Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

November 28, 2011

RE: MAHONING COUNTY
YOUNGSTOWN IRON & METAL, INC.
NPDES PERMIT NO. OHR000004
OHIO EPA PERMIT NO. 3GR00727*DG
INDUSTRIAL STORM WATER INSPECTION

NOTICE OF VIOLATION

CERTIFIED MAIL

Andy Vargo
Metalico Youngstown, Inc.
100 Division Street Extension
Youngstown, OH 44510

Dear Mr. Vargo:

On October 31, 2011 and November 16, 2011, Ohio EPA performed inspections at Youngstown Iron & Metal, Inc., located at 100 Division Street Extension, City of Youngstown, Mahoning County (facility). During the inspections, the facility was represented by Lance Grimes, Manager, and Glenda Brooks, QES Administrator. Ohio EPA records indicate that the site is covered by General National Pollutant Discharge Elimination System Permit for Storm Water Associated with Industrial Activity (General Storm Water Permit), permit No. 3GR00727*DG.

Storm Water Pollution Prevention Plan

In accordance with an August 24, 2011, Notice of Violation (NOV), the facility submitted a revised storm water poliution prevention plan (SWP3). The revised SWP3 was received by Ohio EPA on October 7, 2011. A review of the SWP3 details that the following deficiencies must be addressed via a revised SWP3:

- Part IV.D.2.a.1 of the General Storm Water Permit requires a site map indicating an outline of the drainage area of each storm water outfall and each existing structural control measure to reduce pollutants in storm water runoff. The drainage areas for each outfall and existing structural control measures (i.e. booms, absorbent pads, etc.) have not been included;

- Part IV.D.2.b of the General Storm Water Permit requires an inventory of exposed materials that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years prior to the date of the issuance of this permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of three years prior to the date of the issuance of this permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives. The facility

does not provide information related to the management of the "auto shredder fluff" stockpile area. In addition, Appendix E of the SWP3 does not include the preventative measures/best management practices (BMP) utilized when scrap materials are received by the facility that contain liquids;

- Part IV.D.2.c of the General Storm Water Permit requires all potential spills and leaks that could occur or could contribute pollutants to storm water discharges, and the corresponding outfall(s) be identified. All significant spills and leaks, which include releases of oil and grease that have occurred in exposed areas or that have drained to a storm water conveyance in the three years prior to the date you prepare or amend your SWP3. This information has not been provided within the SWP3 and must include the areas documented by Ohio EPA, please refer to the "Facility Inspection" section of this NOV, to be discharging oil to the storm water conveyance;

- Part IV.D.2.d of the General Storm Water Permit requires a summary of existing discharge sampling data describing pollutants in storm water discharges from the facility. A summary of the analytical data monitoring for the facility's discharge must be included;

- The SWP3 does not include the sheer engine building and "auto shredder fluff" stockpile area as potential sources of pollutants. Appropriate BMPs must be implemented to address these potential sources of pollutants; and

- The SWP3 must be revised, in accordance with Part IV.C of the General Storm Water Permit, as it is ineffective in eliminating or significantly minimizing pollutants from sources or otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

Facility Inspection

On October 31, 2011, and November 16, 2011, Ohio EPA inspected the facility to determine compliance with Ohio Revised Code Chapter (ORC) 6111 and the General Storm Water Permit and to document the corrective actions that have been implemented to date. Copies of the October 11, 2011, SWP3 training that was provided to employees, the October 22, 2011, weekly site inspection checklist, and October 25, 2011, work order records were provided to Ohio EPA. The inspections documented the following violations and deficiencies:

- Section 5.1.4 of the SWP3 details the spill prevention and response procedures that are implemented at the facility.

  The implementation of spill prevention and response procedures continues to require significant improvement throughout the facility. Ohio EPA documented oil spills and leaks associated with the "mobile maintenance area" (Figures 1 to 4), oil saturated soils and gravel materials throughout the facility (Figures 2, 4, and 5 to 6), an uncovered dumpster leaking oil resulting from the disposal of oil saturated booms and absorbent pads (Figure 7), a sheer engine leaking oil (Figure 8), the acceptance of scrap materials leaking fluids (Figure 9), a spill of transmission fluid within a "storm pit" (Figure 10), and storm water runoff containing oil sheens throughout the facility (Figures 11 to 14).

