



State of Ohio Environmental Protection Agency

Northeast District Office

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**CERTIFIED MAIL**

January 23, 2008

Mr. Tom DeWeese  
President  
Bedford Anodizing Company  
7860 Empire Parkway  
Macedonia, OH 44056

**RE: BEDFORD ANODIZING , OHD087715686, CUYAHOGA COUNTY, NOV**

Dear Mr. DeWeese:

On January 3, 2008, this writer, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), visited Bedford Anodizing Company (Bedford Anodizing) located at 7010 Krick Road, Bedford, Ohio to conduct an unannounced hazardous waste compliance evaluation inspection (CEI). Bedford Anodizing was represented by David Morris. The purpose of this inspection was to determine Bedford Anodizing's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and the rules promulgated thereunder in Chapter 3745 of the Ohio Administrative Code (OAC). The inspection included a review of the facility's operations, as well as the management of wastes.

Prior to the January 3, 2008 inspection, Ohio EPA had conducted several inspections in 2005. Further, on August 2, 2005, proposed Director's Final Findings and Orders (DFF&Os) were issued to Bedford Anodizing.

On November 8, 2005, I sent Bedford Anodizing a letter concerning the status of violations which were identified at the 7010 Krick Road facility. Subsequently, on March 15, 2006, I sent Bedford Anodizing a letter requesting a response to the November 8, 2005 letter. I did not receive a response to the November 8, 2005 or March 15, 2006 letters.

The following violations remain unabated or were identified during Ohio EPA's January 3, 2008 inspection:

**1. ORC § 3734.02(E)&(F) and OAC rule 3745-52-34, Unlawful Storage and Disposal of Hazardous Waste:**

Bedford Anodizing conducted unlawful storage and disposal of hazardous waste in violation of ORC § 3734.02(E)&(F). Ohio EPA asserts that unlawful storage and disposal activities have occurred at the following areas: long and small lines, settling pit, and the tributary to Tinker's Creek. These areas are described in greater detail in Ohio EPA's March 30, 2005 and November 8, 2005 letters.

In accordance with OAC rules 3745-55-10 through 3745-55-20, and as detailed in the 2005 proposed DFF&Os, Bedford Anodizing must conduct closure activities for all areas where hazardous waste was unlawfully stored or disposed. Bedford Anodizing must submit a closure plan which ensures that the closure performance standards set forth in OAC rule 3745-55-11 are met. The closure performance standards require Bedford Anodizing to remove and remediate contamination in these areas to prevent it from posing a further risk to human health and the environment. The closure plan should be prepared in accordance with Ohio EPA's *Closure Plan Review Guidance for RCRA Facilities*. This guidance document may be found on Ohio EPA's web site at: <http://www.epa.state.oh.us/dhwm/cprg.html>. Two copies of the closure plan should be submitted to: Ohio EPA, DHWM, Regulatory and Information Services; Lazarus Government Center; P.O. Box 1049; Columbus, Ohio 43216-1049. Additionally, one copy should be sent to: Frank Zingales, Ohio EPA, DHWM, Northeast District Office; 2110 East Aurora Road; Twinsburg, Ohio 44087.

Be advised that until the implementation of an approved closure plan and certification of closure for the unlawful hazardous waste storage and disposal areas at the facility, Bedford Anodizing will remain in violation of ORC § 3734.02 (E) and (F) and the rules adopted thereunder. Additionally, at any time Ohio EPA may assert its right to have Bedford Anodizing begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

**2. OAC rule 3745-52-11, Waste Evaluation:**

During a February 23, 2005 inspection, Ohio EPA observed multiple containers (55-gallon drums) of unevaluated wastes located in the warehouse area (near the loading docks) and immediately south of the small line. These were designated by Ohio EPA as Drum Area One and Drum Area Two, respectively. Prior to Ohio EPA's March 2, 2005 inspection, the facility moved the containers of waste from Drum Area Two to Drum Area One. These containers were still present at Drum Area One as observed by Ohio EPA on January 3, 2008.

Bedford Anodizing's August 12, 2005 and September 27, 2005 submittals included evaluation information concerning the contents of the aforementioned containers of wastes. Please refer to Ohio EPA's November 8, 2005 letter which provided extensive comments concerning the submitted waste evaluation information.

Since submitted information indicates the presence of hazardous waste in the containers forming composite groups three, six, seven, and eight (totaling 40, 55-gallon drums); Bedford Anodizing is advised to comply with the applicable laws and rules governing hazardous waste accumulation and disposal. Bedford Anodizing must make arrangements for the lawful, off-site disposal of these wastes. Furthermore, since these waste have been stored on-site since 2005, Bedford Anodizing has conducted unlawful storage of hazardous waste in violation ORC § 3734.02(E)&(F), in addition to those areas identified under item one. Submit documentation confirming the lawful, off-site disposal of these wastes.

**3. OAC rule 3745-273-13(D)(1), Universal Waste Management Standards for Small Quantity Handlers:**

Bedford Anodizing failed to accumulate universal waste lamps in containers/packages that were closed, as required by this rule. During the January 3, 2008 inspection, Ohio EPA observed four cardboard boxes that were open. To abate this violation, submit a picture which clearly shows the universal waste lamps are being accumulated in containers/packages which are in compliance with this rule.

**4. OAC rule 3745-273-14(E); Labeling/marketing Standards for Small Quantity Handlers of Universal Waste:**

Bedford Anodizing failed to label universal waste lamps with the words required by this rule. During the January 3, 2008 inspection, Ohio EPA observed four cardboard boxes that were not labeled/marked with the words required by this rule. To abate this violation, submit a picture which clearly shows that the containers/packages for the lamps have been appropriately labeled/marked.

**5. OAC Rule 3745-273-15; Accumulation Time Limits - Standards For Small Quantity Handlers of Universal Waste:**

Bedford Anodizing accumulated universal waste lamps for greater than one year. To abate this violation, submit documentation that the universal waste lamps were sent off-site to an appropriate facility.

**6/7/8. OAC rule 3745-65-16, Personnel Training; OAC rules 3745-65-31 to 3745-65-37, Preparedness & Prevention; and OAC rules 3745-65-51 to 3745-65-56, Contingency Plan Requirements:** Until the violations appearing under item two are satisfactorily resolved, the aforementioned violations will remain unabated.

The above violations must be immediately addressed and all of the above requested documentation must be submitted to the attention of the undersigned at the Ohio EPA within 14 days of receipt of this letter.

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

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FAZ:ddw

cc: Elissa Miller, CO, Legal  
John Schierberl, CO, DHWM  
Natalie Oryshkewych, DHWM, NEDO  
Ronald Poole c/o Terrence Finn, Roetzel & Andress