



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 09 2009

REPLY TO THE ATTENTION OF:

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark W. Clark
Manager – Environmental Control
Severstal Warren, Inc.
1040 Pine Avenue, SE
Warren, Ohio 44483

Dear Mr. Clark:

This is to advise you that the U.S. Environmental Protection Agency (“EPA”) has determined that the Severstal Warren, Inc. (“Severstal Warren”) facility located at 1040 Pine Avenue, SE, Warren, Ohio (the “facility”) is in violation of the Clean Air Act (the “Act”) and the National Emission Standards for Hazardous Air Pollutants for Iron and Steel Manufacturing Facilities at 40 C.F.R. Part 63, Subpart FFFFF (“Iron & Steel MACT”). We are issuing to you a Finding of Violation (“FOV”) for these violations:

1. Pursuant to 40 C.F.R. § 63.7790(b)(3), the owner or operator of an electrostatic precipitator (“ESP”) applied to emissions from a basic oxygen process furnace (“BOPF”) must maintain the hourly average opacity of emissions exiting the control device at or below 10 percent. Severstal Warren exceeded the 10 percent opacity limit for a total of 3,702 hours, at the ESP applied to emissions from its BOPF vessels.
2. Pursuant to 40 C.F.R. § 63.7790(a), and as stated in Table 1 of this subpart, an owner or operator of a BOPF must not cause to be discharged to the atmosphere any secondary emissions that exit any opening in the BOPF shop or any other building housing the BOPF or BOPF shop operation that exhibit opacity greater than 20 percent as a 3-minute average. Severstal exceeded the above-referenced limit on August 28, 2007.

EPA finds that Severstal Warren has violated the Iron & Steel MACT at the facility. Section 113 of the Act, 42 U.S.C. § 7413, gives EPA several enforcement options to resolve the violations. These options include issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

We are offering you the opportunity to request a conference with us about the violations alleged in the FOV. A conference should be requested within 10 days following receipt of this notice. A conference should be held within 30 days following receipt of this notice. This

conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA 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 Severstal Warren's compliance with the requirements of the Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl L. Newton". The signature is fluid and cursive, with a prominent initial "C" and "N".

Cheryl L. Newton
Director
Air and Radiation Division

Enclosure

cc: Kristen Switzer, Environmental Engineer
Northeast District Office, Ohio Environmental Protection Agency

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	
)	
Severstal Warren, Inc.)	FINDING OF VIOLATION
1040 Pine Avenue, SE)	
Warren, Ohio 44483)	
)	EPA-5-09-OH-23
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 et seq.)	

FINDING OF VIOLATION

This Finding of Violation (“FOV”) is issued to Severstal Warren, Inc. (“you” or “Severstal Warren”) for violations of the Clean Air Act (the “Act”), 42 U.S.C. §§ 7401 *et seq.*, at its facility located at 1040 Pine Avenue, SE, Warren, Ohio (the “facility”).

STATUTORY AND REGULATORY BACKGROUND

NESHAP for Integrated Iron and Steel Manufacturing Facilities (Subpart FFFFF)

1. On May 20, 2003, EPA promulgated 40 C.F.R. Part 63, Subpart FFFFF – National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities (40 C.F.R. §§ 63.7780 – 63.7852). 68 Fed. Reg. 27663
2. 40 C.F.R. Part 63, Subpart FFFFF, applies to owners and operators of integrated iron and steel manufacturing facilities that are (or are a part of) a major source of hazardous air pollutants (“HAP”) emissions. 40 C.F.R. § 63.7781
3. 40 C.F.R. Part 63, Subpart FFFFF, applies to new and existing affected sources at an integrated iron and steel manufacturing facility, including any new or existing basic oxygen process furnace (“BOPF”). 40 C.F.R. § 63.7782
4. 40 C.F.R. § 63.7790(b)(3) provides that the owner or operator of an electrostatic precipitator (“ESP”) applied to emissions from a BOPF must maintain the hourly average opacity of emissions exiting the control device at or below 10 percent.
5. Pursuant to 40 C.F.R. § 63.7790(a), and as stated in Table 1 of this subpart, an owner or operator of a BOPF must not cause to be discharged to the atmosphere any secondary emissions that exit any opening in the BOPF shop or any other building housing the BOPF or BOPF shop operation that exhibit opacity greater than 20 percent as a 3-minute average.

FACTUAL BACKGROUND

6. Severstal Warren owns and operates an integrated iron and steel mill at the facility located at 1040 Pine Avenue, SE, in Warren, Ohio.

7. Severstal Warren owns and operates, *inter alia*, two BOPF vessels, an ESP capturing emissions from the BOPF vessels and a Continuous Opacity Monitoring System ("COMS") measuring hourly opacity from the BOPF ESP stack. The BOPF vessels are identified as P902 and P903 in Severstal Warren's Title V Operating permit Number 02-78-00-0463.

8. Severstal Warren is subject to the requirements of 40 C.F.R. Part 63, Subpart FFFFF because it is a major source generator of HAP emissions.

9. On December 17, 2008 and May 8, 2009, EPA issued two Section 114 information requests to Severstal Warren asking for hourly COMS data from Severstal Warren's BOPF ESP stack. On January 26, 2009 and June 8, 2009, Severstal Warren responded to EPA's requests providing hourly COMS data from its BOPF ESP stack, and Method 9 visible particulate emissions readings from its BOPF shop roof monitor.

VIOLATIONS

10. Based on the information provided by Severstal Warren to EPA, from May 24, 2005 to October 28, 2008, Severstal Warren exceeded the 10 percent opacity limit for a total of 3,702 hours, at the ESP applied to emissions from its BOPF vessels.

11. Based on Severstal Warren's June 8, 2009 response to EPA, Severstal Warren reported the following exceedances of the 20 percent visible particulate emissions limit from its BOPF shop roof monitor:

Date	Time	Percent Opacity
August 28, 2007	12:35 – 12:38	37.9
August 28, 2007	12:38 – 12:41	35.0

Date

9/4/09



Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

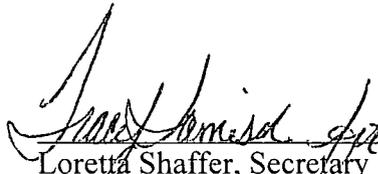
I, Loretta Shaffer, certify that I sent a Finding of Violation, Docket Number EPA-5-09-OH-23, by Certified Mail, Return Receipt Requested, to:

Keith McLaughlin
Environmental Engineer
Severstal Warren, Inc.
1040 Pine Avenue, SE
Warren, Ohio 44483

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

Keith Riley, Assistant District Chief
Northeast District Office, Division of Air Pollution Control
Ohio Environmental Protection Agency
2110 E. Aurora Rd.
Twinsburg, Ohio 44087

On the 9 day of September, 2009.



Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0026 0185 9020