

**Environmental
Protection Agency**

**Governor
Lt. Governor
Director**

September 21, 2011

RE: **NOTICE OF VIOLATION
ODOR NUISANCE
DETREX CORP./ ELCO CORP.
FACILITY ID: 02-04-00-0417**

CERTIFIED MAIL

Mr. Thomas W. Steib, Plant Manager
Detrex/Elco Corp.
1100 State Rd.
Ashtabula, Ohio 44004

Dear Mr. Steib:

The Ohio EPA Northeast District Office (NEDO) has been continuing the investigation involving the numerous citizen complaints alleging strong odors described as "oily sulfur" and/or "cat-like urine/ammonia" odors emanating from the State Rd., Middle Rd., and the Lakeshore Park areas. Ohio EPA has been receiving complaints at various times of the day and also on weekends. We have been receiving these complaints since mid-June of this year, and as a result we have been conducting plant inspections.

Representatives from NEDO Division of Air Pollution Control (DAPC) have periodically conducted odor surveillance in the area and have come to the conclusion, based on wind data and odor detection, that on certain occasions, the odors in the area are originating from your facility. On the occasions that odors have been detected emanating from Detrex, we have conducted odor surveillance upwind and in surrounding areas of the plant, and Ohio EPA has concluded that the odors are not originating from an upwind or neighboring source. As a result of the aforementioned surveillance, we have determined the nuisance odors are originating from Detrex, the most recent of which was detected by Bob Bechtel (DAPC/NEDO) on the evening of August 23, 2011. Please see attached inspection form for details.

You should be aware that a number of the complaints we have received have been from residents alleging adverse health effects that have resulted to exposures to these odors. Some of these complainants have contacted U.S. EPA and the local health department. As we have discussed, Ohio EPA and U. S. EPA will be conducting air sampling both at the Detrex facility and at other affected areas in an effort to quantify the chemical compounds that are causing these nuisance odor complaints and provide a basis for a health-based determination on the potential effects of exposure to these odors to be developed.

In view of the above facts, this letter is to inform you that the operations conducted at Detrex/Elco Corp. in Ashtabula Township are causing an odor nuisance in violation of Ohio Administrative Code Rule 3745-15-07, "Air Pollution Nuisances Prohibited," of which paragraph (A) states:

"Except as provided in paragraph (B) of this rule, the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combination of substances, in such a manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance."

MR. THOMAS W. STEIB
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From our September 7 discussion with you and other representatives of Detrex, Ohio EPA is aware that your company is preparing to hire URS as a consultant to conduct a plant-wide assessment. We request that Detrex expeditiously make these arrangements, and provide Ohio EPA with the results of that study as soon as it is available. We are also requesting that Detrex submit to Ohio EPA a control plan, based on the results of the URS assessment, that will outline your company's efforts to return to compliance, along with an expeditious detailed schedule of those activities.

In the event that Detrex is unable to provide Ohio EPA with this plan, this Agency reserves the right to consider other legal options, including, but not limited to, the issuance of Orders calling for the abatement of nuisance odors from Detrex or submit a request to the Ohio Attorney General's Office requesting that it seek injunctive relief through the filing of a law suit.

This Notice of Violation in no way waives the right of Ohio EPA to pursue additional enforcement action. Further communications may be directed to you regarding this violation or additional violations that may be found.

If you have any questions regarding the matters discussed in this letter, please contact the undersigned at (330) 963-1230 or Ed Fasko at (330) 963-1166.

Sincerely,



Bob Princic
District Environmental Supervisor
Division of Air Pollution Control

BP:bo

attachment

pc: Jennifer Kurko, Assistant District Chief, NEDO
Marcus Glasgow, Legal, CO
Tom Kalman, DAPC, CO
Paul Koval, DAPC, CO
Ed Fasko, DAPC, NEDO
Tim Fischer, DAPC, NEDO
Bob Bechtel, DAPC, NEDO
Christine McPhee, DAPC, NEDO
Ray Saporito, Ashtabula County Health Dept.
Chief Mike Fitchet, Ashtabula Township Fire Dept.
Chief Ron Pristera, Ashtabula City Fire Dept.
Bill MacDowell, U.S. EPA, Region 5
Mark Moloney, U.S. EPA Westlake

