

**Environmental  
Protection Agency**

Rep. Schiavone, Governor  
Rep. France, Lt. Governor  
Gene Lorentz, Director

September 13, 2010

**RE: COMMERCIAL ANODIZING CO.  
LAKE COUNTY  
OHD 004 209 409**

Mark Swetel  
Commercial Anodizing Co.  
38387 Apollo Parkway  
Willoughby, OH 44094

Dear Mr. Swetel:

I have received your letter dated August 20, 2010 in response to the violations found during my December 2, 2009 inspection of Commercial Anodizing located at 38387 Apollo Parkway, Willoughby, Ohio. Your letter explained how you plan to address the three containers of waste I observed at the facility at the time of my inspection. There was also documentation in the form of container inspection logs attached to the letter. As outlined below, you have documented a correction of most of the violations.

From the Ohio EPA July 22 and March 16, 2010 Notices of Violation (violations 2 through 8 have been previously corrected):

2. OAC rule 3745-52-34(D)(5)(c) – Employees familiar with waste handling and emergency procedures.
3. OAC rule 3745-65-31 – Maintenance and operation of facility.
4. OAC rule 3745-65-33 – Testing and maintenance of equipment.
5. OAC 3745-52-34(C)(1)(a) – Satellite accumulation area.
6. OAC 3745-52-34(C)(1)(b) – Satellite accumulation area.
7. OAC rule 3745-52-34(D)(4) – Hazardous waste labels.
8. OAC rule 3745-52-34(D)(4) – Accumulation start dates.
9. OAC rule 3745-66-74 – Inspections of container storage areas.

The completed inspection logs attached to your August 20, 2010 letter document your correction of this violation.

However, Commercial Anodizing continues to be in violation of the following hazardous waste regulations:

1. Ohio Revised Code (ORC) 3734.02(E) and (F) – Accumulation of hazardous waste beyond 180 day storage limit.

You provided me with a copy of a manifest showing the May 10, 2010 shipment of 2 yards of F006 hazardous waste to Envirite of Ohio in Canton, Ohio.

Although no further action is being required by Ohio EPA at this time for this violation, be advised that due to the nature of the violation, Ohio EPA may require RCRA closure of the

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areas where hazardous waste was stored for greater than 180 days, pursuant to OAC rules 3745-55-11 through 3745-55-20 and OAC rules 3745-55-42 through 3745-55-47 at this site.

Since Commercial Anodizing violated ORC §3734.02(E) and (F), Commercial Anodizing is subject to all applicable general facility standards found in OAC chapters 3745-54 and 3745-55. Additionally, at any time Ohio EPA may assert its right to have Commercial Anodizing begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

From the Ohio EPA February 2, 2010 Notice of Violation:

Commercial Anodizing has failed to submit documentation demonstrating that the three containers of waste at the facility have been evaluated to determine if the waste is hazardous waste. Therefore, Commercial Anodizing remains in violation of the following hazardous waste rules:

1. OAC rule 3745-52-11 – Hazardous waste determination.

You told me that these containers were sampled on September 2, 2010. Please send me a description of how you have corrected this violation.

A written response to this remaining violation is required within 30 days of the date of this letter.

You can find copies of the regulations and other information on the Division of Hazardous Waste Management web page at <http://epa.ohio.gov/dhwm>.

If you have any questions, please contact me at (330) 963-1217, or [robert.almquist@epa.state.oh.us](mailto:robert.almquist@epa.state.oh.us).

Sincerely,



Robert Almquist  
Division of Hazardous Waste Management

RA:cl

ec: Frank Popotnik, DHWM, NEDO  
Harry Sarvis, DHWM, CO  
Natalie Oryshkewych, DHWM, NEDO  
Suzanne Prusnek, DHWM, NEDO

cc: Marlene Kinney, DHWM, NEDO

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from its obligation to comply with all applicable regulations.