

**Environmental
Protection Agency**

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

**Re: Worthington Steel Co
OHR000017897
Fulton County
DMWM, NWDO
Return to Compliance**

August 28, 2012

Ms. Elaine Veth
Worthington Steel Company
6303 County Road 10
Delta, Ohio 43515

Dear Ms. Veth:

Thank you for sending the documentation in response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated June 19, 2012. The documentation submitted by Worthington Steel Co (WS) was received by Ohio EPA on July 6, 2012, August 7, 2012, and August 22, 2012, and included cover letters, photographs, inspection logs, a waste analysis plan, and tank assessment documentation.

During a phone conversation with you on July 9, 2012, you indicated that there are three hazardous waste tanks at WS instead of two which I referenced in the June 19, 2012, NOV. You stated that two tanks hold spent pickle liquor all the time and one tank is considered a "swing tank" and will hold spent pickle liquor as needed.

All tank certification documentation that was submitted on August 7, 2012, will be reviewed by Ohio EPA's Central Office and WS's compliance with Ohio's hazardous waste tank rules and regulations will be described in future correspondence. Therefore, additional violations may be cited in the future once all the requested information has been reviewed by Ohio EPA.

The following is a summary of the violations observed during the May 31, 2012, compliance evaluation inspection (CEI). Review of the documentation shows that at this time, WS has abated all outstanding violations as described below. WS will remain a large quantity generator of hazardous waste and a generator of used oil, spent parts washer fluid (continued use), universal waste batteries, and universal waste lamps.

Violations:

1. **Ohio Administrative Code (OAC) rule 3745-52-34(A)(3), Accumulation time of hazardous waste:** "...a generator may, for ninety days or less, accumulate...hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that... each container and tank is labeled or marked clearly with the words "Hazardous Waste"..."

WS failed to mark the two SPL tanks with the words "Hazardous Waste".

On July 6, 2012, Ohio EPA received photographic documentation that one tank was properly labeled "Hazardous Waste". In a phone conversation on July 9, 2012, you verified that you labeled all three tanks, but only submitted a photograph of one tank.

This violation is considered abated on July 6, 2012.

2. **OAC rule 3745-66-95(A), Inspections:** The owner/operator must document in the operating record that inspections required in 3745-66-95 have been conducted and recorded. This includes inspecting data from leak detection equipment each operating day.

WS failed to inspect data from leak detection equipment each operating day.

On July 6, 2012, Ohio EPA received completed tank inspection forms for June 27-29 and July 2-3. On August 7, 2012, Ohio EPA received completed tank inspection forms for July 9-10 and July 14-23. On August 22, 2012, Ohio EPA received completed tank inspection forms for July 11-13.

This violation is considered abated on August 22, 2012.

3. **OAC rule 3745-66-95 (B)(1), Inspections:** The owner/operator must document in the operating record that inspections required in 3745-66-95 have been conducted and recorded. This includes inspecting spill control equipment each operating day.

WS failed to inspect spill control equipment each operating day.

On July 6, 2012, August 7, 2012, and August 22, 2012, Ohio EPA received completed tank inspection forms.

This violation is considered abated on August 22, 2012.

Ms. Elaine Veth
August 28, 2012
Page 3

4. **OAC rule 3745-66-95(B)(2), Inspections:** The owner/operator must document in the operating record that inspections required in 3745-66-95 have been conducted and recorded. This includes inspecting above ground portions of the tanks each operating day.

WS failed to inspect above ground portions of the tanks each operating day.

On July 6, 2012, August 7, 2012, and August 22, 2012, Ohio EPA received completed tank inspection forms.

This violation is considered abated on August 22, 2012.

5. **OAC rule 3745-66-95(B)(3), Inspections:** The owner/operator must document in the operating record that inspections required in 3745-66-95 have been conducted and recorded. This includes inspecting construction materials and the area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day.

WS failed to inspect construction materials and the area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day.

On July 6, 2012, August 7, 2012, and August 22, 2012, Ohio EPA received completed tank inspection forms.

This violation is considered abated on August 22, 2012.

On July 6, 2012, Ohio EPA received documentation that included a general waste analysis plan for WS. Please note that when the spent blasting media is generated, it will need to be analyzed for Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals to determine if it is a characteristic hazardous waste. At this time, no further information needs to be submitted in regards to this issue.

Ms. Elaine Veth
August 28, 2012
Page 4

Should you have any questions, please call me at 419-373-3065.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/llr

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Cindy Lohrbach, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO

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.