

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

In the Matter of:	:	
	:	
ArcelorMittal Weirton LLC	:	
100 Pennsylvania Avenue	:	EPA Docket No. RCRA-03-2017-0185
Weirton, WV 26062-4950	:	
	:	
Respondent.	:	Proceeding under Section 3008(a)
	:	of the Resource Conservation and
	:	Recovery Act, as amended, 42 U.S.C.
	:	Section 6928(a)
	:	

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CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Land and Chemicals Division, U.S. Environmental Protection Agency, Region III (“Complainant” or “EPA”), and ArcelorMittal Weirton LLC (“Respondent”), pursuant to Section 3008(a) and (g) of the Solid Waste Disposal Act, commonly known as Resource Conservation and Recovery Act of 1976, as amended by *inter alia*, the Hazardous and Solid Waste Amendments of 1984 (collectively referred to hereinafter as “RCRA”), 42 U.S.C. § 6928(a) and (g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22, including, specifically, 40 C.F.R. § 22.13(b) and 22.18(b)(2) and (3).
2. The Consolidated Rules of Practice, at 40 C.F.R. § 22.13(b), provide, in pertinent part, that where the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding simultaneously may be commenced and concluded by the issuance of a consent agreement and final order pursuant to 40 C.F.R. § 22.18(b)(2) and (3). Pursuant thereto, this Consent Agreement (“CA”) and the accompanying Final Order (“FO”), collectively referred to herein as the “CAFO,” simultaneously commences and concludes this administrative proceeding against Respondent.

3. The State of West Virginia has received federal authorization to administer a Hazardous Waste Management Program in lieu of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§6921 – 6939 (g). Effective May 29, 1986, the West Virginia Hazardous Waste Management Regulations (“WVHWMR”), were authorized by EPA and thereby became requirements of RCRA Subtitle C and enforceable by EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). *See* 51 Fed. Reg. 17739 (May 15, 1986), as revised by 65 Fed. Reg. 29973 (May 10, 2000), 68 Fed. Reg. 59542 (October 16, 2003); and 78 Fed. Reg. 70225 (November 25, 2013). The WVHWMR incorporates, with certain exceptions, specific provisions of Title 40 of the 2010 Code of Federal Regulations by reference. *See* W.V. Code R. § 33-20-1.5.
4. Pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) - (3) of the Consolidated Rules of Practice, this CAFO simultaneously commences and concludes an administrative proceeding against Respondent by the issuance of a Consent Agreement and Final Order, brought under Sections 3008(a) and (g) of RCRA, 42 U.S.C. §§ 6928(a) and (g), to resolve alleged violations of RCRA at Respondent’s facility located at 100 Pennsylvania Avenue, Weirton, West Virginia.
5. Respondent admits the jurisdictional allegations set forth in this CAFO.
6. Respondent neither admits nor denies the specific factual allegations and conclusions of law set forth in this CAFO, except as provided in Paragraph 5, above.
7. Respondent agrees not to contest EPA’s jurisdiction with respect to the execution and issuance of this CAFO, or the enforcement of the CAFO.
8. Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and any right to appeal the accompanying Final Order.
9. Respondent consents to the issuance of this CAFO and agrees to comply with its terms.
10. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.

Notice of Action to the State of West Virginia

11. In accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), and by written letter dated October 17, 2016, EPA notified the State of West Virginia, through the West Virginia Department of Environmental Protection (“WVDEP”), of EPA’s intent to commence this administrative action against Respondent in response to the violations of RCRA Subtitle C that are alleged herein.

12. Upon making a determination that any person has violated or is in violation of any requirement of RCRA Subtitle C, and upon satisfying the notification requirements of RCRA Section 3008(a)(2), 42 U.S.C. § 6928(a)(2), RCRA Section 3008(a)(1), 42 U.S.C. § 6928(a)(1), authorizes the Administrator of EPA to issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both.

II. EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW

In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3), Complainant alleges the following findings of fact and conclusions of law:

13. Respondent is, and at the time of the violations alleged herein was, a limited liability company incorporated in the State of Delaware and authorized to do business in the State of West Virginia.
14. Respondent is, and at the time of the violations alleged herein was, a “person” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903, W.V. Code R. § 33-20-2.1.a.
15. Respondent is, and at all times relevant to this Consent Agreement was, the “owner” and “operator” of a “facility,” as those terms are defined in 40 C.F.R. § 260.10, as incorporated by reference in W.V. Code R. § 33-20-2.1.a.
16. The facility referred to in Paragraph 15, above, including all of its associated equipment and structures (hereinafter the “Facility”), is a manufacturing facility located at 100 Pennsylvania Avenue, Weirton, West Virginia.
17. Respondent at all times relevant to this CAFO generated more than 1,000 kilograms of non-acute hazardous waste per month at its Facility. Respondent was at all times relevant to this CAFO a “large quantity generator” as that term is defined in 40 C.F.R. § 260.10, as incorporated by reference in W.V. Code R. § 33-20-2.1.a.
18. The Facility is assigned EPA RCRA ID No. WVD000068908.
19. At all times relevant to this CAFO, Respondent was a “generator” of, and has engaged in the “storage” in “containers” at the Facility of materials described below that are “solid wastes” and “hazardous wastes”, as those terms are defined in 40 C.F.R. § 260.10, as incorporated by reference by W.V. Code R. § 33-20-2.1.a.

20. On May 24 and 25, 2016, EPA representatives conducted a RCRA Compliance Evaluation Inspection (“May 2016 Inspection”) at the Facility.
21. At the time of the May 2016 Inspection, EPA representatives observed that “hazardous wastes” generated by Respondent, identified below were in “storage” in containers at the Facility.
22. Respondent generated chrome debris, EPA Hazardous Waste Nos. D002 and D007, sodium hydroxide, EPA Hazardous Waste No. D002, and wastewater treatment debris from metal electroplating, EPA Hazardous Waste Nos. F006 and F008, at the Facility which are hazardous wastes within the meaning of W.V. Code R. § 33-20-3.1, which incorporates by reference 40 C.F.R. Part 261.

COUNT I
Operation Without a Permit or Interim Status

23. The preceding paragraphs are incorporated herein by reference.
24. W.V. Code R. § 33-20-11.1, which incorporates by reference 40 C.F.R. § 270.1(b), and Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), provide, in pertinent part, that a person may not own or operate a facility for the treatment, storage or disposal of hazardous waste unless such person has first obtained a permit for such facility or has qualified for interim status for the facility.
25. Respondent has never had “interim status” pursuant to RCRA Section 3005(e) or a permit issued pursuant to RCRA Section 3005(a) or W.V. Code R. § 33, Series 20, for the treatment, storage, or disposal of hazardous waste at the Facility.
26. Pursuant to W.V. Code R. § 33-20-5.1, which incorporates by reference 40 C.F.R. § 262.34(a), large quantity generators of hazardous waste that accumulate hazardous waste on-site for less than 90 days are exempt from the requirement to obtain a permit or interim status for such accumulation, provided that the waste is stored in accordance with the requirements of 40 C.F.R. § 262.34(a).
27. *Storage Over Ninety Days.* From at least August 24, 2014 until at least June 29, 2015, Respondent stored the following hazardous waste for time periods longer than 90 days:
 - (a) A twenty-yard roll-off box near the anode shop which contained solid chromic acid debris which is EPA Hazardous Waste Nos. D002 and D007;
 - (b) Three fifty-five gallon containers in the Sea Box #1 container which contained waste sodium hydroxide solution which is EPA Hazardous Waste No. D002; and

