

COUNTY OF SUFFOLK



PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

DAVID HARRIS, M.D., M.P.H.
Commissioner

December 5, 1983

Tronic Plating Co., Inc.
168 Central Avenue
Farmingdale, NY 11735

Re: Order on Consent No. IW 83-75

Gentlemen:

Enclosed please find copy of the above-referenced executed
Order on Consent.

This copy is for your records.

Very truly yours,

Patrick Perrella
Environmental Enforcement Services

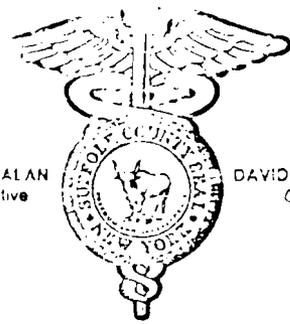
PP:daf

Enclosure

cc: T. Snyder, NYSDEC (with enclosure)
G. Watt, SCDHS (with enclosure)

BOB BERHNER
JOE FICHERA

751-27900 x 300



PETER F. COHALAN
County Executive

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Commissioner

COUNTY OF SUFFOLK
DEPARTMENT OF HEALTH SERVICES

SUFFOLK COUNTY
DEPARTMENT OF HEALTH SERVICES

.....
In the Matter of the Alleged
Violation of Article 12
of the Suffolk County Sanitary Code
by

Tronic Plating Co., Inc.
168 Central Avenue
Farmingdale, NY 11735

Respondent.
.....

ORDER ON CONSENT
NO. IW 83-75

DATE: October 21, 1983

GENERAL PROVISIONS

This Department alleges that the above-named Respondent has failed to comply with the provisions of the Suffolk County Sanitary Code as specified below. Because of such alleged non-compliance, the above-named Respondent consents and agrees to the issuance of this Order on Consent, and agrees to be bound by the terms, conditions and provisions stated herein.

Respondent understands that by entering into the Order on Consent with the Department, he is affirmatively and voluntarily waiving his right to a formal adjudicatory proceeding with respect to the matters herein addressed. Although the Department will not pursue further enforcement action with respect to the specific alleged violations of law set forth below if the above-named Respondent enters into this Order and abides by its terms, Respondent understands that the Department is not agreeing to forbearance from pursuing enforcement action regarding alleged violations not addressed by this Order. Moreover, Respondent understands that notwithstanding his execution of this Order on Consent, his failure to strictly comply with all of the terms, conditions and provisions herein contained will revive the Department's rights regarding the violations alleged as set forth below subject to a set-off for any penalties already paid pursuant to this Order on Consent. Furthermore, the Respondent is hereby advised that this Order on Consent, duly executed by the Respondent's agent and the Commissioner or his duly authorized representative has the force and effect of a Commissioner's Order, the violation of which is subject to penalties as provided in Section 218 of Article 2 of the Suffolk County Sanitary Code.

A modification of any of the provisions of this Order on Consent may be obtained by a timely written request demonstrating good and sufficient cause for the change or extension requested. No modification of this Order shall be effective unless and until it is specifically set forth in writing by the Department.

SPECIFICATION OF ALLEGED VIOLATIONS

It is alleged that the Respondent above-named failed to comply with the following provisions of the Suffolk County Sanitary Code as indicated below:

On August 31, 1983 you did discharge toxic or hazardous materials (metals) to a sanitary cesspool system in violation of Article 12, Section 1205.

SPECIFIC TERMS AND CONDITIONS

In satisfaction of the above-named Respondent's alleged violations of the Suffolk County Sanitary Code, the Respondent agrees to the entering and issuance of this Order of the Commissioner of the Suffolk County Department of Health Services, and the Respondent agrees to be bound by the terms and conditions following as well as by the above General Provisions.

1. There is no admission of guilt by the Respondent with regard to any of the violations alleged herein this Order on Consent.
2. Storage of Toxic or Hazardous Materials:
 - a. If the Respondent is still occupying the premises located at 168 Central Avenue, Farmingdale, New York on or after March 31, 1984, the Respondent shall submit to this department an approvable engineering report which details the Respondent's proposal for bringing its facility at the aforementioned address, into compliance with the provisions of Article 12 regarding the storage of toxic or hazardous materials. The aforementioned engineering report shall also respond to and comply with the terms of the December 13, 1982 letter of Mr. Peter Akras of this department, to Mr. Jerry Roth of Tronic Plating Co., Inc. (copy of letter attached as Appendix I). The aforementioned March 31, 1984 date is being provided due to the Respondent's stated intent to vacate premises prior to that date.
 - b. The aforementioned engineering report shall be submitted to the department on or before April 30, 1984.
 - c. Within sixty (60) days of department's written approval of the Respondent's engineering report, aforementioned, the Respondent shall have initiated and completed construction of its

SPECIFIC TERMS AND CONDITIONS
(continued)

storage facility for toxic or hazardous materials which complies with the provisions of Article 12.

d. Any questions concerning Article 12 or the aforementioned engineering report should be addressed to Mr. Peter Akras, P.E. of this department at phone number (516) 451-4649.

