



**Environmental  
Protection Agency**

John E. Kasich, Governor  
Mary Taylor, Lt. Governor  
G. Scott H. Nisley, Director

May 25, 2012

**CERTIFIED MAIL**

A.I.M. Recycling & Demolition  
P.O. Box 800  
Ashtabula, OH 44004

**RE: AIM RECYCLING & DEMOLITION/ASHTABULA IRON & METAL, DAPC FACILITY ID:  
0204010248, ASHTABULA COUNTY, NOTICE OF VIOLATION**

Dear Sir/Madam:

This letter serves as a summary of violations of Ohio EPA's air pollution control regulations, observed during two inspections of the Ashtabula Iron & Metal (AIM) facility, in which representatives of the Division of Air Pollution Control (DAPC) from the Northeast District Office (NEDO) participated. Those inspections were conducted on April 27 and May 22, 2012, during which other divisions of Ohio EPA participated. The DAPC inspector was unable to inspect the copper recycling process during the April 24 inspection, as the AIM facility representative did not have a key with which to unlock that area. On May 22, Mr. Sandy Kahn of Morsam Consulting, representing AIM, facilitated access for a DAPC inspector to that area of the building.

This letter covers only those observed violations and also requests information related to your DAPC permit-to-install and operate (PTIO), issued on May 24, 2010, and your asbestos storage, handling and disposal practices as observed by DAPC personnel on both the April 24 and May 22, 2012, inspections.

On April 24, 2012, the undersigned observed two open and uncovered roll-off boxes outside the building that houses the copper recycling process. These containers appeared to hold approximately a total of 50 plastic bags of asbestos-containing wastes. Based on our observations, AIM is in violation of Ohio Administrative Code (OAC) 3745-20-05, standard for asbestos waste handling, as described above.

During the May 22, 2012, inspection, Bob Princic (DAPC/NEDO) temporarily opened a plastic bag in one of the roll-off boxes and confirmed that the asbestos-containing waste material (ACWM) was dry and powdery. Ohio EPA's permit allows for "dry" removal of the asbestos-containing material in your copper recycling process; however, the Ohio Administrative Code (OAC) 3745-20-05 standard for asbestos waste handling requires that asbestos waste be adequately wetted during handling, storage and disposal. Conditions noted at AIM are a violation of OAC 3745-20-05(B)(1)(c) which states that "after wetting, seal all asbestos-containing waste material while wet in durable leak-tight containers or wrapping that complies with paragraph (C) of this rule."

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The ACWM observed by DAPC inspectors during the April 27 and May 22 inspections was in found to be in violation of OAC 3745-20-05(C)(2), which requires ".....asbestos-containing waste materials shall be sealed in plastic bags having a thickness of at least 0.006 inch (six-mils). A second clean, leak-tight plastic bag having a thickness of at least 0.006 inch (six-mils) shall fully contain the first bag...."

**Within 14 days of receipt of this letter, please provide Ohio EPA with a schedule with activities that will result in compliance with the above-cited regulations.**

In addition, your company should also be aware that OAC 3745-20-05 requires that all ACWM be disposed of by the generator in a landfill licensed to accept this waste material. OAC 3745-20-05(A) requires that ACMW be sent to a licensed disposal facility "as soon as practical." We have been informed that the facility had ceased operations several months ago. The large number of asbestos bags in the two roll-off boxes is indicative a lengthy accumulation of ACWM, which appears to be inconsistent with this section of the OAC.

**Within 14 days of receipt of this letter, please provide Ohio EPA with a schedule for removal of the ACWM, along with the name and address of the facility to which it will be taken.**

Violations for the permit terms and conditions for F004 are described below.

F004 – Turnings Crusher

Upon review of the DAPC file for AIM prior to the April 24 and May 22, 2012, inspection, it was discovered that AIM has not been in compliance with Section e, Reporting requirements. PTIO PO106005 was issued on May 24, 2010. AIM has not submitted the required annual report for either 2010 or 2011, which were due each February 15 for the preceding period of operation from January 1 – December 31. These omissions are violations of the specific section of AIM's permit below:

Section 2. (e)(2) Reporting Requirements Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. These reports may be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal; or they may be mailed as a hard copy to the Northeast District Office.

**Within 14 days of receipt of this letter, please provide Ohio EPA with AIM's 2010 and 2011 PER.**

DAPC was unable to review facility operating records required to be kept by AIM's PTIO as described below. We are requesting that copies of these records be forwarded to the attention of the undersigned.

Section (d)(2) – all records related to deviations in the acceptable range for the pressure drop across the HEPA filters

Section (d)(2) – all records documenting daily checks when the emissions unit was in operation for the presence or absence of visible emissions from both HEPA filters exhaust.

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Section (d)(3) – all records documenting daily checks when the emissions unit was in operation for the presence or absence of fugitive dust from the main processing room.

Section (d)(4) -- a copy of the on-site certification that both HEPA filters are at least 99.95% efficient at 0.03 micron.

Section (d)(5) – all records documenting three-hour blocks of time of operation during which the difference in pressure between the main processing room and the surrounding areas was not maintained at or above the minimum pressure differential of 0.02 inches of water.

**Within 14 days of receipt of this letter, please provide Ohio EPA with these records required by AIM's PTIO.**

Note that the acceptance by Ohio EPA of any requested information does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code for any past or future violations of applicable requirements. The decision to pursue or decline to pursue such penalties in this matter will be made by the Ohio EPA at a later date.

Your cooperation in this matter will be appreciated. If you have any questions regarding this letter, please contact either the undersigned at (330) 963-1241 or my supervisor, Bob Princic, at (330) 963-1230.

Sincerely,



Richard Kolosionek  
District Representative

RK:bo

pc: Tom Kalman, DAPC/CO  
Bruce Weinberg, DAPC/CO  
Tom Buchan, DAPC/CO  
Marcus Glasgow, Legal/CO  
Jennifer Kurko, Assistant Chief/NEDO  
Bob Princic, DAPC/NEDO  
Brian Ball, AGO/CO  
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