

**Environmental
Protection Agency**

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

Certified Mail 70101060000178961160

January 5, 2012

BELMONT COUNTY
RG STEEL, LLC - Martins
DMWM-SEDO Ferry
OHD 010448 231

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

Dear Mr. Smith:

With this correspondence, Ohio EPA wishes to express its concern with the lack of progress in completing the closure of the ChemTreat spill area and the ARCO Ductwork Laydown Area at RG Steel, LLC's Martins Ferry, Ohio facility. This correspondence will discuss each area and explain what is needed to complete the closure of these areas.

ChemTreat Spill Area

Severstal Wheeling, Inc. (now RG Steel, LLC) submitted a closure plan for the ChemTreat spill 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 goes 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 has not yet received this amended plan; therefore RG Steel, LLC is in violation of OAC rule 3745-55-12. To abate this violation, RG Steel, LLC must submit an amended closure plan to the director of Ohio EPA **within 45 days** of receipt of this correspondence for review and subsequent approval.

ARCO Ductwork Laydown Area

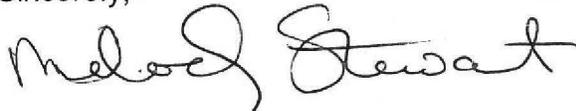
Ohio EPA met with RG Steel, LLC on June 20, 2011 to discuss and identify the necessary information Ohio EPA would need to complete the closure of the ARCO Ductwork Laydown Area. Ohio EPA explained that an amended closure plan would need to be submitted due

to unexpected events and that Ohio EPA would work with RG Steel, LLC to develop an environmental covenant. Further, once the amended closure plan was approved and an environmental covenant was in place, RG Steel, LLC would need to submit a certification document as required by OAC rule 3745-55-15.

RG Steel, LLC submitted an amended closure plan for the ARCO Ductwork Laydown Area on July 7, 2011. No public comments were received and the amended plan was approved on September 13, 2011. OAC rule 3745-55-13(B) states that closure must be completed within one hundred eighty days (180) once the closure plan is approved. All closure activities must be completed by March 13, 2012 unless the director approves a longer closure period in accordance with this rule. Closure cannot be completed or certified until the environmental covenant has been signed by both RG Steel and Ohio EPA and properly filed with the county Recorder's office. On several occasions, Ohio EPA has provided to your attorney(s) examples of environmental covenants and a list of necessary items that are needed from RG Steel, LLC in order for Ohio EPA to draft an environmental covenant. The following items have not yet been provided: 1) a list of all encumbrances existing on the portion of the property to be restricted (utility easements, liens, or mortgages, for example); 2) the identity of the Owner(s) and Holder(s), including mailing addresses; the Owner is the actual property owner of record and is also usually a Holder; 3) any history of the site which you would like included in the "Whereas" clauses. Please see the email dated 9/22/11 from Frances Kovac to Kenneth Komoroski, et al, for more detail regarding the information requested. Any questions regarding the environmental covenant should be directed to Frances Kovac at (614) 644-2844.

If you have any other questions regarding this letter, please call me at (740) 380-5256.

Sincerely,



Melody Stewart
District Representative
Division of Materials and Waste Management

MS/dh

cc: Frances Kovac, Ohio EPA, Legal

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 applicable regulations.