The loading process consisted of loading the sludge box at a forty-five degree angle onto the truck. The box contained an unplanned amount of liquid, and during the loading process, a portion of the liquid spilled out of the box on to a parking lot and ran into a nearby storm drain. After passing into the storm drain, the liquid's final destination was the east drainage ditch and subsequently into the storm water retention pond.
5. A phone call was placed to Ohio EPA prior to beginning response activities.
6. Response procedures consisted of the establishment of earthen dikes along every one hundred feet of the ditch, together with the complete vacuum cleaning of the ditch. The vacuum operations consisted of a low pressure vacuum application to remove all free liquids and a high pressure vacuum to remove the top layer of soil and mud. This process followed the impacted portion of the ditch. A valve was placed on the storm pipe that discharges to the ditch to prevent future incidents.
7. Actions taken by Respondent to clean up, as well as address the cause of the incident and prevent its reoccurrence, included:
 - a. Construction of permanent building to house filter press and sludge box operations. Cost: \$185,000.00;
 - b. Relocation of Filter Press to rest above sludge box to eliminate the need for manual transfer of filter sludge to the sludge box. Cost: \$49,500.00;
 - c. Installation of a curbed spill containment area for sludge box storage. Cost: \$10,000.00;
 - d. Installation of a valve on the end of the discharge pipe from the impacted catch basin. Cost: \$850.00;
 - e. Identification of a new vender for higher grade of filter press media;

- f. Development of new procedures for inspection of the sludge box prior to waste vendor loading sludge boxes onto roll-off trucks; and
 - g. Development of new procedures for inspection of the filter press and sludge hopper before dumping into the sludge box.
8. On May 10, 2006, at approximately 11:30 a.m., an adjacent landowner identified a solvent odor and observed a white sheen in the ditch located east of the site. Investigation revealed three previously unknown pipes discharging from the sidewall of the ditch. After capping the pipes, the drain lines were traced to determine the source of the release. During the line tracing, a foundation drain system was discovered. This foundation drain system was installed around the perimeter of the east side of the building during the building's construction to remove ground water from under the building. It was suspected by Respondent that process chemicals from the plant floor leaked through cracks and expansion joints of the current production concrete floor to the subsurface and foundation drain system and were released to the ditch.
9. The impacted ditch runs the entire length of Respondent's east property line, then cuts eastward along the south side of Nissin Brake's property line. The ditch then runs south under the railroad tracts into the storm water retention basin.
10. Respondent contacted Ohio EPA to report the situation.
11. The initial response procedure was to create a dike in the southeast corner of the property, downstream from the release point, to contain the spilled materials. Thereafter, the pipes were capped with a PVC cover to prevent a further release. Respondent's contractor proceeded to construct additional dikes within the ditch to contain the impacted liquid and began vacuum cleaning the ditch to remove any contaminated liquid.
12. Soil and water samples were taken of the impacted ditch area up to and including the mouth of the storm water retention pond and on other areas of Respondent's property. Based on the results, Respondent excavated 4-6 inches of soil from the entire length of the ditch. After excavating each ditch area, sampling was conducted to confirm that the impacted ditch areas had been remediated to typical background levels.
13. Although the drain pipes were capped preventing further releases therefrom, the liquid collected through the foundation drain system required management. This was accomplished by installing two concrete catch basins under the east parking lot areas to collect the liquid. In addition, pursuant to approval from the City of Findlay, Water Pollution Control Department, float activated pumps were installed to transfer the liquid from the new sumps to the plant's existing wastewater treatment system.

