



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
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Chris Korleski, Director

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 1, 2008

John Tatusko
Plant Engineer
Canfield Metal Coating Corporation
460 W. Main St.
Canfield, OH 44406

RE: CANFIELD METAL COATING CORPORATION, OHD000810283, MAHONING COUNTY, RCRA/LQG, COMPLIANCE EVALUATION INSPECTION, PARTIAL RETURN TO COMPLIANCE

Dear Mr. Tatusko:

Thank you for your September 11, 2007 response to Ohio EPA's August 8, 2007 Notice of Violation (NOV) letter. You submitted information and documentation, including:

- A copy of the facility's revised Spill Prevention Control and Countermeasures (SPCC) Plan dated September, 2007.
- A copy of job titles and descriptions for all positions involving hazardous waste management.
- A copy of Hazardous Waste Management Positions Matrix and CMC Corp Organizational Chart.
- A copy of the universal waste protocol and training documentation.
- A protocol for the management of aerosol cans.
- A discussion regarding the generation and management of the zinc phosphate sludge.

My review of this documentation reveals that CMC has adequately demonstrated abatement of the following hazardous waste violations cited in Ohio EPA's August 8, 2007 NOV letter:

OAC 3745-65-52 Content of contingency plan

OAC 3745-65-16 (A) Personnel training

OAC 3745-65-16 (D) Personnel training

- Ohio EPA has reviewed CMC's SPCC hazardous waste contingency plan and finds it complies with OAC Rule 3745-65-52. CMC must train employees involved in hazardous waste management in this plan and submit documentation this has been done to this office. Ohio EPA wishes to remind CMC that employees must be trained in the facility contingency plan as part of the annual hazardous waste training. CMC must keep records of this training in their files.
- Furthermore, CMC must send a copy of the revised hazardous waste contingency plan to all emergency authorities expected to respond in the event of an emergency at the facility, and submit to this office documentation that this has been done.

OAC 3745-273-15(C) Accumulation time limits for Universal Waste

OAC 3745-273-16 Employee Training for Small Quantity handlers of Universal Waste

Ohio EPA has also reviewed CMC's aerosol can protocol and finds it acceptable. CMC has therefore adequately addressed the concerns raised in Ohio EPA's NOV letter. No further action is required at this time.

CMC remains in violation of the following state hazardous waste regulation until returned to compliance by this office:

1. **Ohio Revised Code (ORC) § 3734.02(E) and (F) storage of hazardous waste without a facility installation and operation permit:**

By letter dated March 15, 2007, Ohio EPA received a request from CMC for a thirty day extension to the ninety day accumulation time limit for LQG's. The letter states "CMC has one drum of waste chromic liquid, approximately 563 pounds, which has exceeded the ninety day time limit for storage on March 14, 2007".

Ohio EPA did not act on said request since it was requested after the time limit had expired. Hazardous waste manifests reviewed at the time of the inspection indicate that the drum of waste chromic acid (D002, D007) was not shipped off site to Envirite until March 27, 2007 (hazardous waste manifest number 001400418 FLE).

Based upon this information, Ohio EPA has determined that CMC has stored hazardous waste on site in excess of ninety days with a hazardous waste permit.

CMC has shipped the container of hazardous waste off site; therefore no further action is required at this time regarding this violation.

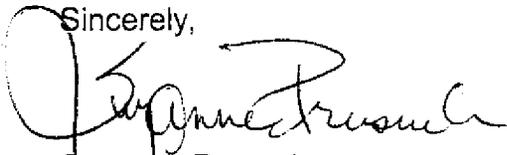
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Since CMC violated ORC §3734.02(E) and (F), CMC is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have CMC begin facility-wide cleanup pursuant to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

Failure to list specific deficiencies in this communication does not relieve CMC from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve CMC from liability for any past or present violations of the state's hazardous waste laws.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

cc: Natalie Oryshkewych, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, CO, OEPA
ec: Frank Popotnik, DHWM, NEDO, OEPA