  The failure to implement the facility's SWP3 constitutes violations of ORC 6111.07 and Part IV of the General Storm Water Permit.

- The control of oil being discharged via storm water runoff continues to require significant improvement throughout the facility. Oil and transmission fluid were being discharged into the storm sewer system serving the facility in numerous locations (Figures 10 to 14). Although large quantities of booms and absorbent mats have been utilized in numerous locations within the storm sewer system, monitoring data provided by the facility via a letter of response dated November 16, 2011, reported that the effluent being discharged on October 3, 2011, had an oil and grease concentration of 26.4 mg/L. No sampling data appears to have been collected from "Discharge #2."

  The discharge of oil and grease to "waters of the State" constitutes violations of ORC 6111.04, ORC 6111.07, Ohio Administrative Code (OAC) Rule 3745-1-04 and OAC Rule 3745-1-07.

- Appendix E of the SWP3 details that the "mobile maintenance area" is designated to a confined paved area. Drip pans are placed under leaks. The tanks are contained to prevent leaks from contaminating the storm water. Spill kits are present if an incident should occur."

  Drip pans and absorbent pads are being utilized by the facility within the "mobile maintenance area;" however, the implementation of these BMPs are not preventing or eliminating the potential to discharge pollutants to "waters of the State." Specifically, drip pans were not capturing all of the leaks from vehicles requiring maintenance (Figure 1); secondary containment is not provided around fifty-five gallon drums (Figures 15 to 16) and ground level and above ground storage tanks (Figures 2 and 3) where liquids are transferred to or extracted from and are stored in locations exposed to precipitation events; and the absorbent pads were being blown away by the wind (Figure 17).

  The failure to implement the SWP3 constitutes violations of ORC 6111.07 and Part IV of the General Storm Water Permit.

- Part III.A.2.a of the General Storm Water Permit requires that "discharges of material other than storm water must be in compliance with a National Pollutant Discharge Elimination System (NPDES) permit."

  The facility currently discharges contact cooling water associated with the sheer radiators to "waters of the State" (Figure 18). New radiators were purchased on September 2, 2011, which, according to Mr. Grimes, will eliminate the cooling water discharge. Mr. Grimes previously stated that the new radiators will be installed by the first couple weeks of December 2011.
  A discharge of white fluid is occurring within the storm sewer system located west of the northern shredder conveyer (Figure 19). Mr. Grimes stated that the white fluid is being discharged from the "pig tail pit."

  The unauthorized discharges of pollutants to "waters of the State" constitute violations of ORC 6111.04, ORC 6111.07, and Part I.C.3.a of the General Storm Water Permit.

- The sheer engine is leaking oil onto the floor of the sheer engine building (Figure 8). Precipitation events are able to contact the sheer engine and leaked oil via holes that

are present in the roof (Figure 20). A hole has also been drilled within the northern wall of the sheer engine building to drain the floor to the storm sewer system (Figures 21 to 22). Ohio EPA strongly recommends that the roof of the sheer engine building be repaired and the hole drilled within the northern wall be eliminated.

The failure to implement BMPs to prevent the discharge of pollutants to "waters of the State" constitutes violations of ORC 6111.07 and Part IV of the General Storm Water Permit.

- Section 5.1.3 of the SWP3 details that "if a deficiency is noted during an inspection a corrective action is issued. A corrective action identifies the problem, a root cause analysis is performed, and corrective action measures are taken. The inspections and corrective actions are tracked through Metalico Youngstown, Inc.'s ISO 9001:2008 quality system or through maintenance Connection."

  Fifty-five gallon drums where liquids are transferred to or extracted from are stored in locations exposed to precipitation events do not have secondary containment to prevent discharges of pollutants "waters of the State." Mr. Grimes stated that he was aware of the lack of secondary containment. A work order had not been generated through Maintenance Connection to address the deficiency.

