



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

CERTIFIED MAIL: 7007 3020 0001 7884 9743

June 25, 2010

**JEFFERSON COUNTY
SEVERSTAL - YORKVILLE
DHWM/SEDO
OHD082964313**

Mr. Bud Smith
Severstal Wheeling, Inc.
1134 Market Street
Wheeling, WV 26003

Dear Mr. Smith:

The purpose of this letter is to provide Ohio EPA's understanding of the remediation procedures at the Yorkville Wastewater Treatment Plant resulting from the May 13, 2010 release of spent pickling liquor from Severstal Wheeling's (S-W) Yorkville facility. Also, this release resulted in S-W being in violation of Ohio's Hazardous waste rules and laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). These specific violations are provided below.

Remedial Activities at the Yorkville WWTP

The spent pickling liquor release migrated to storm and sanitary sewers at S-W's Yorkville facility and made its way to the Ohio River and also the Yorkville WWTP, causing the south oxidation ditch to be rendered inactive. S-W moved frac tanks and a mobile filter press to the WWTP to address wastewater and the sludge in this treatment basin. Sludge in the aerobic digester was also affected and was also addressed.

The wastewater portion was managed to meet NPDES permit limits in consultation with Ohio EPA Division of Surface Water representatives.

Ohio EPA discussed with Chad Buksa, the Yorkville Wastewater Treatment Plant operator, and Severstal Wheeling representatives, Bud Smith and Pat Smith that spent pickling liquor (SPL), by definition, is a K062 hazardous waste and therefore, the sludge mixed with SPL must either be managed as a hazardous waste or it can be lime stabilized to meet the hazardous waste exclusion found in OAC 3745-51-03(C)(2)(b)(i). S-W's contractor pumped the inactive sludge in the south oxidation ditch to the aerobic digester and lime stabilized this sludge prior to de-watering it with the mobile filter press. Filtrate from this process is to be further treated at S-W's Yorkville facility "Phase II" WWTP.

It is Ohio EPA's understanding that as of June 25, 2010, the sludge removal work and treatment at the Yorkville WWTP is almost complete.

Violation Citations

The SPL release on May 13, 2010 resulted in an unpermitted discharge of K062 hazardous waste from S-W's Yorkville facility. Therefore, Ohio EPA has determined that Severstal Wheeling is in violation of the following hazardous waste laws and regulations. In order to correct these violations, S-W 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.

The release of Spent Pickling Liquor via the pickling line scrubber ductwork, to storm and sanitary sewers at Severstal's Yorkville facility resulted in the disposal of K062 hazardous waste without a permit and therefore, Severstal Wheeling is in violation of the above law.

Since Severstal Wheeling 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.

- (2) **OAC Rule 3745-55-12(A), Closure Plan:** The owner or operator of Hazardous waste management facility, shall have a written closure plan.

Severstal Wheeling does not have a closure plan for the Pickling line scrubber ductwork at the Yorkville facility, in violation of these rules. To abate this violation, Severstal must provide a plan that meets the requirements of OAC Rule 3745-55-12. To ensure that the closure plan complies with this rule, Ohio EPA encourages S-W to refer to Ohio EPA's Hazardous Waste Management Closure Plan Review Guidance found on Ohio EPA's website at: <http://www.epa.ohio.gov/portals/32/pdf/2008CPRG.pdf>

- (3) **OAC Rule 3745-65-31, Maintenance and Operation of Facility:** Facilities shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Severstal Wheeling did not operate the Yorkville facility to minimize the release of hazardous waste or hazardous waste constituents to the environment in violation of this rule.

This rule will be abated upon Severstal's demonstration that daily inspections are being conducted at the facility and the other violations cited in this letter have been abated.

- (4) In accordance with Section V, Paragraph 9(g)(ii)(b) of the **March 15, 2002 Consent Order** between the State of Ohio and Wheeling-Pittsburgh Steel Corporation and its successors, Severstal Wheeling must submit a written report within 30 days after discovery of a release of recyclable solution (ferrous chloride solution). This report was due on June 12, 2010. Ohio EPA received this report on June 22, 2010. Because the 30 days had been surpassed, Severstal Wheeling is in violation of this requirement in the consent order from June 12, 2010 to June 22, 2010.
- (5) The **2002 Consent Order** between the State of Ohio and Wheeling-Pittsburgh Steel Corporation and its successors, requires that Severstal Wheeling conduct daily inspections of the tank systems related to the pickling operation at the Yorkville facility and record these inspections (see Section V, paragraph 9(d) and Section VII, Recordkeeping). Per Section VII, Severstal Wheeling must provide these inspection logs within two hours if the records are not at the Yorkville facility. Ohio EPA initially asked to see a copy of these inspection logs on June 10, 2010. To date, Ohio EPA has not received these records in violation of the consent order.

In order to abate this violation, Severstal Wheeling must provide the daily inspection logs to this office for review.

Violations #3 and #4 cited above are subject to stipulated penalties as outlined in Section IX of the Consent Order. Resolution of this issue will be addressed after Ohio EPA's receipt of the daily inspection logs.

GENERAL COMMENT

- (a) Ohio EPA recommends that Severstal Wheeling consider the installation of an additional overflow pipe plumbed to the pickling line "day tank," and/or, if feasible, a high level alarm in the pickling bath. This would provide additional protection in preventing the pickling solution from rising to a level in the pickling bath that would cause it to overflow into the scrubber ductwork.
- (b) Severstal Wheeling has estimated that approximately 500 gallons of Ferrous Chloride Solution was released. However, since the release on May 13, 2010, Severstal's contractor has been operating a vac truck at the 002 sewer line to pump condensate from the scrubber ductwork that continues to migrate to the 002 storm sewer. Please provide an updated volume of liquid that has been released that includes liquid removed from the 002 storm sewer by your contractor.

Mr. Bud Smith
Wheeling Pittsburgh Steel Corporation
June 25, 2010
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(c) Ohio EPA is concerned about possible future migration of condensate to the 002 storm sewer. Please provide information regarding the specific revisions/corrections to the scrubber ductwork system undertaken by Severstal Wheeling that will prevent condensate from migrating to the 002 storm sewer or any other storm or sanitary sewers in the future.

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/mlm

cc: Harry Sarvis, OEPA-CAS
Brian Ball, Ohio AGO

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.

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Sent To: Mr. Bud Smith, Severstal Wheeling
 Street, Apt. No., or PO Box No.: 1134 Market St.
 City, State, ZIP+4: Wheeling, WV 26003

PS Form 3800, August 2006 See Reverse for Instructions

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<p>1. Article Addressed to:</p> <p style="font-size: 1.2em;">Mr. Bud Smith Severstal Wheeling, Inc. 1134 Market St. Wheeling, WV 26003</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
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