



Mike DeWine, Governor
Jon Husted, Lt. Governor
Anne M. Vogel, Director

June 15, 2023

Syscom Advanced Materials, Inc.
1305 Kinnear Road
Columbus, OH 43212

**Re: Syscom Advanced Materials, Inc.
Director's Final Findings and Orders (DFFO)
RCRA C - Hazardous Waste
Franklin County
OHR000144139**

Subject: Final Findings and Orders of the Director

Dear Sir or Madam:

Transmitted herewith are the Final Findings and Orders of the Director concerning the matter indicated for Syscom Advanced Materials, Inc.

Enclosed is the invoice for the total penalty amount of \$16,000.00 required by the orders. The penalty payment(s) shall be made by official check(s) made payable to "Treasurer, State of Ohio."

If you have any questions, please contact Sarah Miles at (614) 644-3037.

Sincerely,

Diana Bammerlin

Diana Bammerlin, Administrative Professional 2

Enclosure

cc: Stephen Weiler, DERR, CO
Mitch Mathews, DERR, CO
Tammy Heffelfinger, DERR, CO
Martin Smith, DERR, CDO
Andy Maneff, DERR, CDO
Sarah Miles, Legal
Dr. Jar Wha Lee, Syscom Advanced Materials, Inc.
Joe Matias, Syscom Advanced Materials, Inc.

1. Respondent is a "person" as defined in ORC § 3734.01(G) and Ohio Administrative Code (OAC) rule 3745-50-10(P)(6).
2. Respondent operates a metal clad fiber and conductive fiber manufacturing business located at 1255 Kinnear Road, Columbus, Ohio (Facility). The Facility has been assigned U.S. EPA identification number OHR000144139.
3. Respondent generates "hazardous waste" as that term is defined by ORC §3734.01(J) and OAC rules 3745-50-10(H)(2) and 3745-51-03. Respondent generates non-acute hazardous waste in amounts greater than 1,000 kilograms per calendar month and therefore is operating as a "Large Quantity Generator" (LQG) of hazardous waste, as defined in OAC rule 3745-50-10(L)(5), subject to the requirements in OAC Chapter 3745-52.
4. At the Facility, Respondent generates listed and characteristic hazardous wastes, including but not limited to, corrosivity (D002), reactivity (D003), toxicity (D011 - silver) and wastewater treatment sludge (F006) as defined in OAC rules 3745-51-22, 3745-51-23, 3745-51-24, and 3745-51-31.
5. At the Facility, Respondent generates wastewater treatment sludge (F006) and collects this waste in 26-gallon and 55-gallon containers. The two waste streams have different methods of generation. The waste in the 26-gallon containers is later sent for reclamation, while the waste in the 55-gallon containers is later sent for disposal.
6. On June 15, 2022, Ohio EPA conducted a compliance evaluation inspection at the Facility. As a result of this inspection, Ohio EPA determined Respondent, *inter alia*:
 - a. Established an unlawful hazardous waste storage facility by storing hazardous waste in excess of the 90 days allowed for LQGs without first obtaining a hazardous waste facility installation and operation permit, in violation of ORC § 3734.02(E) and (F) and OAC rules 3745-50-41(A) and 3745-50-45(A). Specifically, Respondent stored sixteen (16) 55-gallon containers of hazardous wastewater sludge (F006) from the nickel sulfate line in the central accumulation area for as many as 150 days past the 90 days. The area where this waste was stored is considered a hazardous waste management unit.
 - b. Failed to label fifteen (15) 26-gallon resin bottles (containers) of hazardous wastewater sludge (F006) in the central accumulation area with the words "Hazardous Waste" in violation of OAC rule 3745-52-17(A)(5)(a)(i).

- c. Failed to label fifteen (15) 26-gallon resin bottles (containers) of hazardous wastewater sludge (F006) in the central accumulation area with an indication of the hazards of the contents, in violation of OAC rule 3745-5217(A)(5)(a)(ii).
 - d. Failed to conduct inspections of the less than 90-day central accumulation area, in violation of OAC rule 3745-52-17(A)(1)(e).
 - e. Failed to conduct annual refresher training for personnel, in violation of OAC rule 3745-52-17(A)(7)(c).
 - f. Failed to have a contingency plan or quick reference guide, in violation of OAC rules 3745-52-260(A), 3745-52-261(A) and (C) through (F), 3745-52262(A), and 3745-52-263.
 - g. Failed to have a quick reference guide for the contingency plan, in violation of OAC rules 3745-52-262(B) and (C).
7. By letter dated July 15, 2022, Ohio EPA notified Respondent of the violations referenced in Finding No. 6 of these Orders.
8. By electronic mail on July 28, 2022, Respondent provided a response to the violations referenced in Findings Nos. 6.b., 6.c., 6.f., and 6.g. of these Orders. Respondent submitted pictures of properly labeled resin bottles and copies of the contingency plan and quick reference guide.
9. By electronic mail on August 4, 2022, Respondent provided a response to the violations referenced in Findings Nos. 6.a. and 6.d. of these Orders. Respondent submitted copies of inspection logs and a hazardous waste manifest #024179686JJK showing that the sixteen (16) 55-gallon drums of hazardous wastewater sludge (F006) referenced in Finding No. 6.a. of these Orders were transported to an authorized facility for disposal.
10. On September 16, 2022, Respondent provided a response to the violation referenced in Finding No. 6.e. of these Orders. Respondent submitted copies of annual training certificates for personnel who handle hazardous waste.
11. By letter dated October 31, 2022, Ohio EPA notified Respondent that the violations referenced in Findings Nos. 6.b., 6.c., 6.d., 6.e., 6.f., and 6.g. of these Orders were resolved.
12. Because Respondent transported all the unlawfully stored hazardous waste to an authorized facility for proper and lawful management, the hazardous waste containers were in good condition, no evidence of releases were observed in the

