



Environmental  
Protection Agency

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

Re: Erie County  
Sandusky Steel & Supply  
1943 Milan Road  
Sandusky, OH 44870  
Notice of Violation (NOV/non-HPV)

October 31, 2011

CERTIFIED MAIL

Mr. Steve Lichtcsien, General Manager  
Sandusky Steel & Supply  
P. O. Box 336  
Sandusky, Ohio 44870

Dear Mr. Lichtcsien:

This letter shall serve as the follow-up to the complaint investigation conducted on September 6, 2011, at the above referenced facility conducted by this writer and Mr. Chad Winebrenner as representatives of the Northwest District Office (NWDO). The purpose of the investigation was to determine the veracity of an open burning complaint received on September 2, 2011, as well as determining the compliance status of the emissions unit operating at the facility with the rules and regulations of the Division of Air Pollution Control (DAPC).

Based on our observations during the inspection, the findings can be summarized as follows:

1. Sandusky Steel & Supply (herein referred to as SS&S) received two Notice of Violation (NOV) letters, the first dated June 5, 2007, and the second dated September 1, 2009. The company responded to both NOV letters without addressing the compliance and permitting issues mentioned. Both NOV letters were due to complaints that were later considered justified after the conclusion of the investigation.
2. Ohio EPA received a complaint on February 15, 2011, and again on September 2, 2011. Both complaints are regarding open burning that is occurring on SS&S property and are considered to be justified. SS&S has in the past and is currently using a jet torch to cut metal. It has been the case that the metal being cut has oil and grease residue and/or sludge containing mercaptan. When cutting operations are conducted, accidental fires may occur. However, when no attempt to extinguish an accidental fire is made, especially when the material being cut has high probability of catching fire, this constitutes illegal open burning.

As this occurred in a restricted area, as defined by OAC rule 3745-19-01(J), such fires are a violation of OAC rule 3745-19-03(A). Based on eyewitness testimony, as well as statements made by SS&S employees at the time of my inspection, there have been violations of the open burning rules at the facility on numerous occasions.

3. The following emission units are considered to not have been addressed previously in terms of permitting:
  - a. plant roadways and parking areas (paved and unpaved);
  - b. loading of material onto storage piles as well equipment traffic in storage area, wind erosion of pile surfaces and ground areas around piles, and load-out of material for shipment;
  - c. material handling - magnetic separation and conveying of nonferrous material to open storage piles, conveying of ferrous material to open storage piles and ferrous material; and
  - d. jet torching operations used to downsize materials to customer specifications.

Ohio EPA requests that Permit-To-Install and Operate (PTIO) applications be submitted for the emission units indicated above as well as any other potential sources of air pollution that may not have been inventoried during this latest investigation. Failure to do so will be a continued violation of Ohio Administrative Code (OAC) rules 3745-31-05, 3745-17-07, 3745-17-08 and 3745-78-02. This is in addition to the violation of Ohio Revised Code (ORC) 3704.05.

Permit applications can be downloaded from Ohio EPA's website at <http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx>. The applications must contain Emissions Activity Category (EAC) Forms, process flow diagrams and emissions calculations for each emissions unit indicated above. As discussed during the investigation, you may contact Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) which can provide your business with resources and tools to help you understand and meet compliance responsibilities. The NWDO representative for OCAPP is Mr. Ron Nabors and he can be contacted for additional information at 419-373-3147 or by email at [ron.nabors@epa.state.oh.us](mailto:ron.nabors@epa.state.oh.us). For information regarding OCAPP, you can visit [http://www.epa.ohio.gov/dir/permit\\_assistance.aspx](http://www.epa.ohio.gov/dir/permit_assistance.aspx).

4. The roadway dust situation that was encountered during the investigation was a significant source of emissions. This was pointed out to you during this investigation but it has also been the case during the other investigations where visible emissions were excessive from the facility's internal roadways.

Mr. Steve Lichtcsien, General Manager

October 31, 2011

Page 3

The company has previously stated that Dust Bond would be applied as a fugitive dust control measure, in addition to watering and sweeping. Ohio EPA requests copies of receipts for calendar years 2010 and 2011 demonstrating that Dust Bond was purchased and applied to the facility's roadways. Additionally, if SS&S has records to support the claim that other dust control measures have been implemented, copies of those records should be submitted as well.

Ohio EPA requests a response to this letter, including the PTIO applications identified in item 3 and the information requested in item 4, by no later than November 30, 2011. Please be advised that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code §3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If you have any questions or comments or need to discuss the time frame for submittal of the information detailed above, please feel free to contact me at (419) 373-3118.

Sincerely,



Mohammad Smidi  
Environmental Specialist  
Division of Air Pollution Control

/llr

cc: DAPC-NWDO Erie County General File

ec: Chad Winebrenner, DAPC-NWDO  
Jennifer Jolliff, DAPC-NWDO  
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