



State of Ohio Environmental Protection Agency

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Southwest District

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

October 10, 2007

Barry Holden
Director Quality/ Safety/ Regulatory
River Metals Recycling
2114 Metal Lane
Louisville, KY 40206

RTC

Re: Xenia Iron and Metal Return to Compliance

Dear Mr. Holden,

On October 4, 2007 Ohio EPA conducted an inspection of the River Metals Recycling facility (formerly Xenia Iron and Metal) located at 840 Jasper Rd in Xenia, Ohio to determine compliance with Ohio EPA's June 22, 2007 notice of violation (NOV) letter. Present during the inspection were you and Brad Wethington of River Metals Recycling, Brandon Freeman of The David J. Joseph Company, myself and Pam Hull of Ohio EPA. Based on our inspection, both the violation of OAC 3745-279-22 (D) and the concern related to fuel storage noted in the June 22, 2007 NOV have been abated.

Ohio EPA remains concerned regarding the performance of two recently installed oil/water separators during storm events and the potential that they may discharge used oil onto the ground. River Metals remains obligated to comply with OAC 3745-279-22 (D) whenever used oil is released to the environment from the oil/water separators or from other activity. This regulation requires that upon detection of the release of used oil to the environment River Metals Recycling must stop the release, contain the release, and clean up and manage properly any released used oil.

Although the oil/water separators discharge to the ground, Ohio EPA is concerned that the oil/water separators may require a design review/permit to install. To address this concern we are referring this matter to our Division of Surface Water (DSW), which may contact you directly. I have also forwarded a copy of the storm water pollution prevention plan for River Metals Recycling to Chris Cotton, the storm water coordinator for the Southwest District Office who can be reached at (937) 285-6442. If you have further questions regarding this letter, please feel free to call me at (937) 285-6082.

26
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Barry Holden
Director Quality/ Safety/ Regulatory
River Metals Recycling
October 10, 2007
Page 2

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

Sincerely,



Brian Gitzinger
District Representative
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM, SWDO
Chris Cotton, DSW, SWDO
Martyn Burt, DSW, SWDO
Brad Wethington, River Metals Recycling, 840 Jasper Rd. Xenia, Ohio 45385

BG/plh