less than 90-day hazardous waste accumulation area, and the less than 90-day accumulation area will continue to be used for storage in accordance with the regulations governing LQGs, the Director has determined that there is no further action required by Respondent at this time regarding the violation referenced in Finding No. 6.a. of these Orders and there is no further action required at this time to meet the closure performance standard (i.e., clean-up) described in OAC rule 3745-52-17(A)(8)(c) for this area. However, as an LQG, Respondent will be required to meet the closure performance standard at some time in the future, such as when use of the area ceases.

V. ORDERS

Respondent shall achieve compliance with Chapter 3734. of the ORC and the regulations promulgated thereunder according to the following compliance schedule:

1. Within 30 days after the effective date of these Orders, Respondent shall pay Ohio EPA the amount of \$16,000.00 in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3734. and which will be deposited into the environmental protection remediation fund established pursuant to ORC § 3734.281. Payment shall be made by an official check made payable to "Treasurer, State of Ohio" for \$16,000.00. The official check shall be submitted to Ohio EPA, PO Box 77005, Cleveland, Ohio 44194-7005, together with a letter identifying the Respondent. Notification of penalty payment shall be sent to the Hazardous Waste Program Compliance Assurance Manager, Ohio EPA, Division of Environmental Response and Revitalization, P.O. Box 1049, Columbus, Ohio 43216-1049.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate upon Ohio EPA's receipt of the official check[s] required by Section V. of these Orders.

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 Respondent's 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

All documents (except penalty payment checks) required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Central District Office
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Hazardous Waste Program Manager

and Ohio EPA Central Office at the following address:

For mailings, use the post office box number:

Manager, Hazardous Waste Compliance Assurance Section
Ohio Environmental Protection Agency
Lazarus Government Center
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049

For deliveries to the building:

Manager, Hazardous Waste Compliance Assurance Section

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Environmental Response and Revitalization
50 West Town Street
Columbus, Ohio 43215

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

For electronic mail delivery, submit documents to the following email addresses:

Mitchell.Mathews@epa.ohio.gov

Martin.Smith@epa.ohio.gov

XI. RESERVATION OF RIGHTS

Ohio EPA reserves its rights to exercise its lawful authority to require Respondent to perform closure and corrective action at the Facility at some time in the future, pursuant to ORC Chapter 3734. or any other applicable law. Respondent reserves its rights to raise any administrative, legal, or equitable claim or defense with respect to any final action of the Director regarding closure or corrective action. Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII. 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. Except for the right to seek closure and corrective action at the Facility, which rights Ohio EPA does not waive, 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 of 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

Anne M Vogel

Anne M. Vogel
Director

IT IS SO AGREED:

Syscom Advanced Materials, Inc.

JAWUN LEE

Signature

6/12/2023

Date

JAWUN LEE

Printed or Typed Name

CEO

Title



Mike DeWine, Governor
Jon Husted, Lt. Governor
Anne M. Vogel, Director

Ohio EPA Invoice

Date Printed: June 15, 2023

Syscom Advanced Materials Inc
1255 Kinnear Rd Ste 5
Columbus, OH 43212

Receivable ID: 1570175
Please include this Receivable ID with all correspondence

Due Date:	July 15, 2023
Amount Due:	\$16,000.00
Effective Date:	June 15, 2023

Revenue Description: DERR - Findings and Orders - Hazardous Waste Cleanup (FFOHW)
Program Name: RCRA C - Hazardous Waste
Reason: Settlement of Ohio EPA's claims for civil penalties.

How to Pay Fee Online:

1. Go to Ohio EPA's homepage: <https://epa.ohio.gov/>
2. In the "Featured Content" section locate the tile for the eBusiness Center and click.
3. On the right side of the screen click the blue "Launch" tile to enter the eBusiness Center.
4. To use the eBusiness center you will need an account. If you have an account, click the OH|ID icon in the light blue section on the left of the screen to log in.
5. If you do not have an account, the light blue section on the right of the screen has eBiz Help Wizard to assist with creating an account.
6. If you are paying your receivable with a credit card no PIN is required. If you plan to pay using a bank account and routing information you will need to request a PIN.

CUT OFF THIS STUB AND MAIL IT WITH YOUR CHECK. DO NOT MAIL TOP PORTION.

Pay to: Treasurer, State of Ohio. Please write the Revenue ID on your check. Please send this stub with your check. DO NOT SEND LETTERS OR OTHER FORMS.

Ohio EPA
PO Box 77005
Cleveland, OH 44194-7005

Due Date:	7/15/2023
Revenue ID:	1570175
Amount Due	\$16,000.00
Type Code:	FFOHW
Transaction ID:	