



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

June 24, 2011

Mr. Robin Stephens  
Burton Metal Finishing, Inc.  
1711 Woodland Avenue  
Columbus, OH 43219

Re: **Burton Metal Finishing, Inc.**  
**OHD180657975 Franklin County**  
**LQG [RTC]**

Dear Mr. Stephens:

I have reviewed the status of compliance at Burton Metal Finishing related to Ohio EPA's Notice of Violation letter dated August 7, 2007, and our follow-up notice letters dated February 14, 2008; September 3, 2009; November 24, 2009; April 14, 2010 and June 8, 2010. Ohio's laws under Chapter 3745 of the Ohio Administrative Code and Chapter 3734 of the Ohio Revised Code establish a system for safe and responsible management of hazardous waste.

**Compliance findings discussed in this letter are separate from those related to a US EPA-led hazardous waste compliance inspection conducted on January 13, 2011 (summarized in a separate letter from that agency dated June 10, 2011).**

Ohio EPA received copies of hazardous waste tank assessment reports dated December 30, 2009 and February 12, 2010 for the 2100-gallon chromate waste holding tank. The reports were prepared by Mark Baker, P.E. of Baker Consulting Group, and referenced an earlier evaluation of the tank by Mistras Service Group. A series of communications from you including a recent email dated 6/21/2011 described actions taken by Burton Metals related to these tanks.

At this time I believe that Burton Metals has completed actions necessary for a return to compliance with the last remaining violation from my 2007 inspection:

12. **Hazardous Waste Tank Assessment and Certification, OAC rule 3745-66-92(A):** The owner/operator must obtain a written assessment reviewed and certified by an independent, qualified, registered professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code attesting that the tank system (including the secondary containment and any ancillary equipment) has sufficient structural integrity and is acceptable for the storing and treating of hazardous waste...

A tank assessment certification (from Baker Consulting) was obtained which required repairs/improvements to the tank secondary containment system, most recently including:

12.a.) A secondary containment system with good integrity to hold 100% of the tank volume, (free of cracks, gaps or other apparent defects), and with chemically compatible coating(s) and joint seals. **OAC Rule 3745-66-93(E)(1)**. *Floor cracks and berms have been repaired/reconstructed to meet this requirement.*

12.b.) The structural compatibility of the secondary containment lining sufficient to prevent failure. **OAC Rule 3745-66-93(C)(2)** *The containment area floor and dike walls have been coated with a chemical resistant coating.*

12.e.) The operation of the system to protect from materials or conditions that may cause hazardous reactions of the contents was not addressed. **OAC Rule 3745-66-98(A)**. *The regulated hazardous waste tanks with potentially incompatible contents are now segregated from the cyanide waste holding tank.*

As a reminder, the following comment is also offered at this time:

- OAC Rule 3745-66-95 requires that each of Burton's hazardous waste tanks must to be inspected on a daily basis while in operation, and recorded in a log record. Check for their integrity, condition of coatings, absence of leaks, adequate freeboard, waste contents being within accumulation time limits, and other appropriate conditions.

Should you have any questions, please feel free to call me at (614)728-3885.

Sincerely,



J. David Hohmann  
Environmental Specialist  
Division of Materials and Waste Management  
Central District Office

c: CDO File

**Notice: Ohio EPA's failure to list specific deficiencies/violations in this letter does not relieve your company from having to comply with all applicable regulations.**