



**Environmental  
Protection Agency**

John E. Kasco, Governor

Ken Taylor, Lt. Governor

Scott J. Nally, Director

**CERTIFIED MAIL**

December 20, 2011

David Renfrew  
Elkem Metals Company  
P.O. Box 266  
Pittsburgh, PA 15230-0266

Dear Mr. Renfrew:

**RE: ELKEM METALS COMPANY, OHD 004 171 039, ASHTABULA COUNTY,  
CESSATION OF REGULATED OPERATIONS, 2<sup>nd</sup> NOTICE OF VIOLATION**

You have failed to respond to Ohio EPA's November 22, 2011 Notice of Violation as required, and submit the required Cessation of Regulated Operations (CRO) notification from Elkem's Ashtabula facility.

Please be advised that failure to submit the CRO notification and complete the CRO process may result in escalated enforcement action.

Elkem remains in violation of the following provisions of the Ohio Administrative Code (OAC):

**1. Responsibilities of owner/operator within 30-days of CRO  
3745-352-20(A)(1)(a), (b), (c)**

*Not later than thirty days after CRO, the facility must:*

- (a) *Submit a notice of CRO to the Director, local emergency planning agency and local fire department using form EPA 0327;*
- (b) *Secure the facility against unauthorized entry in accordance with OAC 3745-352-30;*
- (c) *Designate a contact person for the facility in accordance with OAC 3745-352-35;*

**2. Responsibilities of owner/operator within 90-days of CRO  
OAC 3745-352-20(A)(2)(a),(b),(d) and (g)**

- a. *Submit to the director a copy of the most recent chemical inventory report required by section 3750.08 of the Ohio Revised Code;*
- b. *Submit to the director a copy of the current hazardous chemicals list or each of the material safety data sheets required by section 3750.07 of the Ohio revised Code;*
- d. *Remove all regulated substances from the facility;*
- g. *Certify to the director that you have complied with this rule using form EPA 0329.*

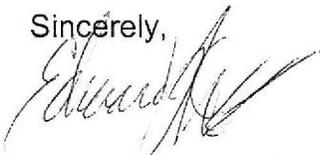
You must immediately submit the required CRO paperwork, designate a contact person, secure the facility (until all regulated substances are removed), and immediately remove all regulated substances from the facility.

Ohio EPA is required to inspect the facility. Please contact me at (330) 963-1170 to schedule the inspection.

Failure to list specific deficiencies or violations in this communication does not relieve Elkem Metals Company from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please feel free to contact me if you have any questions.

Sincerely,



Edward J. D'Amato  
Environmental Specialist  
Division of Materials and Waste Management

EJD:ddw

cc: Ralph McGinnis, DMWM, CO  
ec: Frank Popotnik, DMWM, NEDO  
Jeff Mayhugh, DMWM, CO