



State of Ohio Environmental Protection Agency

**Southeast District Office**

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June 7, 2007

**JEFFERSON COUNTY  
WPS-STEUBENVILLE NORTH  
DHWM/SEDO  
OHD000810382**

Mr. Bud Smith, Director, Environmental Control  
Wheeling Pittsburgh Steel Corporation  
1134 Market Street  
Wheeling, WV 26003

Dear Sir:

On December 4, 2006, Jim Michnowicz and I inspected Wheeling Pittsburgh Steel Corporation's (WPSC) Steubenville North facility to determine its compliance with Ohio's hazardous waste laws and regulations as found in the Ohio Revised code and Ohio Administrative Code (ORC and OAC, respectively).

I returned to the facility on December 18, 2006, to collect additional information relating to used oil issues observed during the inspection. On January 5, 2007, a Notice of Violation was issued to WPSC. On May 7, 2007, I received WPSC's response to the January NOV. Based on the equipment inspection log and photographs provided with that response WPSC has returned to compliance with the following regulations:

- i) OAC rule 3745-65-33, Testing and maintenance of equipment; 54
- ii) OAC Rule 3745-279-22(C), Used oil storage requirements for generators; 44
- iii) OAC rule 3745-279-22(D), Response to releases. 36

On May 4, 2007, I received copies of the PE certifications for the replacement of the loading pad sump pump and the repair of the cracks in the chemical-resistant liner in the secondary containment for the FCS tanks. This documentation, the completed inspection logs and the additional instructions for plant personnel inspecting the FCS tank system demonstrates that WPSC has returned to compliance with the following requirements of the 2002 Consent Order between Ohio EPA and WPSC:

- i) Inspections (Order V.9.d) and Major Repair Certification (Order 9.c.).

Based on the information obtained during the October 12, 2004 inspection, WPSC has failed to comply with the following requirements of the 2002 Consent Order between Ohio EPA and WPSC:

- (1) **Release Response and Reporting** (Order V.9.g.): The Ferrous Chloride Solution Release and Reporting for SN Plant (#E1040-0501-R002) procedures fail to include the following required information: A) necessary cleanup equipment; B) a list of WPSC personnel's names and telephone numbers who are to be notified of a release of FCS;

and C) release reporting requirements omit providing the **location** of spills that exceed 30 gallons. In addition, D) the release response procedures incorrectly state that only "releases which exceed 30 gallons" have to be removed within 7 days and managed as hazardous waste. To demonstrate compliance, WPSC must provide a copy of these procedures that include all information required by the Order and make these corrected procedures available to employees who are responsible for responding to these releases.

The following violations remain outstanding from the January 27, 1998 inspection:

- (2) **ORC 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. ORC 3734.02(F) states that no person shall treat, store or dispose of hazardous waste except for the types of facilities specified within this rule; and **OAC rule 3745-55-12(A), Closure Plan:** The owner or operator of a hazardous waste management facility shall have a written closure plan. <sup>26</sup>

WPSC had multiple releases from the former Spent Pickle Liquor (SPL) tank system with varying degrees of soil removal and documentation. WPSC's contractor performed soil sampling in the area of these releases in December, 2003. Based on the results from those samples, which exceeded generic background levels, Ohio EPA has determined that SPL releases to soil have occurred. WPSC must provide a closure plan that addresses additional sampling to determine the nature and extent of these releases.

This violation will be abated, in part, when a closure plan for this unit, approved by Ohio EPA, is implemented and a closure certification/report has been received, demonstrating the attainment of the performance standards in OAC Rule 3745-66-11.

Please provide the documentation requested above to this office **within 30 days** of the date of this letter. If you have any questions, please call me at (740) 380-5278.

Sincerely,



Richard Stewart  
District Representative  
Division of Hazardous Waste Management

RS/jg

cc: Pat Smith, WPSC-Steubenville South Plant  
Brian Ball, AGO  
Jim Kavalec, DHWM, CO  
Robert D. Smith, U.S. EPA, Region V