

**Environmental
Protection Agency****Governor
Lt. Governor
Director**

September 12, 2011

Dana Cassidy, President & CEO
Agmet Metals, Inc.
7800 Medusa Street
Oakwood Village, OH 44146

Dear Mr. Cassidy:

Thank you for your letter dated August 10, 2011, responding to my letter dated July 11, 2011. As you indicated, several telephone conferences between your facility representatives and agency representatives have occurred since my letter was issued and Ohio EPA has decided that incidental filters contaminated with F006 filtercake can be accepted at the facility as Variance Material. Because of our change in interpretation, violation #1 from my July 11, 2011 letter is rescinded and replaced with the below violation. Again violation #2 from my July 11, 2011 letter has been adequately addressed. Also since our June 6th inspection you have informed us that one of the three roll-offs labeled as filters to be processed located outside of the bulk storage building (BSB) was mislabeled. You stated that it actually contained empty packaging material and no filters.

The following violation is noted.

Variance Condition 2.k.

Because variance material filters were stored in two roll-offs outside of the BSB, Agmet violated the condition of the variance that states, "Applicant shall store the Variance Material only at its Oakwood Facility in a bulk storage building."

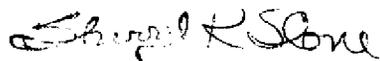
We understand Agmet has ceased the practice of placing variance material outside in roll-offs. Agmet plans to send the 2 roll-offs of filters, that were stored outside at the time of our inspection, to a proper hazardous waste desposal facility. Please advise as to the destination of these filters.

One concern is also noted. Investigations by Agmet into the origin of the filters in the two roll-off boxes being stored outside of the BSB, revealed that two customers have sent filters that might be hazardous waste because they only exhibit the characteristic of toxicity for chromium (D007) and are not also F006 hazardous waste. Agmet does not have a permit to accept hazardous waste carrying the D007 waste code. You have indicated in subsequent correspondence that Agmet will manually go through the pile of filters inside the BSB and any possible chrome filters will be sent for hazardous waste disposal as well. You have also indicated in subsequent correspondence that these two customers will be instructed not to send these types of filters to Agmet. Presumably the customers were instructed from the onset that only metal hydroxide bearing filtercake generated from the dewatering of sludges generated from the treatment of wastewater from electroplating operations (F006) were to be manifested to Agmet. Please describe what additional procedures will be instituted to insure that these filters are not accepted by Agmet.

AGMET METALS, INC., OAKWOOD CEI
SEPTEMBER 12, 2011
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Within 30 days of the date of this letter, please address the above Variance Condition violation and the above concern. If you have any questions related to this letter, feel free to call me at (330) 963-1226.

Sincerely



Sheryl K. Slone, P.E.
District Engineer
Division of Materials and Waste Management

ec: Natalie Oryshkewych, DMWM, NEDO
Karen Hale, DMWM, CO
Nyall McKenna, DMWM, NEDO
Jeff Mayhugh, DMWM, CO
Fran Kovac, Legal, CO
cc: Marlene Kinney, DMWM, NEDO

NOTICE:

The absence of a specific deficiency or violation in this letter does not relieve your facility from the obligation to comply with all applicable laws and regulations.