



State of Ohio Environmental Protection Agency

Northeast District Office



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CERTIFIED MAIL

September 3, 2008

Mr. Terrence Profughi
Hi TecMetal Group, Inc.
1101 E 55 Street
Cleveland, OH 44103

**RE: HTG-WALKER HEAT TREATING, 10601 BRIGGS ROAD,
CLEVELAND, OH 44111, OHD004197307, CUYAHOGA, NOV-PRTC**

Dear Mr. Profughi:

On August 21, 2008, this writer, representing Ohio EPA's Division of Hazardous Waste Management (DHWM), visited Hi TecMetal Group (HTG)-Walker Heat Treating located at 10601 Briggs Road in Cleveland, Ohio, to conduct a hazardous waste compliance evaluation inspection (CEI). HTG was represented by Willard Helber.

The purpose of the inspection was to determine HTG's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC), as well as the Consent Order that HTG entered into with the State of Ohio (State of Ohio v. Hi TecMetal Group, Inc., et. al., Case No. CV03509780). The inspection included a review of the facility's operations and records, as well as the management of wastes. HTG was inspected for the requirements of a conditionally exempt small quantity generator (CESQG) of hazardous waste. However, due to assessment and remediation activities, the facility generates hazardous waste in an episodic manner. Please be advised that should HTG generate more than 220 pounds of hazardous waste in a month or store in excess of 2,200 pounds of hazardous waste in any month, the corresponding generator status (i.e., SQG or LQG) with specific OAC regulatory requirements would apply. During calendar years 2005, 2006 and 2007, HTG attained a LQG status.

Information obtained pertaining to waste generation is included on the Process Description-Waste Activities Summary Sheet within the enclosed inspection checklist.

Based on the inspection, Ohio EPA identified the following violation:

1. **OAC rule 3745-52-23(A)(3), 3745-52-40(A) and Consent Order CV03509780-Paragraph 10; Manifest Use and Recordkeeping:** The generator must keep a copy of each manifest signed in accordance OAC rule 3745-52-23(A) for three years.

HTG failed to retain a copy of manifest tracking number 000229274FLE in compliance with OAC rule 3745-52-23(A)(3), 3745-52-40(A) and Consent Order CV03509780-Paragraph 10. On August 25, 2008, HTG submitted a copy of the requested manifest. Based upon submitted documentation, HTG has adequately abated this violation. No further information is requested.

In addition to the above, Ohio EPA has identified the following violations regarding closure activities at the facility:

2. HTG entered into a Consent Order with the State of Ohio (State of Ohio v. Hi TecMetal Group, Inc., et. al., Case No. CV03509780) on November 14, 2003. Subsequently, on January 22, 2007, HTG entered into an amended Consent Order with the State of Ohio. The Consent Order, in part, required HTG to complete closure activities in accordance with OAC rules 3745-55-10 to 3745-55-20 for the Walker Heat Treating facility.

On March 29, 2007, the Director of Ohio EPA approved the amended closure plan for the hazardous waste management units (HWMUs) located at the facility. In accordance with OAC rule 3745-55-13 and paragraph 13 and 16 of the Consent Order, HTG was required to implement the approved closure plan in the manner and time frames set forth therein. As of this date, HTG has not completed on-site closure activities in accordance with the approved closure schedule. **Therefore, HTG is in violation of OAC rule 3745-55-13 and paragraph 13 and 16 of the Consent Order. HTG must abate this violation by completing closure activities in accordance with the approved closure plan schedule. Furthermore, HTG must implement corrective actions at the Walker Heat Treating facility for all areas in excess of the remedial standards identified in the March 29, 2007 approved closure plan, including those recently identified during the May 6, 2008 sampling event.**

3. On April 25, 2008, Ohio EPA approved the Compliance Ground Water Monitoring Program Plan (CGWMPP) for the facility. As of this date, HTG has failed to implement the approved CGWMPP, including quarterly sampling of the monitoring wells at the facility. **Therefore, HTG is in violation of OAC rule 3745-54-91, OAC rule 3745-55-13 and paragraph 13 and 16 of the Consent Order. HTG must abate this violation by implementing the approved CGWMPP in accordance with the conditions and schedule set forth therein.**

During the August 21, 2008 inspection, Ohio EPA observed that the concrete apron for monitoring well 17 (MW-17) was cracked. HTG must repair MW-17. Identify in writing how HTG repaired this monitoring well.

