



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 Korleski, Director

August 9, 2007

RE: ~~TUSCARAWAS COUNTY~~  
~~IMCO ALERIS RECYCLING~~  
DHWM-SEDO  
OHD 987 052 222

Mr. Brinley Brown  
Aleris International  
7335 Newport Road, S.E.  
Uhrichsville, Ohio 4683

Dear Mr. Brown:

I received your response to my April 12, 2007 Notice of Violation (NOV) letter on August 2, 2007. The documentation you submitted included copies of analytical results, the baghouse and cyclone waste sampling procedure, the revised SPCC plan and photographic documentation of the secondary containment and of the air dryer blowdown area.

My review of this documentation reveals that IMCO Aleris Recycling has adequately demonstrated abatement of the following violations discovered during the April 3, 2007 inspection:

1. **Maintenance and operation of facility, OAC rule 3745-65-31**
2. **Used oil storage requirements for generators, OAC rule 375-279-22(D)**
3. **Emergency procedures, OAC rule 3745-65-56(A)(2)**
4. **Management of containers, OAC rule 3745-66-73(B)**

However, IMCO Aleris Recycling remains in violation of the following hazardous waste law:

1. **Purpose and implementation of contingency plan, OAC rule 3745-65-51(B):**  
The provisions of the contingency plan shall be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

During the inspection, baghouse dust was observed on the ground in the <90 day hazardous waste storage area (as a result of sampling of the super sacks) and in the drainage area adjacent to the <90 day hazardous waste storage area. IMCO's Stormwater Pollution Prevention Plan and the hazardous waste contingency plan address releases of baghouse dust. Specifically, the contingency plan outlines

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remediation procedures for this type of release to soil. IMCO had not implemented the contingency plan as required by this rule. In your August 2, 2007 response, you state that the contingency plan was not implemented because the baghouse dust on the ground was not a hazardous waste. The baghouse dust observed on the ground in the <90 day storage area was clearly from the hazardous waste supersacks. The baghouse dust outside of this area most likely came from the non-hazardous baghouse storage area but because of the windy conditions it was unclear. Please note, that non-hazardous baghouse dust is considered a solid waste and any spilled material must also be recovered. This is discussed in the SPCC plan that was submitted in the August 2, 2007 response.

From IMCO's response, I could not tell if IMCO had cleaned-up the spilled material from the <90 day hazardous waste storage area, the non-hazardous waste storage area or from the area immediately adjacent to the hazardous waste storage area. Have these areas been remediated? The analytical results that I received were for the baghouse dust itself. According to the chain of custody, several other samples were collected but the results from these samples were not included in the August 2, 2007 response.

IMCO must submit documentation to Ohio EPA, **within 14 days** that these releases have been properly remediated.

Should you have any questions, please feel free to call me at 740-380-5256.

Sincerely,



Melody Stewart  
District Representative  
Division of Hazardous Waste Management

MS:cb

**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 appropriate regulations.