  The failure to implement the SWP3 constitutes violations of ORC 6111.07 and Part IV of the General Storm Water Permit.

- Section 5.1.4 of the SWP3 details the procedures for addressing spills and leaks. While booms and absorbent pads are utilized throughout the facility, the facility has been in the design/engineering phase for the installation of oil/water separators prior to Ohio EPA's initial inspection on August 11, 2011. The facility has stated that it will not proceed with installing the oil water separators until the clogged storm sewer line, located under V&M Star, has been repaired. On November 21, 2011, V&M Star informed Ohio EPA that the clogged storm sewer line has been repaired and is now free flowing to the Mahoning River. This information was forwarded to the facility on the same date.

Emergency Response

On November 22, 2011, Ohio EPA's Division of Environmental Response and Revitalization (DERR) responded to a discharge of oil to the Mahoning River. The source of the oil was from the recently unclogged storm sewer line located under your facility, Norfolk Southern Railroad property, and V&M Star (Figure 23). Booms placed immediately downstream of the facility documented a discharge of oil had occurred (Figure 24).

On November 23, 2011, Ohio EPA's DERR inspected booms installed in locations immediately upstream of the facility. The upstream booms documented that a discharge of oil upstream of the facility had not occurred (Figures 25 to 26).

Corrective Actions
In order to address the above violations, the following corrective actions must be performed:

- The facility must submit application to receive an individual industrial NPDES storm water permit to Ohio EPA by December 31, 2011. The application shall consist of the following forms, which are available from the following website:

  1. NPDES Form 1 Application;
  2. NPDES Form 2F Application; and
  3. Ohio EPA Antidegradation Addendum

  http://www.epa.ohio.gov/dsw/permits/npdesform.aspx

- Since the clogged storm sewer line has been repaired, the facility must move forward on installing the oil and water separators necessary to address the continuing discharges of oil and grease into the facility's storm sewer system and "waters of the State."

  The facility must submit a permit-to-install (PTI) application to Ohio EPA by December 31, 2011, for the oil and water separators that are proposed to be installed. The PTI application must include the following forms, which are available from the following website:

  1. Form A;
  2. Form B-5; and
  3. Appropriate PTI review fee.

  http://www.epa.ohio.gov/dsw/pti/PTIForms.aspx

  In addition, the facility must submit a compliance schedule that includes the dates for initiating and completing construction for grading activities necessary to be performed for the installation of the oil and water separators and the date when the installation the oil and water separators are expected to be installed.

- Sampling of the effluent from "Discharge #2" must be performed with the results submitted to Ohio EPA for review.

- The prevention of spills and leaks, the implementation of appropriate response procedures to address spills and leaks, general housekeeping, and pollution prevention activities continue to require significant improvement at the facility in order to prevent the discharge of pollutants to "waters of the State."

- All BMPs detailed within the facility's SWP3 must be immediately implemented to prevent the discharge of pollutants to "waters of the State." In addition, Ohio EPA strongly recommends that the "mobile maintenance area" be enclosed to prevent precipitation events from contacting leaking vehicles and vehicles that require maintenance to eliminate the potential to discharge of pollutants to "waters of the State."

- Secondary containment must be implemented on all fifty-five gallon drums and ground level and above ground storage tanks where liquids are transferred to or extracted from

in storage locations exposed to precipitation events. The facility must submit a compliance schedule that includes the date(s) when secondary containment will be implemented.

- Appropriate BMPs must be immediately implemented to address the discharge of pollutants from the sheer engine building.

- The discharge of the white fluid to the storm sewer system must be eliminated.

- The SWP3 must be revised and implemented at the facility. A copy of the revised SWP3 must be submitted to my attention for review within thirty days of receiving this NOV.

In the event that the above violations do not get resolved and significant improvement is not made in the implementation of the spill prevention and response procedures and good housekeeping measures at the facility, Ohio EPA will pursue formal enforcement, whereby violations of ORC 6111 are punishable by fines up to $10,000 a day per violation.