Ohio EPA offers the following comments:

4. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.state.oh.us/dhwm>

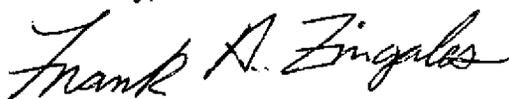
5. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: <http://www.epa.state.oh.us/dhwm/listserv.html>
6. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://www.epa.state.oh.us/ocapp/ocapp.html>
7. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land, and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at:
<http://www.epa.state.oh.us/ocapp/ocapp.html>

The above violations must be immediately addressed and all of the above requested documentation of compliance must be submitted to my attention within 14 days of receipt of this letter.

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

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

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FAZ:ddw

Enclosure

cc: Brian Ball, AGO
Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO
Willard Helber, HTG



Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number: OHD004197307									
Site Name	Name: Hi TecMetal Group-Walker Heat Treating				Website: (Optional)					
Site Location Information	Street Address: 10601 Briggs Rd.									
	City, Town, or Village: Cleveland				State: OH					
	County Name: Cuyahoga				Zip Code: 44111					
Site Land Type (check only one)	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>		
NAICS code(s) www.census.gov/epcd/www/naics.html										
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Willard			MI:	Last Name: Helber					
	Phone Number: (216) 941-0440				Phone Number Extension:					
	E-Mail Address:									
	Fax Number: (216) 941-0031				Fax Number Extension:					
	Street or P.O. Box:									
	City, Town or Village:				State:				Country:	Zip Code:
Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:				Date Became Owner (mm/dd/yyyy):					
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
	Street or P.O. Box:									
	City, Town or Village:				Owner Phone #:					
	State:				Country:		Zip Code:			
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):					
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
	Street or P.O. Box:									
	City, Town or Village:				Operator Phone #:					
	State:				Country:		Zip Code:			
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
Type of Generator										
<input type="checkbox"/> Not Regulated				<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator						
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste						
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator						
<input type="checkbox"/> Small Quantity Generator (SQG)										
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)										
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace						
<input type="checkbox"/> Underground Injection Control Facility				<input type="checkbox"/> Small Quantity On-Site Burner Exemption						
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption						
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste										

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))			
<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste		<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
(Check all boxes below that apply for each of the three types of facilities above)		Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.			
Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments: Unpermitted TSD, episodic LQG due to RCRA Closure activities.
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Frank Zingales			(08/21/2008) (09:05)
OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.			
Signature of Owner, Operator, or an Authorized Representative		Name and Title (Print)	Date (mm/dd/yyyy)

PROCESS DESCRIPTION / WASTE ACTIVITIES SUMMARY

Facility Name: HTG - Walker Heat Treating

Facility Type: CESQG, Episodic LQG

EPA ID#: OHD 004 197 307

Process Information: Facility conducts heat treating activities through the use of vacuum furnaces.

Unpermitted hazardous waste storage and disposal areas at the facility consist of the Rear and East Side of Facility, Salt Bath Room, and Southern Section of the Atmospheric Room, in violation of ORC 3734.02 (E)&(F) and the rules adopted thereunder. Amended closure plan approved for these units on March 29, 2007. Hazardous waste is generated from closure activities. As such, facility becomes an episodic LQG.

Regulatory / Enforcement History: See file for details. Consent Order, State of Ohio v. Hi TecMetal Group, Inc., Et Al., Case No. CV03509780 entered on November 14, 2003 and Amended on January 22, 2007 in Cuyahoga County Court of Common Pleas.

<i>Description of Waste</i>				<i>On-Site Management</i>	<i>Off-Site Management</i>
Process/Activity Generating Waste	Waste Generated	EPA Waste Code	Quantity Generated	Type of Accumulation / Storage	Name, state, and type of activity occurring at the facility.
1.	RCRA Closure/ remediation activities.	Various*	Various*	Episodic LQG	Container Chemtron Corp., Avon, OH (OHD066060609) Michigan Disposal Waste Treatment Plant, Belleville, MI (MID000724831)
2.	Salt Bath Room decommissioning	Various*	Various*	Episodic LQG	Container Chemtron Corp., Avon, OH Michigan Disposal Waste Treatment Plant, Belleville, MI EQ Detroit, Detroit, MI (MID9809991566)
3.	Maintenance	Used oil			Container PennOhio Corporation, Ashtabula, OH (OHR000028837)
4.	Various	Shop rags			Laundered
5..	Maintenance/ Lighting	Spent fluorescent lamps			Container Accumulated and sent to HTG-TPS location.

* See facility's 2006/2007 Annual Hazardous Waste Report.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤ 100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥ 1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE – No treatment done on-site.

4.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more that	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	0.5 million BTU per hour?	
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.