

**Environmental  
Protection Agency**

Secretary of State, Governor  
Lieutenant Governor  
Director

**CERTIFIED MAIL**

January 6, 2011

Mr. Dean Gearhart  
Gearmar Properties, Inc.  
P.O. Box 209  
Portersville PA 16051

**RE: COIL COATING, TSDF IN POST-CLOSURE, OHD 004 205 589  
TRUMBULL COUNTY, NOTICE OF VIOLATION**

Dear Mr. Gearhart:

I am writing concerning your property, the former Coil Coating facility, located at 2250 Larchmont Avenue, Warren, Ohio. This property is regulated through an approved RCRA Post-Closure Care Plan. The Post-Closure Plan prohibits any use or penetration of the cap, requires inspections and maintenance, and carries reporting requirements. The terms of the Post-Closure Plan are enforceable under State of Ohio laws and regulations.

As noted in letters from Ohio EPA dated May 3, 2010, March 31, 2010 and October 30, 2007, one requirement of the Post-Closure Plan is an annual inspection and report by the property owner.

The following violation is therefore noted:

1. **Ohio Administrative Code 3745-55-17 (D): All post-closure care activities must be in accordance with the provisions of the approved post-closure plan as specified in rule 3745-55-18 of the Administrative Code.**

The Post-Closure Plan states: "Gearmar will retain a qualified contractor to perform annual inspection of the RCRA cap during the post-closure care period... The contractor will prepare a short report of the results of the inspection, which will be forwarded to the Ohio EPA's designated representative."

Ohio EPA has no record of such a report from the facility in 2008, 2009 or 2010. 'Annually' is interpreted by this agency to be 'every 365 days'. Therefore, Gearmar is in violation of their Post-Closure Plan permit for 2008, 2009, and 2010. The latest request for a report was due November 30, 2010.

COIL COATING  
JANUARY 6, 2011  
PAGE – 2 –

An inspection and report in accordance with specifications in the Post-Closure Plan must be submitted to my attention no later than February 11, 2010. Failure to comply may be the subject of an enforcement action.

It has also come to my attention that Gearmar has yet to provide financial assurance in violation of Ohio regulations, and the Post-Closure Plan. Please contact Ike Wilder at (614) 644-3067 to discuss resolution of this issue. This is your third notice regarding this issue.

Failure to list specific deficiencies in this communication does not relieve you from the responsibility of complying with all applicable regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

If you have any questions, please feel free to contact either Mr. Harry Courtright or me at (330) 963-1200.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. Palmer". The signature is written in a cursive style with a horizontal line underneath the name.

John B. Palmer  
District Representative  
Division of Hazardous Waste Management

JP:ddw

ec: Harry Courtright, Ohio EPA, DHWM, NEDO  
Natalie Oryshkewych, Ohio EPA, DHWM, NEDO  
John Schierberl, DHWM, CO