



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 01 2009

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ron Bidula
Plant Manager
Warren Steel Holdings, LLC
4000 Mahoning Avenue
Warren, Ohio 44483

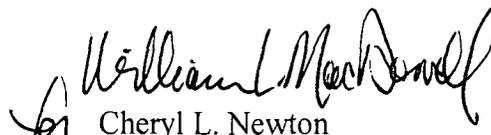
Dear Mr. Bidula:

This is to advise you that the U.S. Environmental Protection Agency has determined that Warren Steel Holdings, LLC ("Warren Steel" or "facility") located at 4000 Mahoning Avenue, Warren, Ohio is in violation of the Clean Air Act (the "Act") and the Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 at 40 C.F.R. § 60.270a *et seq.* We are today issuing to you a Finding of Violation ("FOV") for these violations.

Section 113 of the Act, 42 U.S.C. § 7413, gives EPA several enforcement options to resolve these violations, including issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. EPA is offering you an opportunity to confer with us about the violations cited in the FOV. The conference will give you opportunity to present information on the specific findings of violations, and the steps you will take to bring the facility into compliance. Please plan for your technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

EPA's contact in this matter is Reza Bagherian. If you wish to request a conference, you may call him at (312) 886-0674. EPA hopes that this FOV will encourage Warren Steel's compliance with the requirements of the Act.

Sincerely,


Cheryl L. Newton
Director
Air and Radiation Division

Enclosure

cc: Ed Perez
Northeast District Office, Ohio Environmental Protection Agency

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:

**Warren Steel Holdings, LLC
4000 Mahoning Avenue
Warren, Ohio 44483**

)
)
) **Proceedings Pursuant to Section 113(a)(3)
of the Clean Air Act, 42 U.S.C. §7413(a)(3)**

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) **EPA-5-09-OH-15**
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)

FINDING OF VIOLATION

The U.S. Environmental Protection Agency is issuing this Finding of Violation (“FOV”) to Warren Steel Holdings, LLC (Warren Steel) under Section 113(a)(3) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3). The authority to issue this FOV has been delegated to the Regional Administrator of the U.S. Environmental Protection Agency Region 5, and redelegated to the Director, Air and Radiation Division. EPA finds that Warren Steel is violating the Act, 42 U.S.C. §§ 7401 *et seq.*, the Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 (NSPS AAa) at 40 C.F.R. § 60.270a *et seq.*, at the Warren Steel facility located at 4000 Mahoning Avenue, Warren, Ohio (the “facility”), as follows:

STATUTORY AND REGULATORY BACKGROUND

New Source Performance Standards

1. Under Section 111 of the Act, 42 U.S.C. § 7411, the Administrator promulgated the New Source Performance Standards (“NSPS”) General Provisions, at 40 C.F.R. Part 60, Subpart A, and the Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 at 40 C.F.R. § 60.270a *et seq.* Subpart AAa applies to each electric arc furnace (“EAF”) constructed, modified or reconstructed after August 17, 1983. 40 C.F.R. § 60.270a.

2. 40 C.F.R. § 60.272a(a)(2) provides that no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from an EAF any gases which exit from a control device and exhibit 3 percent opacity or greater.

3. 40 C.F.R. § 60.272a(a)(3) provides that no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from an EAF any gases which exit from a shop and, due solely to the operations of any affected EAF, exhibit 6 percent opacity or greater.

FACTUAL BACKGROUND

4. Warren Steel owns or operates a facility that is located at 4000 Mahoning Avenue in Warren, Trumbull County, Ohio.

5. Warren Steel facility consists of, among other emission units, an electric arc furnace ("EAF"), a ladle refining furnace ("LRF"), a fabric filter control device and a control system dust handling system.

6. The Warren Steel facility is steel plant that produces carbon, alloy, or specialty metals.

VIOLATIONS

New Source Performance Standards

7. On August 17, 2008 and August 23, 2008, Warren Steel violated 40 C.F.R. § 60.272a(a)(2) and by discharging visible particulate emissions into the atmosphere from the EAF/LRF fabric filter control device outlet at 3 percent opacity or greater.

Date	Time	Percent Opacity
August 17, 2008	12:42 – 12:48	5.4
August 23, 2008	7:29 – 7:35	4.9
	7:35 – 7:41	5.0
	7:41 – 7:47	3.3
	8:10 – 8:16	21.9
	9:14 – 9:20	4.6

8. On July 26, 2008 and August 23, 2008, Warren Steel violated 40 C.F.R. § 60.272a(a)(3) by discharging visible particulate emissions into the atmosphere from the EAF shop or caster building, due to operations of the emissions units, including the EAF, LRF, fluxhoppers, alloy receiving/conveying/loading system or continuous caster at 6 percent opacity or greater.

Date	Time	Percent Opacity
July 26, 2008	8:59 – 9:05	32.3
	9:36 – 9:42	55.8
	9:42 – 9:48	10.6
August 23, 2008	9:28 – 9:34	7.9
	12:18 – 12:24	9.6

7/1/09
Date

for William L. Maxwell
Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

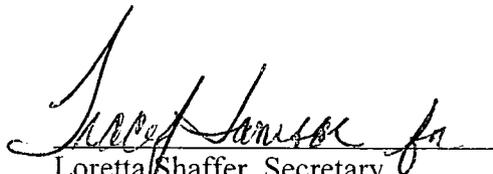
I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, Docket Number EPA-5-09-OH-15, by Certified Mail, Return Receipt Requested, to:

Ron Bidula
Plant Manager
Warren Steel Holdings, LLC
4000 Mahoning Avenue
Warren, Ohio 44483

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first class mail to:

Dennis Bush, APC Manager
Northeast District Office, Division of Air Pollution Control
Ohio Environmental Protection Agency
2110 E. Aurora Rd.
Twinsburg, Ohio 44087

On the 2 day of July, 2009.


Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 032D 0006 0187 6454.