A written report must be submitted to Ohio EPA within fourteen (14) days of receiving this NOV that details how the violations, detailed above, have been or will be addressed. The written report must also include dates detailing when each corrective action was or will be implemented. Should you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1118 or via e-mail chris.moody@epa.ohio.gov. In addition, since the facility will be obtaining an individual industrial NPDES storm water permit, John Kwolek will be the facility's Ohio EPA contact. Mr. Kwolek can be contacted at (330) 963-1251 or via e-mail at john.kwolek@epa.ohio.gov.

Sincerely,

Chris Moody
Environmental Specialist II
Division of Surface Water

CM/cs

Cc: Chuck Shasho, Deputy Director of Public Works
City of Youngstown

Ec: Andy Vargo, Metalico Youngstown, Inc.
Lance Grimes, Metalico Youngstown, Inc.
Glenda Brooks, Metalico Youngstown, Inc.
Thaddeus Suchy, Pretreatment Coordinator

Bec: Kristen Malosh, V&M Star
Amy Paff, V&M Star

Figure 1 - Oil spills and leaks associated with the "mobile maintenance area" continue to occur at the facility. Picture taken October 31, 2011.

Figure 2 - Oil spills and leaks associated with the "mobile maintenance area" continue to occur at the facility. Picture taken October 31, 2011.

Figure 3 - Oil spills and leaks associated with the "mobile maintenance area" continue to occur at the facility. Picture taken October 31, 2011.

Figure 4 - Oil spills and leaks associated with the "mobile maintenance area" continue to occur at the facility. Picture taken October 31, 2011.

Figure 5 - Oil saturated soils and gravel materials are present throughout the facility. Picture taken October 31, 2011.

Figure 6 - Oil saturated soils and gravel materials are present throughout the facility. Picture taken October 31, 2011.

Figure 7 - An uncovered dumpster was leaking oil from the disposal of oil saturated booms and absorbent pads. Picture taken October 31, 2011.

Figure 8 - A sheer engine is leaking oil. Picture taken October 31, 2011.

Figure 9 - Scrap materials that are leaking fluids are being accepted. Picture taken November 16, 2011.

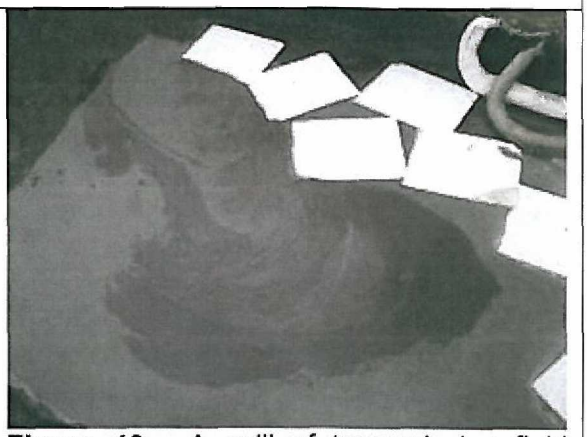

Figure 10 - A spill of transmission fluid within has a "storm pit" that discharges to "waters of the State." Picture taken November 16, 2011.

Figure 11 - Storm water runoff containing oil sheens is present throughout the facility. Picture taken November 16, 2011.

Figure 12 - Storm water runoff containing oil sheens is present throughout the facility. Picture taken November 16, 2011.

Figure 13 - Storm water runoff containing oil sheens is present throughout the facility. Picture taken November 16, 2011.

Figure 14 - Storm water runoff containing oil sheens is present throughout the facility. Picture taken November 16, 2011.

