



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

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

October 15, 2007

**RE: REPUBLIC ENGINEERED PRODUCTS  
LORAIN COUNTY  
OHD 000 817 213  
PARTIAL RETURN TO COMPLIANCE**

Mr. Jay Lawniczak  
Republic Engineered Products  
1807 E 28<sup>th</sup> Street  
Lorain, Ohio 44055-1883

Dear Mr. Lawniczak:

On August 31, 2007, Ohio EPA received a letter with attachments dated August 29, 2007 from Republic Engineered Products, Inc. (REP). This letter was in response to Ohio EPA's July 30, 2007 Notice of Violation letter (NOV). The response included the following:

Attachment 1	Test results for the contents of the 5-gallon container near Grinder #5
Attachment 2	Test results for grinding swarf
Attachment 3	MSDS for grinding wheels
Attachment 4	Test results for Bar Mill Roll shop blaster dust
Attachment 5	Test results for pigeon droppings
Attachment 6	Training records for SES, Inc. employees
Attachment 7	Revised copy of Hazardous Waste Contingency Plan
Attachment 8	Revised copy of Universal Waste Management SOP
Attachment 9	Copy of e-mail containing Used Oil Storage area containment dike dimensions and construction drawings LA 99831, LA 99832, LA 99830

Additional information was received on September 17, 2007 via e-mail. Attached to the e-mail was the Environmental Activities, Responsibilities, Authorities & Quality System References for Environmental Activities Contractor: SES, Inc. and an EMS Attendance Record.

As stated in the July 30, 2007 NOV, no further action was required for the following violations:

2. **Testing and Maintenance of Equipment, OAC rule 3745-65-33**
7. **Accumulation time limits – standards for small quantity handlers of universal waste, OAC rule 3745-273-15(C)**

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Based on the information provided, it appears that REP has adequately addressed the following violations from the July 2007 NOV:

1. **Waste Evaluation, OAC rule 3745-52-11**
  - a 5 gallon container near #5 Grinder
  - b Swarf
  - c Grinding wheels
  - d Torit baghouse
  - f Pigeon droppings
3. **Personnel Training, OAC rule 3745-65-16(D)(1)**
4. **Personnel Training, OAC rule 3745-65-16(D)(2)**
5. **Contingency Plan Requirements, OAC rule 3745-65-54**
6. **Content of the Contingency Plan, OAC rule 3745-65-52(E)**
8. **Management of Broken or Damaged Universal Waste Lamps, OAC rule 3745-273-13(D)(2)**
9. **Labeling and Marking Standards for Handlers of Universal Waste, OAC rule 3745-273-14(A)**

Based on the information provided, Ohio EPA needs additional information to evaluate REP's compliance:

1. **Waste Evaluation, OAC rule 3745-52-11:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.
  - e. Ohio EPA noted a drum labeled carbide sludge. Per the e-mail you sent on July 3, 2007, the waste was sampled on July 2, 2007 and will be tested for the hazardous characteristic of lead.

Ohio EPA needs additional information to concur with REP conclusion that the material is exempt from the hazardous waste rules.

- i. You state in your response that the carbide sludge is generated in the Bar Mill Roll Shop. Ohio EPA needs to know what specifically this material is and how it is generated.
- ii. You go on to state that the material is set aside to solidify. Ohio EPA needs to know what you mean by "solidify"; is it simply water evaporating from the material or is another process occurring?

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- iii. You conclude that the solidified material is sent to Sintermet who recycles it into a form of carbide that is usable for commercial use. How does Sintermet recycle the material and what are they producing?

In the July 30, 2007 NOV, Ohio EPA had requested additional information in items 10 and 11 be submitted to fully evaluate REP's compliance. Based on the information submitted, it appears that the 300,000 gallon tank is not subject to regulation under the used oil rules if REP continues to only accept on-spec used oil. If REP would like to accept off-spec used oil, additional documentation and/or action will be necessary. Please contact Ohio EPA if you would like to pursue this course of action.

Regarding #11, it appears that the 2006 training records could not be located. As such, REP has a new violation:

***NEW Violation:***

1. ***Personnel Training, OAC rule 3745-65-16(C):*** The owner/operator must provide annual refresher training to employees.

Since annual training has been provided to the employees in 2007, no further action is required. REP is advised to oversee SES to assure all requires employee training is occurring and is documented.

Also, based on a review of the contingency plan submitted in response to violations 5 and 6, a new violation has been noted:

***NEW Violation:***

2. ***Contingency Plan Requirements, OAC rules 3745-65-52(D):*** The contingency plan must include [in part] the following elements:
  - a. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator

The contingency plan did not include the home addresses of the persons qualified to act as the emergency coordinator.

Please submit a revised page to address this violation.

Finally, based on the September 2007 response, it appears REP has adequately addressed the concerns noted in the July NOV.

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Failure to list specific deficiencies and or violations in this communication does not relieve Republic Engineered Products from the responsibility of complying with all applicable laws, rules and regulations.

Please submit the requested documentation by November 16, 2007. Should you have any questions please feel free to call me or my supervisor, Frank Popotnik at this office.

Sincerely,



Karen L. Nesbit  
Division of Hazardous Waste Management

KLN:cl

ec: Frank Popotnik, DHWM, NEDO  
Harry Sarvis, DHWM, CO

cc: Natalie Oryshkewych, DHWM, NEDO