- (c) One fifty-five gallon container in the Sea Box #1 container which contained waste soda ash and hexavalent chromium which are EPA Hazardous Waste Nos. D002 and D007.
28. *Failure to maintain and operate facility to minimize release of hazardous waste.*
Respondent failed to comply with W.V. Code R. § 33-20-8.1, which incorporates by reference 40 C.F.R. § 262.34(a)(4), which requires compliance with 40 C.F.R. § 265.31, which requires owners and operators of hazardous waste storage facilities to maintain and operate such facilities to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
29. Therefore, Respondent failed to comply with the conditions for temporary storage (*i.e.*, 90 days or less) of hazardous waste by a generator that are required pursuant to W.V. Code R. § 33-20-5.1, which incorporates by reference 40 C.F.R. § 262.34(a), and therefore failed to qualify for an exemption from the permitting/interim status requirements provided by such section.
30. Respondent does not have, and has never had, a hazardous waste treatment or storage permit or interim status pursuant to W. Va. Code R. § 33-20-11.1, which incorporates by reference 40 C.F.R. § 270.1(b), and Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), for the treatment or storage of hazardous waste at the Facility.
31. Respondent was required by W. Va. Code R. § 33-20-11.1, which incorporates by reference 40 C.F.R. § 270.1(b), and Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), to obtain a permit for the hazardous waste storage activities described in this count.
32. From at least August 24, 2014 until at least June 29, 2015, Respondent violated W. Va. Code R. § 33-20-11.1, which incorporates by reference 40 C.F.R. § 270.1(b), and Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), by operating a hazardous waste storage facility without a permit, interim status or a valid exemption to the permit requirement.

COUNT II

Failure to Maintain and Operate Facility to Minimize Release of Hazardous Waste

33. The preceding paragraphs are incorporated herein by reference.
34. Pursuant to W.V. Code R. §§ 33-20-5.1, which incorporates by reference 40 C.F.R. § 262.34(a)(4) and requires compliance with 40 C.F.R. § 264.31, owners and operators of hazardous waste storage facilities are required to maintain and operate such facilities to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste to air, soil, or surface water which could threaten human health or the environment.
35. At the time of the May 2016 Inspection, EPA inspectors observed that Respondent had failed to maintain and operate the Facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment with regard to the following hazardous waste at the indicated locations: (i) roll grinding swarf (EPA Hazardous Waste Code No. D007) in the Tin Mill -- Double-Reduced Rolling Area; (ii) wastewater filter cake sludge (EPA Hazardous Waste Code No. F006) in a wheelbarrow in the Filter Press Room; (iii) tin plating sludge known as "Prussian Blue" from electroplating process (cyanide) (EPA Hazardous Waste Code Nos. F007 and F008) in the Anode Shop 90-day hazardous waste accumulation area on the concrete floor; and (iv) universal waste used lead-acid battery with external plastic casing broken and exposed lead cells in the Strip Steel Building (EPA Hazardous Waste No. D008).
36. Respondent's failure to maintain and operate the Facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as observed by EPA inspectors during the May 2016 Inspection, constitutes violations of W.V. Code R. §§ 33-20-8.1, which incorporates 40 C.F.R. § 264.31.

COUNT III
Failure to Make Hazardous Waste Determinations

37. The preceding paragraphs are incorporated herein by reference.
38. Pursuant to W. VA. Code R. § 33-20-5.1, which incorporates 40 C.F.R. § 262.11, a person who generates a solid waste must determine if that waste is a hazardous waste.
39. At the time of the May 2016 Inspection, ArcelorMittal had failed to make hazardous waste determinations for the following solid wastes: spent aerosol cans, EPA Hazardous Waste No. D001, at the Strip Steel Mill, Tin Mill Strip Receiving Area, and Tin Mill – Double Reduced Rolling Area.
40. Respondent's failure to make hazardous waste determinations for the solid waste listed in Paragraph 39 above, as observed by EPA inspectors during the May 2016 Inspection, constitutes violations of W. VA. Code R. § 33-20-5.1, which incorporates 40 C.F.R. § 262.11.

COUNT IV
Universal Waste Violations

41. The preceding paragraphs are incorporated herein by reference.
42. Pursuant to W. VA. Code R. § 33-20-13.1, which incorporates 40 C.F.R. § 273.14 and 40 C.F.R. § 273.15(c), small quantity handlers of universal waste are required to label or clearly mark universal waste batteries with the date they became a waste.
43. At the time of the May 2016 Inspection, ArcelorMittal was a small quantity handler of universal waste that failed to label and date the following universal waste batteries: (i) two spent, three-battery alkaline packs in the Tin Mill – Strip Receiving Area; and (ii) one used nickel-metal hydride battery in the Strip Steel Building.
44. Respondent's failure to label and date alkaline and nickel-metal hydride batteries, as observed by EPA inspectors during the May 2016 Inspection, constitute violations of W. VA. Code R. § 33-20-13.1 which incorporates 40 C.F.R. §§ 273.14 and 273.15.

