



**Environmental
Protection Agency**

Secretary of State, Governor
 Lt. Governor
 Director

September 30, 2010

Christopher Minnick
 General Manager
 Duffin Manufacturing Company
 316 Warden Ave.
 P.O. Box 4036
 Elyria, OH 44036

RE: DUFFIN MFG CO., OHD004196630, LORAIN COUNTY, SQG RTC

Dear Mr. Minnick:

Thank you for your June 28, July 20, July 21, August 2, August 25, September 13 and September 14, 2010 responses to Ohio EPA's June 2, 2010 Notice of Violation / Partial Return to Compliance (NOV/PRTC) letter. The documentation you submitted included monthly hazardous waste inventories, completed hazardous waste tank inspection records, a revised LDR notification form for the evaporator waste and closure/decontamination documentation for the dock area. My review of this documentation reveals that Duffin Manufacturing Company (Duffin) has addressed all outstanding violations appearing in Ohio EPA's June 2, 2010 NOV/PRTC letter as listed below.

Letter Citation #	Rule Citation
6.B.	OAC rule 3745-65-31, Maintenance and Operation
8.	OAC rule 3745-270-07(A)(1)(2), LDR Requirements
14.	OAC rule 3745-66-101(C)(1)-(5), Tank System Requirements

On September 13, 2010, Duffin submitted the document entitled "Final Report RCRA Generator Closure of Former Hazardous Waste Accumulation Area, September 2010." Upon review of this document, Ohio EPA does not agree that Duffin has met the closure performance standard at the Dock Area. The analytical results for the final rinse (5.855 mg/l) appear to exceed the characteristic hazardous waste regulatory level (5.0 mg/l) for lead. Accordingly, Duffin failed to meet the closure performance standard found in OAC rule 3745-66-11, as well as the decontamination requirements found in OAC rule 3745-66-14 since the decontamination activities did not:

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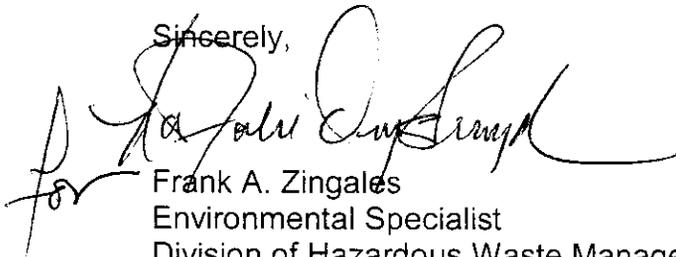
- Eliminate the future generation of hazardous waste from water run-on (e.g., precipitation),
- Minimize the need for further maintenance,
- Minimize/eliminate the post-closure escape of hazardous waste or hazardous constituents from the dock area, and
- Decontaminate all contaminated structures.

Ohio EPA recommends that generator accumulation areas be closed as soon as possible in order to avoid future problems. If Duffin chooses not to complete closure activities at the dock area, any future contamination which occurs in the area, may be attributed to the accumulation of hazardous waste. The longer Duffin waits to complete closure activities at the dock area, the more complicated the closure may become due to the possibility of contamination spreading into or out of the area. Therefore, in the best interest of Duffin and the environment, closure activities at the dock area should be completed as soon as possible. **Please inform me as to how Duffin intends to meet the closure performance standard at the dock area.**

Please be advised that due to the nature of the violations, Ohio EPA is considering escalated enforcement actions. Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve Duffin from having to comply with all applicable regulations.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Frank A. Zingales". The signature is written in a cursive style and is positioned above the typed name and title.

Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FAZ:ddw

ec: Nyall McKenna, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Kelly Smith, DHWM, CO
Harry Sarvis, DHWM, CO
Elissa Miller, Legal, CO