



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

April 23, 2012

Mr. Bud Smith
RG Steel, LLC
1134 Market Street
Wheeling, West Virginia 26003

RG STEEL, LLC – Martins Ferry
JEFFERSON COUNTY
DMWM-SEDO Belmont
OHD 010 448 231

Dear Mr. Smith:

Certified Mail:
70102780000197044152

Ohio EPA received your partial response to my January 5, 2012 Notice of Violation (NOV) letter on January 9, 2012. The documentation you submitted included a copy of the environmental covenant for the ARCO Ductwork Laydown Area.

RG Steel, LLC did not address the violation that was cited in this NOV and the March 18, 2011 NOV. RG Steel, LLC remains in violation of the following hazardous waste rule:

1. **Closure plan-amendment of plan, OAC rule 3745-55-12**

As you are aware, Severstal Wheeling, Inc. (now RG Steel, LLC) submitted a closure plan for a release of spent Chemtreat solution (D007) in the ChemTreat area on March 20, 2008. The plan was reviewed and a list of modifications to the plan were sent to Severstal Wheeling, Inc. on April 18, 2008. On November 18, 2009, Severstal Wheeling, Inc. was ordered to implement the March 20, 2008 closure plan with those modifications. Severstal Wheeling, Inc. implemented the closure plan in 2010.

As outlined in Ohio EPA's letter to RG Steel, Inc. dated March 18, 2011, due to the evidence of soil contamination and the detection of hexavalent chromium in ground water, the ChemTreat Spill Area was classified as a "waste-in-place" closure since it cannot be certified as a risk-based clean closure. The March 18, 2011 correspondence went on to explain that because of changes to the closure plan, an amended closure plan, including a post-closure monitoring plan, would need to be submitted in accordance with Ohio Administrative Code rule 3745 55-12.

Ohio EPA and RG Steel, LLC met on June 20, 2011 to discuss what actions were needed to complete closure of the ChemTreat Spill Area. During our meeting, we discussed at length the issues surrounding additional groundwater monitoring, uncertainty about groundwater flow direction, and how to interpret potential groundwater data for decision-making purposes. RG Steel, Inc. proposed to install and sample an additional groundwater monitoring well outside of the building south of the ChemTreat Spill Area in an attempt to monitor what is believed to be an upgradient flow direction. In addition, the existing "BUSTR" monitoring wells installed in response to a past underground storage tank leak north of the main building (in what is believed to be a

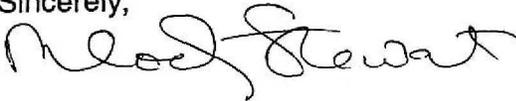
downgradient location) could be incorporated to monitor groundwater levels in addition to the monitoring well previously installed inside the building. These monitoring wells will be sampled as a proposed amendment to the closure plan (assuming they demonstrate that groundwater is flowing in the direction discussed in the meeting. This proposed strategy for the installation of a new monitoring well (with well construction detail, etc.), determination of ground water flow direction and the sampling of wells will need to be incorporated into the closure plan amendment. As a part of the amended closure plan, a concise post-closure monitoring plan meeting requirements found in OAC 3745-54-90 through 101 will need to be incorporated into the amended closure plan.

Ohio EPA has not yet received the amended plan for the ChemTreat Spill Area. To abate this violation, RG Steel, LLC must submit an amended closure plan to the director of Ohio EPA for review and subsequent approval.

Please be advised that the violation cited above will continue until the violation has been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder, may result in a civil penalty of up to \$10,000 per day for each violation.

If you have any questions, please contact me by telephone at (740) 380-5256 or by e-mail at melody.stewart@epa.ohio.gov.

Sincerely,



Melody Stewart
District Representative
Division of Materials and Waste Management

MS/sb

cc: Bruce McCoy – DMWM – CO
Brian Ball, AGO

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.