III. CIVIL PENALTIES

45. Respondent agrees to pay a civil penalty in the amount of ninety-three thousand, two-hundred eight-eight dollars (\$93,288) in settlement of the alleged violations set forth in this CAFO, which Respondent agrees to pay in accordance with the terms set forth below. Such civil penalty amount shall become due and payable immediately upon Respondent's receipt of a true and correct copy of the executed and filed CAFO. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with such civil penalty as described in this CAFO, Respondent must pay the civil penalty no later than thirty (30) calendar days after the date on which a copy of the executed and filed CAFO is mailed or hand-delivered to Respondent
46. The aforesaid settlement amount was based upon Complainant's consideration of a number of factors, including the penalty criteria set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), which include the seriousness of the violation and any good faith efforts to comply with the applicable requirements. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's October, 1990 RCRA Civil Penalty Policy, as revised in June, 2003 ("RCRA Penalty Policy"), which reflects the statutory penalty criteria and factors set forth at Sections 3008(a)(3) and (g) of RCRA, 42 U.S.C. §§ 6928(a)(3) and (g). Complainant also has considered the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the December 6, 2013 memorandum by EPA Assistant Administrator Cynthia Giles, entitled *Amendments to the U.S. Environmental Protection Agency's Civil Penalty Policies to Account for Inflation (Effective December 6, 2013)*.
47. Payment of the civil penalty as required by Paragraph 45, above, plus any interest, administrative fees, and late payment penalties owed, in accordance with Paragraphs 50 through 52, below, shall be made by either cashier's check, certified check, or electronic wire transfer, in the following manner:
 - A. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, *i.e.*, RCRA-03-2017-0185;
 - B. All checks shall be made payable to "United States Treasury";
 - C. All payments made by check and sent by regular mail shall be addressed to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

Contact: Craig Steffen 513-487-2091

- D. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
Government Lockbox 979077
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101

Contact: 314-418-1818

- E. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA = 021030004
Account No. = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

- F. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking
Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737

Contact: John Schmid 202-874-7026 or REX, 1-866-234-5681

- G. On-Line Payment Option: WWW.PAY.GOV/PAYGOV
Enter sfo 1.1 in the search field. Open and complete the form.
- H. Point of Contact regarding payment questions (i.e. how to make payment via wire, ACH, check, pay.gov):

Craig Steffen, 513-487-2091, steffen.craig@epa.gov

Additional payment guidance is available at:

<http://www2.epa.gov/financial/makepayment>.

- 48. At the time of payment, Respondent shall send a notice of such payment, including a copy of any check or electronic transfer, as appropriate, to:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region III (Mail Code 3RC00)
1650 Arch Street
Philadelphia, PA 19103-2029

and

Cheryl L. Jamieson
Chief, Waste and Chemicals Branch
U.S. Environmental Protection Agency
Region III (Mail Code 3RC30)
1650 Arch Street
Philadelphia, PA 19103-2029

49. Respondent agrees not to deduct for civil taxation purposes the civil penalty specified in this Consent Agreement and the attached Final Order.
50. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment as specified in this CAFO shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.
51. The costs of EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives – Cash Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
52. The costs of EPA's administrative handling of overdue debts will be charged and assessed monthly. A penalty charge of six percent per year will be assessed monthly on any portion of the civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).

IV. RESERVATION OF RIGHTS

53. This CAFO resolves only EPA's claims for civil penalties for the specific violations alleged in the CAFO. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in 40 C.F.R. § 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk. Compliance with this CAFO shall not be a defense to any action commenced at any time for any other violation of the federal laws and regulations administered by EPA.

V. OTHER APPLICABLE LAWS

54. Nothing in this CAFO shall relieve Respondent of any duties otherwise imposed upon it by applicable federal, state, or local law and/or regulation.

VI. CERTIFICATION OF COMPLIANCE

55. Respondent certifies to EPA that, upon investigation, to the best of Respondent's knowledge and belief, Respondent is currently in compliance with all applicable provisions of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, and the federally authorized W. VA. CODE R., for which violations are alleged in this Consent Agreement.

