



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 3, 2011

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

RTC

CERTIFIED MAIL

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

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. One requirement of the Post-Closure Plan is an annual inspection and report by the property owner.

The following violation was noted in a Notice of Violation dated January 6, 2011:

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.

In response to the Notice of Violation, Gearmar submitted an inspection report for the year 2010 in accordance with specifications in the Post-Closure Plan, dated January 27, 2011. The violation cited is therefore abated.

Gearmar noted that additional work on the asphalt barrier is scheduled for the summer of 2011. Please inform me at least ten business days prior to commencing this work. Also, please note that an inspection report for this year will be expected near the end of 2011.

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Financial assurance issues will be addressed through our Columbus office under separate cover.

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", written over a horizontal line.

John B. Palmer
District Representative
Division of Hazardous Waste Management

JBP.cll

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

cc: Marlene Kinney, DHWM, NEDO