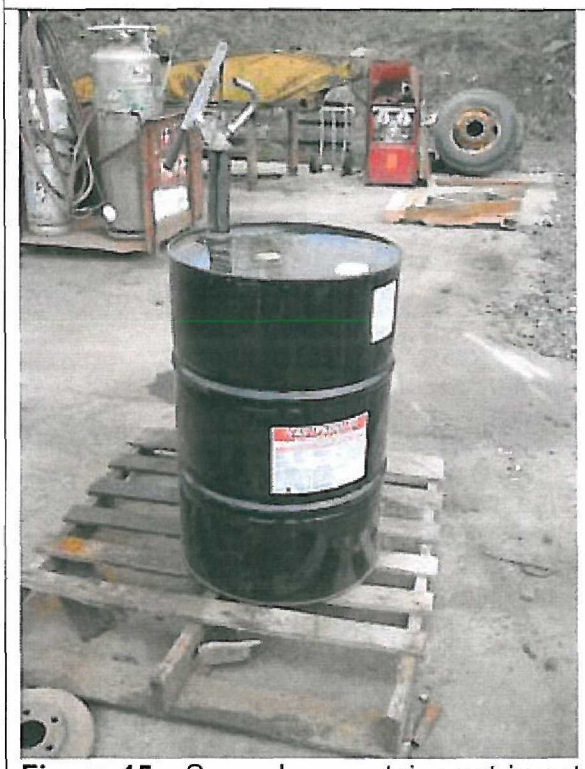

Figure 15 - Secondary containment is not provided around fifty-five gallon drums where fluids are extracted. Picture taken October 31, 2011.

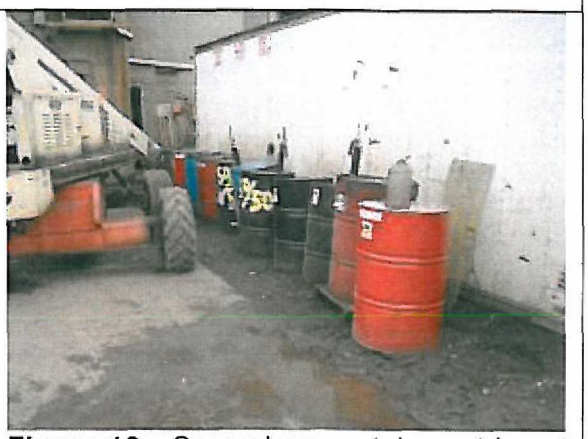

Figure 16 - Secondary containment is not provided around fifty-five gallon drums where fluids are extracted. Picture taken October 31, 2011.

Figure 17 - Absorbent pads were being blown away by the wind. Picture taken October 31, 2011.

Figure 18 – Contact cooling water is being discharged by the facility. Picture taken October 31, 2011.

Figure 19 - A discharge of white fluid is occurring within the storm sewer system. Picture taken October 31, 2011.

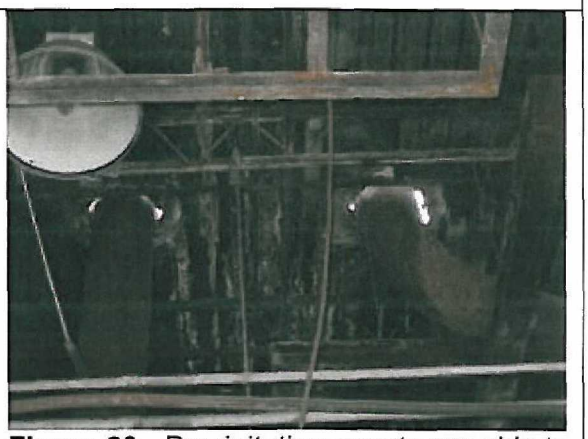

Figure 20 - Precipitation events are able to contact the sheer engine and leaked oil via holes that are present in the roof. Picture taken October 31, 2011.

Figure 21 - A hole has also been drilled within the northern wall of the sheer engine building to drain the floor to the storm

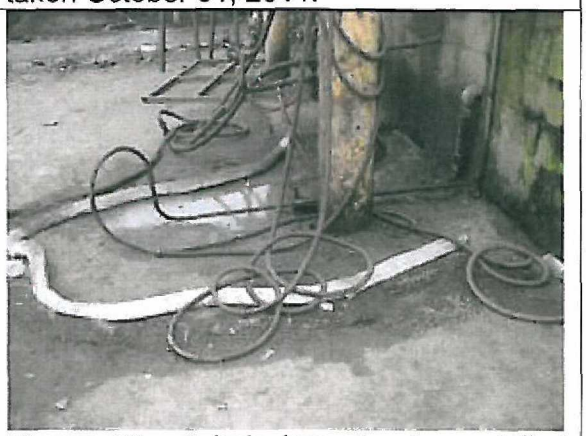

Figure 22 - A hole has also been drilled within the northern wall of the sheer engine building to drain the floor to the storm

sewer system. Picture taken October 31, 2011.

