



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

FEB 04 2010

REPLY TO THE ATTENTION OF:

AE-17J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

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

Dear Mr. Bidula:

This is to advise you that the U.S. Environmental Protection Agency ("EPA") 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 associated state or local pollution requirements. We are today issuing to you a Notice of Violation ("NOV") for these violations. This NOV is issued in accordance with Section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1).

The Act requires development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each State is required to develop an implementation plan. The Ohio State Implementation Plan ("SIP") includes authority for the State Director to "secure and maintain those levels of air quality which are consistent with the protection of health and the prevention of injury to plant, animal life, and property in the State of Ohio, and to provide for the comfortable enjoyment of the natural attractions of the State to the greatest extent practical."

EPA has determined that Warren Steel is violating the permit requirements established under the Ohio SIP and 40 C.F.R. § 52.23 at its Warren, Ohio facility. 40 C.F.R. § 52.23 states that "failure to comply with any provision of this part, or with any approved regulatory provision of a State implementation plan, or with any permit condition ... shall render the person or governmental entity so failing to comply in violation of a requirement of an applicable implementation plan and subject to enforcement action under section 113 of the Clean Air Act."

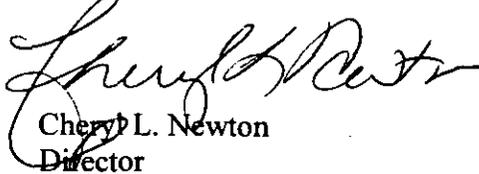
Section 113 of the Act, 42 U.S.C. § 7413, gives EPA several enforcement options to resolve these violations, including issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. The option we select, in part, depends on the efforts taken by Warren Steel to correct the

alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements cited in the NOV.

EPA is offering you an opportunity to confer with us about the violations cited in the NOV. The conference will give you an 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 NOV will encourage Warren Steel's compliance with the requirements of the Act.

Sincerely yours,



Cheryl L. Newton  
Director

Air and Radiation Division

Enclosure

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



gathered by or furnished to the Ohio EPA, or both, if he determines that the installation or modification and operation of the air contaminant source will not prevent or interfere with the attainment or maintenance of applicable ambient air quality standards and not result in a violation of any applicable laws.

4. Warren Steel's PTI No. 02-1019 Condition V.F. states that visible particulate emissions shall not be discharged into the atmosphere from the dust-handling system and exhibit ten (10) percent opacity or greater.

5. Warren Steel's PTI No. 02-1019 Condition III.D. states that the Permittee shall install, calibrate and maintain a monitoring device that allows the pressure in the free space of the EAF to be monitored. Among other requirements, the monitoring device shall record the pressure as 15-minute integrated averages.

### **FACTUAL BACKGROUND**

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

7. The Warren Steel facility consists of, among other emission units, an electric arc furnace ("EAF"), a ladle refining furnace ("LRF"), and a fabric filter control device dust handling system which controls emissions from the EAF and LRF.

8. The Warren Steel facility has the potential to emit more than 100 tons per year each of carbon monoxide ("CO") and particulate matter ("PM").

9. On June 4, 1998, the Ohio EPA issued PTI No. 02-1019 to CSC Limited, the previous owner and operators of the Warren Steel facility.

10. In January 2000, CSC Ltd., filed for Chapter 11 bankruptcy protection.

11. In April 2001, CSC Ltd., permanently shutdown all of its steel making operations in Warren, Ohio. On February 22, 2002, the Warren Steel facility was sold at auction.

12. In or around 2007 Warren Steel Holding, LLC (or its previous owner) refurbished, rewired, and restarted the melt shop and continuous caster of the shut down Warren Steel facility.

## VIOLATIONS

### Ohio State Implementation Plan and Permit to Install

13. On August 23, 2008 and February 7, 2009, Warren Steel violated Condition V.F. of its PTI No. 02-1019 by discharging visible particulate emissions into the atmosphere from the dust handling system at ten (10) percent opacity or greater.

Date	Time	Percent Opacity
August 23, 2008	11:10 – 11:18	22.7
	11:18 – 11:24	24.6
	11:24 – 11:30	30.6
February 7, 2009	11:54 – 12:00	16.5
	12:00 – 12:06	15.8
	12:06 – 12:12	19.0
	12:12 – 12:18	20.8
	12:18 – 12:24	27.7
	12:24 – 12:30	27.1
	12:30 – 12:36	27.7

Visible particulate emissions from dust handling operations of greater than ten (10) percent opacity is a violation of Condition V.F. of Warren Steel's PTI No. 02-1019.

14. Since the restart of the facility in October 2007, Warren Steel has violated Condition III.D. of its PTI No. 02-1019 by failing to record the pressure in the free space of the EAF as 15-minute integrated averages.

### ENFORCEMENT AUTHORITY

15. Section 113(a) (1) of the Act, 42 U.S.C. § 7413(a)(1), provides that at any time after the expiration of 30 days following the date of the issuance of a Notice of Violation, the Administrator may, without regard to the period of violation, issue an order requiring compliance with the requirements of the state implementation plan or permit, issue an administrative penalty order pursuant to Section 113(d), or bring a civil action pursuant to Section 113(b) for injunctive relief and/or civil penalties.

2/4/10  
Date

  
Cheryl L. Newton  
Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

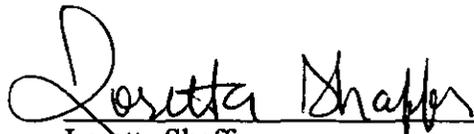
I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, Docket Number EPA-5-10-OH-06, by Certified Mail, Return Receipt Requested, to:

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 5 day of Feb, 2010.

  
\_\_\_\_\_  
Loretta Shaffer  
AECAS, MN-OH

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 8909 8015