



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

September 10, 2013

RE: ESAB WELDING & CUTTING PRODUCTS
OHIO EPA PERMIT 3IC00071
ASHTABULA TWP., ASHTABULA COUNTY
COMPLIANCE EVALUATION INSPECTION

NOTICE OF VIOLATION

Mr. Peter Elleman, Director of EHS
The ESAB Group, Inc. Consumables Division
ESAB Welding and Cutting Products
656 Hatchery Road
N. Kingstown, RI 02852
Dear Mr. Elleman:

On September 9, 2013, a compliance evaluation inspection was conducted at the above referenced facility at 3325 Middle Road, Ashtabula Township, Ashtabula County. The inspection was conducted by John Schmidt of Ohio EPA. Dale Piccirillo of JC Environmental Services represented The ESAB Group, Inc. / ESAB Welding and Cutting Products (ESAB) during the inspection. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the facility's National Pollutant Discharge Elimination System (NPDES) permit. The last compliance inspections were conducted on April 26, 2012 and November 5, 2012.

Industrial Waste Water treatment

The facility ceased operations at this facility on July 31, 2012, and underwent closure of the industrial wastewater treatment system in the fall of 2012. The system tanks have been cleaned and chemicals removed as a part of Ohio EPA's Cessation of regulated Operations (CRO) program, but have not been dismantled. While no discharge has been reported at Outfall 602 since January 31, 2013, the system is still in place.

Storm Water Management

Storm water management includes water from building footer drains and runoff from paved areas of the facility, as well as storm water runoff from the adjacent ASTHA Chemical plant and Millennium Chemical Plant, located east and south of the ESAB facility respectively. Storm water is collected and discharged to ditches around the perimeter of the facility and is collected in a storm water pond located northwest of the manufacturing building. Materials are all managed under roof except for sealed roll-off boxes. When boxes are emptied, collected storm water within the boxes is collected and drained to the wastewater collection system.

ESAB has been undergoing remediation of the storm water ditch and removing soils contaminated with copper from historical releases in 2012. Vegetation has been slow to reestablish along the ditch.

Plant Sanitary Waste Water Treatment:

Plant sanitary wastes are conveyed to EMC Metals (former Elkem Metals) sanitary wastewater plant located north of the ESAB facility for treatment and are not a part of this NPDES permit.

Observations

The following observations were made during the inspection:

1. ESAB has completed closure of former industrial operations at this facility. The facility ceased operations on July 31, 2012. The facility has cleaned process areas. The facility currently has 2 employees. ESAB anticipates ceasing wastewater treatment operations at this location altogether in the first quarter of 2013.
2. The wastewater treatment system was not in operation during the site visit but was examined as a part of this inspection. Tanks have been cleaned of chemicals, but are still in place and functional.
3. The design flow of the chemical wastewater treatment plant was 98,200 gpd and peak flow in 2012 was 150,000 gpd. The plant operated continuously until August 12, 2012, then operated in batches as process areas underwent closure. The industrial wastewater plant has not operated since January 31, 2013.
4. A log book of repairs and observations was maintained at the WWTP and in Mr. Piccirillo's office electronically until facility closure in February 2012. Currently, records are maintained by JC Environmental Services on behalf of ESAB. Mr. Piccirillo and/or Mr. Chuck Lawson of JC Environmental perform routine inspections of the WWTP, monitor the facility, and perform the sampling at Outfall 002. Mr. Piccirillo also prepares the electronic discharge monitoring report (eDMR) and you submit of the eDMR on behalf of ESAB through Ohio EPA's Web-based application.
5. The contractor has completed cleanout of the surface water channel to the west of the ESAB manufacturing building and upstream of Outfall 602 and 002. A beaver dam was noted as under construction just outside the beaver control structure at Outfall 002.
6. No discharge was noted at Outfall 602. A clear discharge was noted at Outfall 602.
7. Roll-off boxes have been removed from the facility.

