

FA



State of Ohio Environmental Protection Agency

**STREET ADDRESS:**

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

**MAILING ADDRESS:**

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

June 23, 2010

Mr. Robert Tankovich  
Diamond Hard Chrome  
6110 Grand Avenue  
Cleveland, Ohio 44104

**Re: Diamond Hard Chrome Co. Inc. OHR000012880-  
Kinsman facility  
Financial Assurance  
Notice of Violation**

02! - 015

Dear Mr. Tankovich:

On June 17, 2010, I completed a review of the financial assurance documentation on file for Diamond Hard Chrome Co. Inc.'s, (DHC) Cleveland, Ohio facility referenced above. I evaluated your facility for compliance with financial assurance requirements set forth in the Ohio Administrative Code (OAC) Rules 3745-55-42 through 3745-55-47.

On September 12, 2007, Ohio EPA issued a final closure letter for your facility at 6110 Grand Avenue, Kinsman, Ohio, 44104. Ohio EPA determined that DHC had closed the facility according to the approved closure plan and Ohio OAC Rules 3745-55-11 through 3745-55-15. The September 12, 2007 final closure letter notified you that you must continue post-closure care, in accordance with an approved post-closure plan and OAC Rules 3745-55-16 through 3745-55-21.

The most recent financial assurance submittals received by the Ohio EPA include:

- On January 23, 2009, Ohio EPA received a revised post-closure cost estimate of \$61,507.50. Ohio EPA is currently waiting for approval of a revision of the post-closure plan;
- On June 29, 2009, Ohio EPA received a stand by trust fund established on June 11, 2009. The trustee is listed as Jack Tankovich; and
- On April 12, 2010, PNC Bank, NA submitted an amendment to LOC No. SCL015256. This amendment changed the issuing bank from National City Bank to PNC Bank. It also changed the LOC No. from SCL015256 to 12501339-00-000. The LOC expires on September 1, 2010 and has a value of \$50,000.00.

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



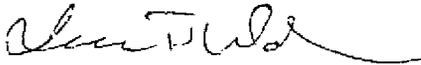
If the pending revision of the post-closure plan results in an increase to the cost estimate, you must increase your LOC to reflect the new cost estimate.

**As a result of examination of the documents submitted in support of financial assurance for Diamond Hard Chrome, the following violation was noted:**

- OAC 3745-55-45(D)(1) requires that "The trustee must be an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a federal or state agency." I assume that Jack Tankovich does not meet these requirements. **Therefore, Diamond Hard Chrome is in violation of OAC 3745-55-45(D)(1) and remains in violation of OAC 3745-55-45(D)(3); and**
- **The value of LOC No. 12501339-00-000 does not equal the post-closure cost estimate in violation of OAC 3745-55-45.**

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: Nyall McKenna, NEDO, DHWM  
Cole Miller, ERAS, DHWM  
Walt Francis, U. S. EPA Region 5  
77 West Jackson Blvd. LR8J, Chicago, Ill. 60604