Figure 23 - A discharge of oil to the Mahoning River was occurring. Picture taken November 22, 2011.

sewer system. Picture taken October 31, 2011.

Figure 24 - Booms placed immediately downstream of the facility documented a discharge of oil had occurred upstream of V&M Star.

Figure 25 - Booms upstream of the facility documented that a discharge of oil had not occurred.

Figure 26 - Booms upstream of the facility documented that a discharge of oil had not occurred.

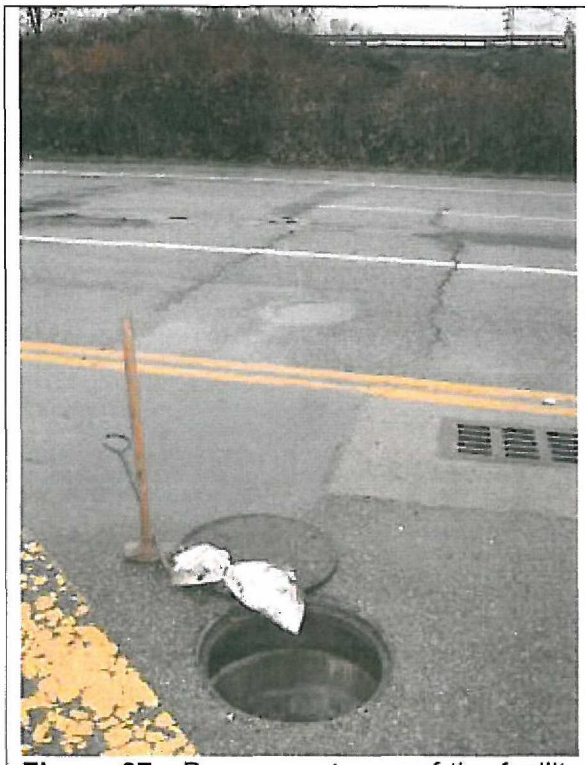

Figure 27 - Booms upstream of the facility documented that a discharge of oil had not occurred.

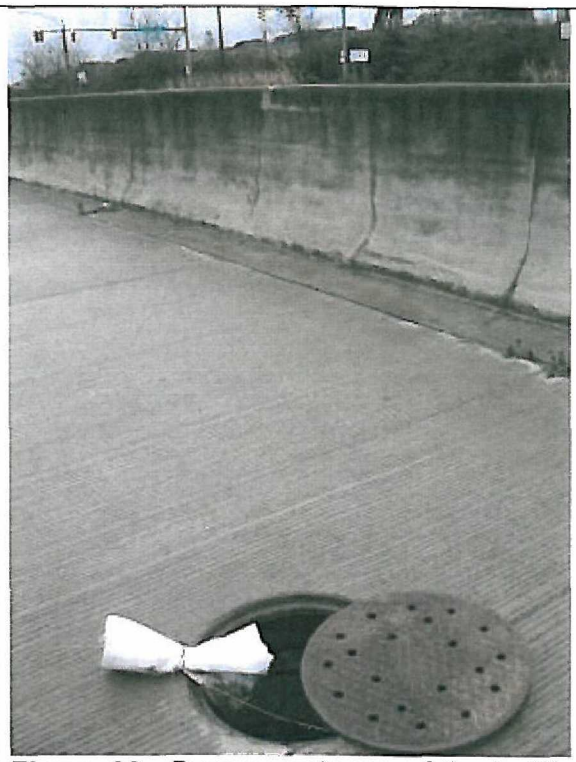

Figure 28 - Booms upstream of the facility documented that a discharge of oil had not occurred.