NPDES Permit Compliance Review

A review of the electronic discharge self-monitoring reports (eDMRs) received by Ohio EPA for the period October 1, 2012 through August 1, 2013 indicates apparent noncompliance of the terms and conditions of your NPDES permit as identified below:

Limit Violations

The following limit violations were noted for the period reviewed:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
002	01119	Copper, Total Recoverable	1D Conc	38	51.9	10/4/2012
002	50092	Mercury, Total (Low Level	30D Conc	30.3	118.	11/1/2012
002	01119	Copper, Total Recoverable	1D Conc	38	138.	12/7/2012
002	50092	Mercury, Total (Low Level	30D Conc	30.3	88.2	12/1/2012
002	01119	Copper, Total Recoverable	1D Conc	38	80.2	1/3/2013
002	50092	Mercury, Total (Low Level	30D Conc	30.3	31.9	1/1/2013
002	01119	Copper, Total Recoverable	1D Conc	38	78.6	4/1/2013
002	01119	Copper, Total Recoverable	1D Conc	38	51.3	5/2/2013
002	50092	Mercury, Total (Low Level	30D Conc	30.3	72.2	5/1/2013

002	01119	Copper, Total Recoverable	1D Conc	38	856.	6/30/2013
002	50092	Mercury, Total (Low Level	30D Conc	30.3	87.4	6/1/2013
002	01119	Copper, Total Recoverable	1D Conc	38	41.2	7/10/2013
002	50092	Mercury, Total (Low Level	30D Conc	30.3	30.8	7/1/2013

Written explanations as to why mercury violations occurred were provided to Ohio EPA via correspondence dated November 28, 2012, December 15, 2012, February 6, 2013, February 9, 2013, February 22, 2013, February 26, 2013, March 11, 2013, May 31, 2013, June 28, 2013, and August 9, 2013. In addition, there was conference call between Ohio EPA and ESAB on August 27, 2013. Mercury violations are attributed by ESAB to off-site sources from the adjacent ASHTA Chemical facility, and copper violations are attributed to sediment removal work in the drainage ditch as a part of VAP activities and barren soil channels until vegetation is reestablished. Ohio EPA notes that ESAB modified its NPDES permit to change the mercury limits pursuant to a mercury variance request which became effective September 1, 2011. ESAB is currently removing accumulated sediments from the west surface water ditch to abate the copper violations. ESAB remains in **significant noncompliance** for both copper and mercury. Ohio EPA understands that ESAB will be applying for an individual mercury variance. Ohio EPA expects a plan of action to resolve the copper violations no later than September 27, 2013.

Reporting Violations

No reporting code or frequency violations were noted for the reporting period reviewed.

Compliance Schedule Violations

The following compliance schedule obligations were noted for the reporting period reviewed:

App No	Permit Effective Date	Permit Expiration Date	Schedule Due Date	Completion Date	Event Code	Schedule Type	Schedule Milestone
31C00071	9/01/2011	07/31/12	03/01/2012	02/20/2012	-----	Report	Hg Water & Rainfall
31C00071	9/01/2011	07/31/12	03/01/2012	02/20/2012	-----	Report	Off-Site & Area Hg
31C00071	9/01/2011	07/31/12	09/01/2012	02/20/2012	-----	Report	Hg Reduction Report

Completed milestones were met within the prescribed times.

Comments

1. During the course of the inspection Mr. Piccirillo inquired about the removal of Outfall 602 from the NPDES permit. As long as the WWTP and its outfall are in place and functional, Ohio EPA cannot consider the removal of the outfall from the NPDES permit. ESAB may continue to report and pin "no flow" from this outfall as a part of its monthly eDMR submittals.
2. ESAB has contended that the elevated copper in its final outfall is naturally occurring copper from sediments in the outfall channel. ESAB may wish to demonstrate this by performing a comparison of filtered and unfiltered samples, and by collecting background collecting samples upstream from its Outfall 602 to substantiate this assertion.

Please inform this office, in writing, within 30 days of the date of this letter as to the actions we discussed that have been or will be taken to correct the above noncompliance or explanations if you believe the noncompliance issues noted are in error. Your response to this letter should include the dates that the actions have been or will be completed. Please be advised that past or present issues of noncompliance can continue as subjects of future enforcement actions by Ohio EPA.

THE ESAB GROUP, INC.
SEPTEMBER 10, 2013
PAGE 4 OF 5

If you have any questions or comments regarding this inspection, please feel free to contact me at (330) 963-1175.

Respectively,

A handwritten signature in blue ink, appearing to read "John M. Schmidt".

John M. Schmidt P.E., R.S.
Environmental Engineer
Division of Surface Water

JMS/cs

cc: Dale Piccirillo, JC Environmental Services, LLC.

File/Industrial/ESAB Group, Inc./pc

