



State of Ohio Environmental Protection Agency

Southeast District Office

Monroe County
Site-Gen

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

Certified Mail: 7006 0100 0003 5620 2761

February 13, 2007

**MONROE COUNTY
ORMET ALUMINUM MILL PRODUCTS
RCRA/SQG
OHD 080 646 565**

Mr. John Reggi
Ormet Primary Aluminum Corporation
P.O. Box 176
Hannibal, Ohio 43931

Dear Mr. Reggi:

On February 5, 2007, Ohio EPA received your letter in response to the December 20, 2006, Notice of Violation. Based on the review of this correspondence, Ormet continues to be in violation of the following Ohio solid and infectious waste and hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC).

1. **Ormet is in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C).**

ORC 3734.03 states in part:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 3745-27-05(C) states:

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.

The soil and solid waste found in the trenches must be removed from the above-mentioned property and disposed of at a licensed solid waste disposal facility. Copies of receipts for disposal should be submitted to this office for proof of disposal. The mixed dirt, oil, piping and other debris is a solid waste and all of it must be removed for proper disposal.

2. **What are my responsibilities if I am an owner or operator? OAC rule 3745-352-20(A)(2)(c):** Not later than ninety days after cessation of regulated operations, you must remove from the facility all regulated substances and all debris, non-stationary equipment and furnishings, non-stationary containers, and motor vehicles and rolling stock that contain or are "**contaminated with**" regulated substances, as defined in rule 3745-352-05 of the Administrative Code.

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During the investigation, we observed areas inside the process buildings where oil had spilled onto the floor and was partially covered with soil and trenches with oil and oil residue that had been partially back filled with soil. Piping and other debris was observed in the trenches that were partially filled in with soil. Facility personnel could not document that the trenches or piping had been decontaminated prior to backfilling. **As required by the above rule, Ormet must remove or decontaminate the piping in these trenches.**

Please respond to this correspondence **within 7 days** of receipt of this letter. Your response should include details of your actions taken to comply with the aforementioned rules.

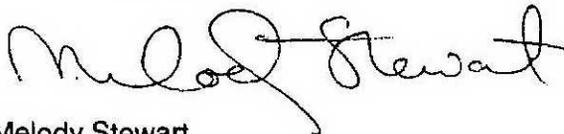
Please note that Ohio EPA considers these violations serious in nature and the company's failure to comply with Ohio's laws and may result in referral of Ormet's violations to our Central Office Enforcement Section for consideration of escalated enforcement.

If you have any questions regarding the contents of this letter, please call me at (740) 380-5278.

Sincerely,



Trevor L. Irwin, RS
Environmental Specialist
Division of Solid and Infectious Waste



Melody Stewart
District Representative
Division of Hazardous Waste Management

MS/mlm

cc: Trevor L. Irwin, DSIWM/SEDO
Ralph McGinnis, DHWM/CO
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 appropriate regulations.