3. New Facility:

If the Respondent moves to a new facility within Suffolk County the Respondent agrees to have complied with Article 12 storage facility provisions prior to beginning operation at the new facility.

4. Pool Clean Out:

a. By November ^{30, JR} 1983, Respondent shall have the subsurface leaching facility affected by discharge of toxic or hazardous materials emptied of its liquid and solid contents through the services of an industrial waste scavenger licensed therefor by the New York State Department of Environmental Conservation. The affected leaching facility referred to herein is the first pool receiving the Respondent's cooling water discharge and which is identified as Outfall 001 on Respondent's SPDES permit (#NY0075574).

b. The aforementioned scavenging operation shall include the scraping and cleaning of the sides and bottom of the affected leaching facility (high pressure hose discharge may be used for pool sides).

c. Respondent agrees to provide this department with a copy of Respondent's scavenger receipt for the aforementioned scavenging operation. Such receipt shall include the date, type and amount of waste scavenged.

d. Respondent agrees to notify this department at least two (2) weekdays prior to the date of any clean out or scavenging so that a department representative may be present to witness such operation.

5. That in satisfaction of the alleged violations herein, in addition to the above terms, provisions and conditions, Respondent agrees to pay a civil penalty of Five Hundred (\$500) Dollars, but that Two Hundred-Fifty (\$250) Dollars of the civil penalty shall be suspended and ultimately discharged on October 17, 1984 contingent upon the Respondent's compliance with the terms, conditions and provisions of this Order on Consent. The remaining Two Hundred-Fifty (\$250) Dollar portion of the civil penalty shall be paid to the Department of Health Services and shall be remitted with the return of this Order on Consent duly executed (signed and notarized) by the Respondent.

APPENDIX

II

PAGE ___ OF ___
ORDER ON CONSENT # 1083-75

Dec. 13, 1982

Mr. Jerry Roth
Wronic Plating Co., Inc.
168 Central Ave.
Farmingdale, N.Y. 11735

Re: Installation of Berms to
Conform with Article 12
SCDHS Job No. HM 82-113

Dear Mr. Roth:

I have reviewed the floor plan of your shop that you submitted for compliance with Article 12 of the Suffolk County Sanitary Code. Before the Department can issue a permit to construct, the following points must be addressed:

1. Article 12 requires that indoor tanks containing toxic or hazardous materials be placed on a concrete surface that has been made impervious and chemically resistant to the chemicals being stored. In order for this to be done properly, the tanks will have to be taken out of service and removed from the plating room. The floor would then have to be patched in order to form a suitable surface for the coating and then the coating would be applied to the floor and berms.
2. The floor trough in your plating room that leads to the waste holding tanks will also have to be prepared and coated as in item #1 above. You should also be aware that Article 12 requires all underground piping to be double-walled or placed in product-tight trenches.
3. You must provide a containment berm for your waste holding tanks equivalent to 110% of the volume of the tanks. The

Mr. Jerry Roth
Eronic Plating Co., Inc.

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Dec. 13, 1982

floor and berm in this area must also be coated.

4. If a sprinkler system is located in your plating room then you must have head deflectors or the tanks must be fitted with automatic covers to prevent overflow in case of a fire.

Prior to any construction you must submit plans to this Department and obtain a permit to construct. Because of the extent of the work involved you must have a licensed professional engineer submit the plans for upgrading your facility. The plans should show all proposed structural changes including installation of berms, piping, concrete work and floor coating. A product bulletin on the type of coating that will be used should be submitted with the plans.

Three copies of your plans should be submitted within the next 60 days. If your plans are approved a permit to construct will be issued which will be valid for one year.

If I can be of assistance please do not hesitate to contact me.

Very truly yours,

Peter R. Skras
Hazardous Materials Management

PRJ/rt

APPENDIX	# <u>I</u>
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