VII. PARTIES BOUND

56. This Consent Agreement and the accompanying Final Order shall apply to and be binding upon the EPA, the Respondent, Respondent's officers and directors (in their official capacity) and Respondent's successors and assigns. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent acknowledges that he or she is fully authorized to enter into this Consent Agreement and to bind the Respondent to the terms and conditions of this Consent Agreement and the accompanying Final Order.

VIII. EFFECTIVE DATE

57. The effective date of this CAFO is the date on which it is filed with the Regional Hearing Clerk after signature by the Regional Judicial Officer or Regional Administrator.

For Respondent, ArcelorMittal Weirton LLC:

Date: 8/29/17

By: _____

A handwritten signature in black ink, appearing to read "Bruce James", is written over a horizontal line. The signature is cursive and somewhat stylized.

ArcelorMittal Weirton LLC
RCRA-03-2017-0185

For Complainant, United States Environmental Protection Agency, Region III:

Date: 9/6/2017



By: 

Natalie L. Katz
Senior Assistant Regional Counsel

ArcelorMittal Weirton LLC
RCRA-03-2017-0185

After reviewing the foregoing Consent Agreement and other pertinent information, the Director, Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or the Regional Judicial Officer issue the Final Order attached hereto.

09-08-2017
Date

By: 
 Catherine A. Libertz
Acting Director
Land and Chemicals Division

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

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RECEIVED

In the Matter of: :
: :
ArcelorMittal Weirton LLC : :
100 Pennsylvania Avenue : : EPA Docket No. RCRA-03-2017-0185
Weirton, WV 26062-4950 : :
: :
Respondent. : : Proceeding under Section 3008(a)
: : of the Resource Conservation and
: : Recovery Act, as amended, 42 U.S.C.
: : Section 6928(a)
: :

FINAL ORDER

Complainant, the Director, Land and Chemical Division, U.S. Environmental Protection Agency, Region III, and ArcelorMittal Weirton LLC (“Respondent”), have executed a document entitled “Consent Agreement,” which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. § 22.18(b)(2) and (3). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated herein as if set forth at length herein.

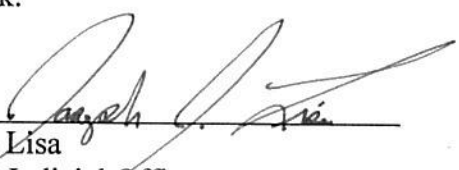
Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA’s October, 1990 RCRA Civil Penalty Policy, as revised in June, 2003 (“RCRA Penalty Policy”), and the statutory factors set forth in Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

NOW, THEREFORE, PURSUANT TO Section 3008(a) and (g) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6928(a) and (g) (“RCRA”), and Section 22.18(b)(3) of the Consolidated Rules of Practice, IT IS HEREBY ORDERED that Respondents pay a civil penalty payment of ninety-three thousand, two-hundred eighty-eight dollars (\$93,288), in accordance with the payment provisions set forth in of the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

ArcelorMittal Weirton LLC
RCRA-03-2017-0185

The effective date of the attached Consent Agreement and this Final Order is the date on which the Final Order is filed with the Regional Hearing Clerk.

Sept. 13, 2017
Date:



Joseph J. Lisa
Regional Judicial Officer
U.S. EPA, Region III

ArcelorMittal Weirton LLC
RCRA-03-2017-0185

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ENVIRONMENTAL PROTECTION AGENCY
REGION III**

In the Matter of:

ArcelorMittal Weirton LLC
100 Pennsylvania Avenue
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Respondent.

EPA Docket No. RCRA-03-2017-0185

Proceeding under Section 3008(a)
of the Resource Conservation and
Recovery Act, as amended, 42 U.S.C.
Section 6928(a)

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RECORDED

CERTIFICATE OF SERVICE

I certify that on the date noted below, I sent by UPS Next Day Delivery, a copy of the Consent Agreement and Final Order to the addressee(s) listed below:

Colleen Donofrio, Esq.
380-A Tylers Mill Road
Sewell, NJ 08080

The original and one copy of were hand-delivered to, and filed with, the Regional Hearing Clerk, U.S. EPA Region III.

Dated: 9/13/2017



Natalie Katz (3RC30)
Senior Assistant Regional Counsel
EPA Region III
1650 Arch Street
Philadelphia, PA 19103