14. Actions taken by Respondent to prevent a reoccurrence of this spill included:
 - a. Installation of catch basins. Cost: \$4,770.00; and
 - b. Electric supply for pump system. Cost: \$2,403.00.
15. On July 9, 2006, a water discharge point was discovered in the east side ditch, with the flow (a milky white sheen) appearing to originate from the soil near where the capped foundation drain pipes exit the sidewall of the ditch. The ditch was last inspected the previous day and found to be clean. It was determined that the white sheen on the water was a polymer which was also precipitating from the discharge water and settling in the creek bed as well as forming a crystal film on top of the water.
16. Investigation revealed that the west side truck dock sump was unplugged sometime during the previous two to three weeks. On the morning of July 9, 2006, this sump was discovered pumping additional storm water to the east side of the building. Also, it was discovered that both east side foundation sump systems had faulted out. The failure of these pumping systems caused the water table under the building to establish an excessive amount of pressure. These two pump systems are the only active methods for removal of water from underneath the east side of the building. The water from the west side truck dock sump was an additional contributing factor as it was providing additional water volumes to an already saturated foundation water system. The excessive hydrostatic pressure generated by these factors forced the water to migrate through the stone beds that secure the capped pipes and flow out into the ditch around the pipes. Once the foundation pumps were reset, the water stopped discharging from around the pipes.
17. A qualitative analysis of the release material was performed to determine the best clean up methods. Respondent's consultant determined that vacuum removal from the ditch was the best option. Due to low storm water flow, the release was limited to the east ditch area and a portion of the ditch running behind Respondent's eastern neighbor. Once necessary equipment was obtained, dikes were established in the ditch upstream of the first drain pipe and north of the culvert by the railroad tracks. A pump system was then put in place to pump water around the impacted portion of the ditch should a storm event occur. Sediment from the impacted ditch was subsequently excavated and sent off-site for disposal. Soil samples from the base of the ditch confirmed that all impacted areas of the storm water ditch had been returned to typical background concentrations.
18. Actions taken by Respondent to prevent a reoccurrence of this spill included:
 - a. The three capped drain lines from the foundation system to the ditch were physically removed and the gravel bed was removed and the area backfilled with compacted clay soil. For further assurance that foundation drain water

could not migrate to the east ditch, a french drain was installed parallel to the ditch several feet from the edge of the parking lot. The french drain is to act as a final barrier between the building and the ditch. In the unlikely event that foundation water could find its way through the soil toward the ditch, the french drain will collect it to a new sump, which in turn will send it to the offsite water treatment plant. Cost: \$48,043.00;

- b. Installation of an additional warning light and local alarm to indicate when the power to the pumps system has failed and connection to a 24-hour emergency alarm monitoring system. Cost: \$6,950.00;
 - c. Strings tied to pump floats to checking pump activation;
 - d. Locks were placed on the power sources of the pumps to ensure they are not turned off;
 - e. Initiated hourly pump check for foundation sump pump; and
 - f. Unplugged and locked out the west truck dock sump pump to prevent further pumping of storm water to the east side of the building.
19. In addition to the measures set forth above, Respondent is undertaking three major capital improvement projects to eliminate the source of future contaminants and insure the actions undertaken are effective.
- a. The floor of the plating room is being systematically removed and replaced with chemically impervious material. This work is to be done primarily on weekends during the fourth quarter of 2006. Cost: \$750,000.00;
 - b. The onsite wastewater treatment plant is being expanded to facilitate the additional sump water that is now being treated. Cost: \$179,000.00; and
 - c. As a result of the releases, Respondent has concluded that a downstream storm water retention basin has become impacted at various levels and has been cleaned- up. Cost: 450,000.00.
20. The table below summarizes the costs that have been or will be realized as a result of the actions previously described.

<i>Item Description</i>	<i>Cost</i>
April 11, 2006 Total Cost	\$262,850.00
May 10, 2006 Total Cost	\$493,785.00

<i>Item Description</i>	<i>Cost</i>
July 9, 2006, Total Cost	\$247,987.00
Additional Capital Improvements	\$819,000.00
Off-Site Storm Water Retention Basin Remediation	\$450,000.00
Total	\$2,273,262.00

21. Pursuant to request from Ohio EPA, on October 23, 2006. Respondent submitted an application for a site specific, Industrial Storm Water NPDES permit.
22. On October 25, 2006, Respondent submitted to Ohio EPA for review, comment and approval, a Work Plan for the Environmental Investigation of the HiSAN Incorporated Facility ("Investigation Work Plan"). The Investigation Work Plan was designed to:
 - a. Determine whether process chemicals used at the site are migrating through the shallow soils adjacent to and underneath the building,
 - b. Locate potential environmental impacts beneath the building, and
 - c. Determine background concentrations of zinc and chromium in natural soils beneath the site.

