## ORDINANCE NO. 03-16 AC CMS

AN ORDINANCE DETERMINING THAT A REAL AND PRESENT EMERGENCY EXISTS IN REGARD TO THE CITY OF OBERLIN MUNICIPAL LIGHT AND POWER (OMLPS) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MAINTENANCE UNLIMITED, INC. OF STRONGSVILLE, OHIO AND DECLARING AN EMERGENCY

WHEREAS, the City operates a municipal Light and Power System; and

WHEREAS, the City has discovered an old 10,000 gallon underground storage tank on the grounds of OMLPS which contains approximately 9,000 gallons of product; and

WHEREAS, the continued existence of the tank and product on the OMLPS property poses an immediate environmental threat to the City of Oberlin and its residents, and represents a real and present emergency arising in connection with said system.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to enter into a contract with Maintenance Unlimited, Inc., Strongsville, Ohio, for the removal and disposal of a 10,000 gallon underground storage tank on OMLPS property and any required remediation of the surrounding land, in an amount not to exceed \$20,000.00.

SECTION 2. That the immediate need for said work is hereby declared a real and present emergency arising in connection with the operation of the City of Oberlin Municipal Light and Power System pursuant to Section 735.051 of the Ohio Revised Code.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety of the citizens of the City of Oberlin, Ohio, to wit:

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"to ensure the safe and efficient operation of the Oberlin Municipal Light and Power System",

and shall take effect immediately upon passage.

PASSED:

1st Reading – February 18, 2003 (E)

2<sup>nd</sup> Reading – 3<sup>rd</sup> Reading –

ATTEST:

CLERK OF COUNCIL

CHAIR OF COUNCIL

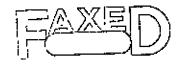
POSTED: 2/19/03

EFFECTIVE DATE: 2/19/03

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### Maintenance Unlimited, Inc.

14800 Foltz Industrial Plewy. Strongsville, Ohio 44149-4725 440-238-1162 FAX 440-238-7975





January 30, 2003

VIA FACSIMILE 440-775-1546 & MAIL

Construction and Earthwork
Pipeline
Concrete and Demofition
Environmental
Underground Utilities

City of Oberlin Electric Dept. Warehouse 322 S. Main St Oberlin OH 44074

Attention.

Steve Dupee

Re: Proposal for Site Exploration and Removal of UST

Dear Mr. Dupee,

In November of 2002, we received your purchase order #RG-21633 and your request to investigate a buried tank at the OMLPS Pole Yard

On January 28, 2003, MUI performed site exploration work and analytical tests to determine the location, size, and contents of the tank. A summary of our activities on that date is shown in the table below.

Also following is our proposal to remove and dispose the existing 10,000-gallon tank and approximately 9,000 gallons of product remaining in it.

#### Scope of Work for Tank Removal

- 1. Profile waste materials into an approved EPA disposal site
- 2. Pump out residual product remaining in tank (9,000 gallons)
- Provide proper manifesting to comply with EPA and DOT regulations
- 4. Transport product to disposal site utilizing DOT coded Tankers
- Purge atmospheres in order to render tank safe to cold cut.
- Excavate and remove tank
- Place aboveground for cleaning.
- 8. Cold cut two entryways into tank
- Enter and pressure wash tank interior utilizing proper confined space protocol
  and equipment
- 10. Flush out associated piping as required
- 11. Pump out rinseate and residual
- 12. Provide proper manifesting to comply with EPA and DOT regulations
- 13. Transport rinseate to disposal site utilizing DOT coded Turbo Vac
- 14. Load and haul tank to an approved disposal yard.
- 15. Assuming soils are clean: Backfill excavation with compactable fill from City dump and top with #304 limestone

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## Re: Proposal for Site Exploration and Removal of UST

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16. Cleanup / Demobilize/ Complete and file closure report with State of Ohio BUSTR

17. Option: Backfill entire void with #304 limestone. ....... Add: \$3,825.00

Orginal Purchase Order Amount			_		\$5,00D.Q
Labor & Equipment for Exploration	Unit	Qtv	Rate	Total	
Excavator	hr	8	\$135.00	\$1,080.00	
Foreman with truck	hr	8	\$52.00	\$416.00	
UST Certified Supervisor	hr	8	\$55.00	\$440.00	
Mobilization	hr	3	<u>\$</u> 75.00	\$225,00	
Analytical tests	ea	3	\$275.00	\$8 <u>2</u> 5,00	
Work Completed to Date - Total					\$2,986.
Balance left on purchase order					\$2,014.
Proposed Tank Removal					
Tank removal crew - 1 day	hr	8	\$242.00	\$1,936 00	
Tank cleaning crew - 1 day	hr	8	\$325.00	\$2,600 00	
3 loads product	ea	3	\$405 00	\$1, <u>21</u> 5 00	
9000 gallon product	gal	9000	\$0 32	_ \$2,880 OD	
State inspector	hr	8	\$70,00	\$560.00	
Permit/Closure Report/Additional Sample	ls_	1	\$1,825.00	\$1,825 00	
Mobilize/Demobilize	hrs	6	\$75.00	\$450.00	
Backfill crew / final cleanup	hr	8	\$285.00	\$2;280.00	
Proposed Tank Removal Cost					\$13 <u>,746.</u>
Additional Cost to Complete Tank Rem	<u>ioval  </u>				<u>\$11,732.</u>

Should you have any questions, please call me at your earliest convenience.

Sincerely,

Jason B. Friscone
Director of Operation

Director of Operations

JBF/br

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