



State of Ohio Environmental Protection Agency

FA

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P.O. Box 1049  
Columbus, OH 43216-1049

August 25, 2010

OHO 000 060 228

Mr. Terrence Profughi  
Hi TecMetal Group, Inc.  
1101 East 55<sup>th</sup> Street  
Cleveland, OH 44103-1046

Re: Hi TecMetal Group, Inc.  
 no Hydro Vac, Cleveland (OHR 000 004 630) 001, 001  
 yes Walker Heat Treating, Cleveland (OHD 004 197 307) 020/027  
 yes ~~yes~~ Commercial Induction, Cleveland (OHO 000 060 228) 009/014  
 Thermal Treatment Center, Wickliffe (OHR 000 005 942) 018/024  
 Financial Record Review  
 Notice of Violation

Dear Mr. Profughi:

On August 24, 2010, I completed a review of the financial assurance documentation on file for the **Hi TecMetal Group, Inc.** (HTG), facilities referenced above. I evaluated the facilities for compliance with financial assurance and liability requirements set forth in the Ohio Administrative Code (OAC) rules 3745-55-42 through 3745-55-47.

I also evaluated the facilities for compliance with the financial assurance related requirements set forth in the November 14, 2003 Consent Order (Consent Order), State of Ohio v. Hi TecMetal Group, Inc., Case No. CV 03 509780 and the January 22, 2007 Order to Amend Consent Order.

The modified consent order requires that:

- Within sixty (60) days after the effective date of each closure plan approval by the Ohio EPA, Defendants are ordered and enjoined to submit to Ohio EPA detailed closure cost estimates which are calculated pursuant to Ohio Adm. Code 3745-55-42 and 3745-55-44;
- Within sixty (60) days after the effective date of each closure plan approval by the Ohio EPA, Defendants are ordered and enjoined to submit to Ohio EPA documentation of financial assurance for closure pursuant to Ohio Adm. Code 3745-55-43 and 3745-55-45; and

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

- Within sixty (60) days after the effective date of each closure plan approval by the Ohio EPA, Defendants are ordered and enjoined to submit to Ohio EPA documentation demonstrating financial responsibility pursuant to Ohio Adm. Code 3745-55-47.

As of this date, HTMG has failed to submit to Ohio EPA detailed closure cost estimates which are calculated pursuant to OAC 3745-55-42. **Therefore HTG is in violation of OAC 3745-55-42 and paragraph 18 of the January 22, 2007 Modified Consent Order.** 42 A+B

As of this date, HTMG has failed to submit documentation of financial assurance for closure pursuant to OAC 3745-55-43. **Therefore HTG is in violation of OAC 3745-55-43 and paragraph 19 of the January 22, 2007 Modified Consent Order.**

As of this date, HTMG has failed to submit to Ohio EPA documentation demonstrating 3<sup>rd</sup> party liability coverage pursuant to OAC 3745-55-47. **Therefore HTG is in violation of OAC 3745-55-47 and paragraph 20 of the January 22, 2007 Modified Consent Order.** 47A

Please submit detailed cost estimates, documentation of financial assurance and 3<sup>rd</sup> party liability coverage as soon as possible.

If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to contact me at (614) 644-3067 or at [isaac.wilder@epa.state.oh.us](mailto:isaac.wilder@epa.state.oh.us).

Sincerely,



Isaac B. Wilder  
Compliance Assurance Section  
Division of Hazardous Waste Management

cc: Brian Ball, AGO, EES  
Frank Zingales, NEDO, DHWM

**Notice:**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.