



State of Ohio Environmental Protection Agency

Southeast District Office

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

July 20, 2010

**MUSKINGUM COUNTY
AK STEEL CORP.
DHWM/SEDO
OHD004281598**

Matt Montag
AK Steel Corporation
1724 Linden Ave
Zanesville, Ohio 43701

Dear Mr. Montag:

On March 16, 2010, Vicky German and I performed a compliance inspection of AK Steel Corporation's Zanesville plant to determine its compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on this inspection, a notice of violation (NOV) letter was issued to you on April 23, 2010. I reviewed your May 24, 2010 response and a second NOV was sent on June 9, 2010. I received a response to that letter on July 12, 2010. Based on our review of that response and the attached photograph of the labeled Process Transfer Tank and the daily inspection log of same, AK Steel has demonstrated compliance with the following, previously-cited regulation:

i) Inspections, OAC rule 3745-66-95(C).

AK Steel remains in violation of the following hazardous waste regulations; please provide the documentation requested below, within forty-five days of the date of this letter:

- (1) **Containment and detection of releases, OAC rule 3745-66-93(A):** In order to prevent the release of hazardous wastes or hazardous constituents to the environment, secondary containment that meets the requirements of this rule must be provided.

Based on the data submitted with the May 24, 2010 response, one of two samples from the #7 coater failed TCLP for chromium and is, therefore, a hazardous waste. Therefore, AK Steel's continued assertion that this waste is not hazardous waste does not merit further response. The sumps for collecting the coating wastes (D002) (D007) under the #7 and #15 coating lines, and under #4 HP and the strip anneal line are considered tanks under RCRA (see OAC rule 3745-50-10). In the May 24, 2010 response, AK Steel agrees to have an engineering firm assess these four coating lines in order to implement alternative containment for the coating overspray, rinses, etc. As AK Steel alludes to in the response, the sumps (once they

are found to be intact and decontaminated through RCRA closure) can be used as *secondary containment* for these processes. AK Steel has stated that they will provide a timetable on these modifications to Ohio EPA once they have received the initial assessment, no later than August 31, 2010. This is acceptable to Ohio EPA.

- (2) **Closure and post-closure care, OAC rule 3745-66-97(A):** At closure of a tank system, the owner or operator must remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated soils and structures and equipment contaminated with waste, and manage them as hazardous waste, unless under provisions contained in paragraph (D) of OAC rule 3745-51-03. The closure plan, closure activities, cost estimates for closure, and financial responsibility for tank systems must meet all of the requirements specified in rules 3745-66-10 to 3745-66-21 and 3745-66-40 to 3745-66-48 of the OAC.

In the July 12, 2010 response, AK Steel stated that they will submit a closure plan for the four coating sumps promptly; however, the schedule for implementation will be based on the schedule for modifying the coating lines. This is acceptable to Ohio EPA. This violation will be abated once AK Steel has implemented the approved closure plan.

- (3) **Closure Plan, amendment of plan, OAC rule 3745-66-12(A)/OAC rule 3745-55-12(A):** Written plan. The owner or operator of a hazardous waste management facility must have a written closure plan.

See response for #2 above. This violation will be abated once AK Steel has submitted a closure plan addressing each of these sumps to the director.

If you have any questions, please call me at (740) 380-5278.

Sincerely,



Richard Stewart
District Representative
Division of Hazardous Waste Management

RS/mlm

cc: Harry Sarvis, DHWM/CO

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.