This information will be used to assist Respondent in validating the corrective actions proposed and undertaken with respect to containment and cleanup of chemical releases from the processes used at the site.

23. The Investigation Work Plan scope of work will include the collection and analysis of soil samples from test borings located on the perimeter of the building and along the access corridors adjacent to the plating and painting lines in the eastern portion of the building. Additional hand samples will be collected from areas where the concrete floor beneath the plating lines will be replaced. The samples will be analyzed for zinc, chromium, a limited list of volatile organic compounds and isophorone (a semi-volatile organic compound).
24. On October 25, 2006, Respondent submitted to Ohio EPA for review, comment and approval a Work Plan for the drainage ditch and storm water retention basin clean up, ("Drainage Work Plan"), which is proposed to be implemented in the following five stages:
 - a. Removal and disposal of the sediments in the drainage ditch,
 - b. Diversion of water from the drainage ditch to the basin outfall,

- c. Removal and disposal of the sediments within the engineered storm water retention basin,
 - d. Site grading and restoration, and
 - e. Report preparation.
25. The removal and disposal of sediments within the engineered storm water retention basin has been completed.
26. Respondent has collected water samples from the storm water retention basin outlet since the zinc releases were discovered. The average zinc content of the samples has been 3.45 mg/L, with on most days, the concentration below that value, including no readings above 1.37 mg/L since early July, 2006.
27. The average zinc discharge from the storm water retention basin is below the U.S. EPA maximum contaminant Level secondary standard and preliminary remediation goals, and Ohio EPA Voluntary Action Program Generic Numerical Standards.
28. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Orders and to evidence relating to conditions calculated to result from compliance with these Orders, and its relation to the benefits to the people of the State to be derived from such compliance in accomplishing the purposes of ORC Chapter 6111.

V. ORDERS

1. Respondent shall respond in writing to any questions or comments Ohio EPA may have regarding the Investigation Work Plan and Drainage Work Plan, within thirty (30) days of the date on the correspondence from Ohio EPA.
2. Respondent shall implement the Investigation Work Plan and Drainage Work Plan as approved, pursuant to the terms and conditions and schedules contained therein.
3. Within fourteen (14) days of completing the requirements in the Investigation Work Plan and Drainage Work Plan, Respondent shall provide notice, in writing, to the Ohio EPA of the completion of the Order. Notice shall be sent to the addresses in Section X of these Orders.
4. Respondent shall pay to the Ohio EPA the amount of three thousand forty dollars (\$3,040.00) in settlement of the Ohio EPA's claim for civil penalties, which may be assessed pursuant to ORC Chapter 6111. Payment shall be made by tendering an official check made payable to "Treasurer, State of Ohio" for the full amount within

thirty (30) days of the effective date of these Orders, to the following address: Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049, together with a letter identifying Respondent and the project

A photocopy of the check shall be sent to Ohio EPA Northwest District Office at the address set forth in Section X.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and Ohio EPA's Division of Surface Water acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to the operation of the Facility.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

Unless otherwise specified herein, all documents required to be submitted by Respondent shall be addressed to:

Ohio Environmental Protection Agency
Northwest District Office
Division of Surface Water
347 North Dunbridge Road
P.O. Box 466
Bowling Green, Ohio 43402
Attn: DSW Enforcement Coordinator

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XI. of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

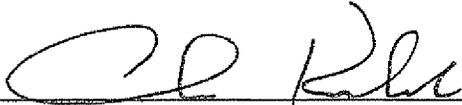
XIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative or a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

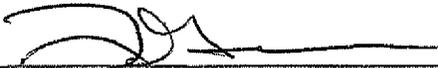
**IT IS SO ORDERED AND AGREED:
Ohio Environmental Protection Agency**



Chris Korleski
Director

Date 4/3/07

**IT IS SO AGREED:
Sanoh America, Inc.,
f.k.a. HiSAN Incorporated**



Signature

Date 3/14/07

Lance Garceau

Printed or Typed Name

Vice President, Administration

Title

