



State of Ohio Environmental Protection Agency

Northwest District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Allen County
OmniSource - Lima - 03.02.02.0362
Open Burning
Notice of Violation

October 19, 2007

CERTIFIED MAIL

Mr. David Dray, Facility Manager
OmniSource - Lima Division
P.O. Box 5248
Lima, Ohio 45802

Dear Mr. Dray:

On October 15, 2007, Mr. Joe Grob and I conducted an inspection of the OmniSource facility at 1610 East 4th St. in Lima, Ohio, in response to complaints received by this agency of open burning on that site. Upon our arrival, the following was observed:

1. From across the street, several plumes of orange and black smoke could be observed to the west side of the property and a significantly larger and thicker black plume could be observed to the southern edge of the facility. We entered the scale house, asked to speak with a company representative and were shortly greeted by Mr. Jeremy Lewis. Mr. Lewis proceeded to show us the torching operations on site. It was observed that torch operators at the west side torch field were cutting in at least four locations. In areas where torches were operating, multiple smaller fires from previously cut items were still burning and/or smoldering. While both water and fire extinguishers were readily available to the torch operators, the fires were allowed to continue to burn and/or smolder. These fires constitute "open burning" and in no way should be construed with what is acceptable in OAC Rule 3745-19-03(B)(1) for acetylene torches.
2. To the south side of the property fence lines, several large objects, believed to be decommissioned metal machining equipment and hydraulic presses, were smoldering and there was an open flame on one piece of equipment. It was observed that the flame was being fueled by excessive residual oil/grease which was observed dripping into and pooling near the flame. Also, at several locations near the machinery pieces, dark spots on the ground were smoldering and appeared to have similar fluids on them.

Mr. David Dray, Facility Manager

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This area is believed to be the source of the large, dark plume observed upon arrival. However, the company ceased these operations by the time we arrived at that portion of the facility.

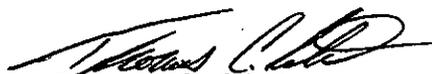
3. To the east side of the property, in the area where stainless steel is processed, an open fire was observed. Upon investigation, the cardboard center used to collect a long, thin strip of metal had ignited when the bail binding had been cut. Mr. Lewis asked the torch operator if they had planned to use a crane to extinguish the fire, the torch operator replied "It's just cardboard" in a questioning manner, as if asking if the fire needed extinguished. Mr. Lewis then stated that fire needed to be extinguished. A crane with a claw end was then used to smother the bail. It was stated by Mr. Grob and me that a fire extinguisher would have been a more appropriate means of extinguishing the fire since eliminating the fire and limiting smoke was the concern.

The above mentioned items constitute violations of OAC rules 3745-19 for open burning. It also appears that this violates the company's internal Prohibited Material Policy, as outlined in correspondence to this agency dated May 23, 2007 and August, 30, 2007. The facility has 21 days to respond in writing to Ohio EPA with a compliance plan to remedy the observed situation and prevent this, or any similar such situation, from occurring in the future.

Please be advised that the submission of information to respond to this letter does not constitute waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Should the company have any questions and/or comments, I may be reached at (419) 373-3137, or by e-mail at: thomas.cikotte@epa.state.oh.us

Regards,



Thomas C. Cikotte
Division of Air Pollution Control

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pc: Lisa Holscher, US EPA Region 5
Tom Kalman, DAPC-CO
Don Waltermeyer, DAPC-NWDO
Tom Sattler, DAPC-NWDO
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Allen County Health Department
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