OHIO EPA NEDO ODOR SURVEILLANCE FORM

Date 8/23/2011

Inspectors: Bechtel

Instrument used: n/a

Time(Military)	Latitude	Longitude	Wind Dir.	Location Description	Odor Description	Reading
SAMPLE ENTRY	N 41.12345 0	W 80.12345 0	NW	intersection of RT12 & R134	rotten eggs	XX
Time(Military)	Latitude	Longitude	Wind Dir.	Location Description	Odor Description	Reading
19:40	N 41.89555 0	W -80.77083 0	S	Detrex parking lot	none	
19:42	N 41.89717 0	W -80.77201 0	S	RR tracks Northwest of Detrex DPA building	faint oily sulfur	
19:43	N 41.89705 0	W -80.77132 0	S	RR tracks North of Detrex DPA Building	moderate oily sulfur	
19:44	N 41.89719 0	W -80.77090 0	S	RR tracks Northeast Detrex DPA building	none	
19:45	N 41.89719 0	W -80.77167 0	S	RR tracks Northwest of Detrex DPA building	faint oily sulfur	
19:54	N 41.89707 0	W -80.77122 0	S	RR tracks North of Detrex DPA Building	moderate oily sulfur	
19:55	N 41.89711 0	W -80.77186 0	S	RR tracks Northwest of Detrex DPA building	none	
20:02	N 41.90553 0	W -80.77251 0	S	RR tracks Northwest of Detrex	none	
20:04	N 41.90475 0	W -80.77368 0	S	Lake & Parview	faint oily sulfur	
20:11	N 41.90075 0	W -80.77439 0	S	E6th street by Gabriel	faint oily sulfur	
20:12	N 41.90079 0	W -80.77262 0	S	E6th street & State	moderate oily sulfur	
20:13	N 41.89572 0	W -80.77122 0	S	Detrex parking lot	none	
20:14	N 41.89567 0	W -80.77062 0	S	Detrex parking lot	none	
20:15	N 41.89590 0	W -80.77235 0	SE	Detrex Entrance	none	
20:16	N 41.89877 0	W -80.77242 0	SE	State Road by Gabriel	moderate oily sulfur	
20:18	N 41.89716 0	W -80.77235 0	SE	RR tracks Northwest of Detrex DPA building	none	
20:19	N 41.89716 0	W -80.77188 0	SE	RR tracks Northwest of Detrex DPA building	faint oily sulfur	
20:20	N 41.89718 0	W -80.77145 0	SE	RR tracks North of Detrex DPA Building	moderate oily sulfur	
20:21	N 41.89719 0	W -80.77111 0	SE	RR tracks North of Detrex DPA Building	moderate oily sulfur	
20:22	N 41.89716 0	W -80.77081 0	SE	RR tracks Northeast Detrex DPA building	none	
20:23	N 41.89714 0	W -80.77140 0	SE	RR tracks North of Detrex DPA Building	moderate oily sulfur	
20:24	N 41.89716 0	W -80.77175 0	SE	RR tracks Northwest of Detrex	faint oily sulfur	
20:25	N 41.89716 0	W -80.77191 0	SE	RR tracks Northwest of Detrex	none	
20:26	N 41.89555 0	W -80.77083 0	SE	Detrex parking lot	none	
20:28	N 41.89937 0	W -80.77232 0	SE	State rd across from Gabriel	moderate oily sulfur	
20:31	N 41.90428 0	W -80.77485 0	SE	Lake rd West of State	faint oily sulfur	
20:35	N 41.90660 0	W -80.77601 0	SE	Lake shore Park	faint oily sulfur	

Notes:

19:45 talked with Steve Arnold of Detrex. Asked about work being done on tank T80. (hatch open with flexible hose running into building). He said it is being connected to the process. I asked how long has the work been occurring. He said several weeks. I said I am still getting odors from this building with none to south east or west. He did not say anything talked about lots of facilities here have odors.

