



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

October 16, 2007

RE: ACME INDUSTRIAL GROUP
STARK COUNTY
OHD 004 173 027
PARTIAL RETURN TO COMPLIANCE

Mr. Rich Burton, President
ACME Industrial Group
555 N. Freedom Avenue
Alliance, OH 44601

Dear Mr. Burton:

On October 10, 2007, the Ohio EPA received your response to Ohio EPA's Partial Return to Compliance letter dated September 10, 2007. Your response included documentation regarding waste evaluation of the OD grinder oil and personnel training documentation including job titles and job descriptions.

Review of this information indicates that the following violation has been adequately abated:

2) Personnel Training, OAC 3745-65-16 (D).

VIOLATIONS

Based on review of the submittal, it appears the ACME facility remains in violation of the following state hazardous waste regulations:

5) Tank Inspections, OAC 3745-66-95 (A)(1) to (A)(4): ACME failed to inspect, at least once each operating day, spill control equipment, the above ground portion of tanks, leak detection equipment/data, construction materials and signs of erosion or release from the hazardous waste tanks.

You forwarded copies of inspection logs indicating that daily inspections had been conducted. The logs provided were "container inspection logs". Details of tank inspection were not present. An example copy of a "tank inspection log" and rule information relative tank and ancillary equipment inspection were sent to you via fax and email on August 16, 2007.

To abate this violation, ACME must provide an inspection log of the hazardous waste storage tanks per the rule. Provide a copy of your inspection log showing at least two weeks of completed inspections.

6) Containment and detection of releases, OAC 3745-66-93(E)(1): ACME failed to provide a tank and secondary containment assessment.

You forwarded calculations of the capacity of secondary containment for the new hazardous waste storage tank area that is not yet in operation. From our phone conversation on August 16, 2007, it appears that the current tank area may have adequate secondary containment. Further, this tank system will be replaced, by September 2007, with a newly engineered hazardous waste tank system.

To abate this violation, ACME must provide documentation that the existing temporary tank and secondary containment system is designed and operated to contain 100% of the capacity tank system to meet the requirements of this rule.

7) Ancillary Equipment Requirements, OAC 3745-66-93 (F): ACME failed to provide full secondary containment or visually inspect, on a daily basis, **tank** ancillary equipment.

It appears that ACME used container inspection logs to track inspection of ancillary tank piping. Ohio EPA cannot confirm that the pertinent ancillary tank equipment was properly inspected.

To abate this violation, ACME must immediately begin daily inspection of the ancillary tank piping, connections, pumps and sumps per the rule. Provide a copy of your inspection log showing at least two weeks of completed inspections.

CONCERNS and COMMENTS

- With elimination of your wastewater treatment system, your ancillary piping, sumps and containments are no longer exempt from the hazardous waste rules. These items are subject to daily inspection, logging and closure. Keep these issues in mind with the design and construction of your new system. For assistance, contact Adrienne Lafavre with the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (330)963-1250 or by email at Adrienne.Lafavre@epa.state.oh.us.
- Current hazardous waste tanks, ancillary tank equipment, piping systems and sumps will require meeting a closure performance standard when taken out of service. This closure performance standard is cited in the Closure Plan Review Guidance (CPRG) revised 2007 and found at: <http://www.epa.state.oh.us/dhwm/cprg/Correctionsto2006CPRG.pdf>.
- Hazardous waste tank system infrastructure that will continue to be used will not need closed. For pits, sumps or concrete areas of existing hazardous waste units that will no longer be used, you may need to employ a decontamination method and/or have an independent engineer certify that:
 - a) The decontamination method employed was adequate to remove contamination to the extent practicable, and/or that;
 - b) The integrity of floor and sump areas are such that hazardous waste has not penetrated or been released below the containment area.

Otherwise you may need to:

- c) Provide analysis of samples from below unit floor areas that may be suspect for a release.

Appurtenances destined for recycling in a manner that will destroy residual contamination (e.g. scrap metal recycling) need not be as thoroughly decontaminated. However, the appurtenances, pipes, tanks, etc. must be rendered useless (cut into small sections) when recycled or disposed. Also, maintain a record of disposal, recycling and sale or transfer of site equipment, wastes and wash/rinse water.

- The proposed new hazardous waste tank system will require a written assessment and secondary containment certification for construction, installation and design per the tank system requirements of OAC 3745-52-34(A) and 3745-66-100. During the inspection you were provided a copy of our tank inspection checklist. A link to this checklist is found at: http://www.epa.state.oh.us/dhwm/pdf/LQG_Tank02.20.07.pdf.

Please respond to the above violations within 30 days of the date of this letter. Should you have any questions, you may contact me at (330) 963-1146 or at: ron.shadrach@epa.state.oh.us.

Sincerely,



Ronald J. Shadrach
Environmental Specialist II
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO

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