



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

March 9, 2007

**BELMONT COUNTY
WPSC-MARTINS FERRY
DHWM/SEDO
OHD010448231**

Mr. Pat Smith
Wheeling Pittsburgh Steel Corporation
Commercial Avenue
Mingo Junction, Ohio 43938

Dear Mr. Smith:

As we discussed in our telephone conversation on Friday, March 2, 2007, Wheeling Pittsburgh Steel Corporation (WPSC) is currently in the process of cleaning chemtreat/oily waste residue from the utilities trench (or sump) area underneath the chemtreat location on the 48-inch coil line at the Martins Ferry plant. You stated that this effort would continue during the weekend of March 4, 2007. Ohio EPA appreciates the efforts currently underway to clean the concrete in this trench. The liquid waste material in the trench was previously removed on February 11, 2007, by WPSC's contractor.

As you know, Ohio EPA collected samples of waste in the trench on January 3, 2007, and received the analytical results on February 5, 2007. A copy of these results was provided to you during our February 8, 2007, visit to the Martins Ferry Plant. The sample results indicate that the waste material in the trench is a D007 characteristic hazardous waste resulting from the chromium content. Therefore, Ohio EPA has determined that WPSC is in violation of the following hazardous waste laws and regulations. In order to correct these violations, WPSC must do the following and send the required information to this office **within 30 days** of receipt of this letter:

- (1) **ORC Rule 3734.02(E) & (F), Prohibitions:** This law states in part, that no person shall store, treat or dispose of hazardous waste without a hazardous waste facility installation and operation permit.

WPSC Martins Ferry Plant stored D007 hazardous waste in the sump below the 48-inch coil line greater than 90 days in violation of this law and has therefore created a hazardous waste storage unit. "Storage" when used in connection with hazardous waste is defined in the Ohio Revised Code as: "the holding of hazardous waste for a temporary period in such a manner that it remains retrievable and substantially unchanged physically and chemically and, at the end of the period, is treated; disposed of; stored elsewhere; or reused, recycled, or reclaimed in a beneficial manner." This violation will be abated, in part, once WPSC has implemented an approved closure plan for this area.

Since WPSC is in violation of ORC §3734.02(E) and (F), this facility is subject to all the applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its' right to have this facility begin facility-wide Corrective Action pursuant to Ohio law.

Mr. Pat Smith
Wheeling Pittsburgh Steel Corporation
March 9, 2007
Page 2

- (2) **OAC Rule 3745-55-12(A) and 3745-66-12, Closure Plan:** The owner or operator of Hazardous waste management facility, such as the WPSC Martins Ferry facility shall have a written closure plan.

WPSC does not have a closure plan for the chemtreat trench area under the 48-inch line, in violation of these rules. To abate this violation, WPSC must provide a plan that meets the requirements of OAC Rule 3745-55-12 and OAC Rule 3745-66-12. To ensure that the closure plan complies with these rules, Ohio EPA encourages WPSC to refer to Ohio EPA's Hazardous Waste Management Closure Plan Review Guidance found on Ohio EPA's website at: <http://www.epa.state.oh.us/dhwm/cprg.html>.

GENERAL COMMENT

- (a) Ohio EPA believes that the chemtreat liquid in the trench may be draining into the trench when chemtreat totes are changed out. Chemtreat liquid remaining in the hose connecting the spray bar may be allowed to drain into the trench. Ohio EPA recommends that a valve be installed on the chemtreat hose to prevent this leakage when changing out the totes or that a procedure is adopted to prevent chemtreat leakage/spillage during change out of totes.

Please feel free to contact me at (740) 380-5262 with any questions you may have.

Sincerely,



John Rochotte
District Representative
Division of Hazardous Waste Management

JR/mim

cc: Bud Smith, WPSC-Wheeling, WV

NOTICE:

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