



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

FEBRUARY 3, 2020

Dave Renfrew
EMC Ashtabula LP
P.O. Box 266
Pittsburgh, PA 15230-0266

**Re: EMC Ashtabula LP
Director's Authorization
Approval
Industrial Solid Waste Landfills
Ashtabula County
ISWL018847**

Elkem Metals, Inc.
Airport Office Park Building 2
400 Rouser Road
Corapolis, PA 15108

EMC Metals c/o Sapa Extrusions
400 Rouser Road, Suite 300
Moon Township, PA 15108

Ohio EPA FEB 3 '20
Entered Directors Journal

**Subject: EMC Ashtabula LP, Ashtabula County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) (1994
version) Approval**

Dear Mr. Renfrew:

On January 10, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a request titled, *OAC Rule 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration for Ammonia in Well MW-2-3S*. The request was prepared by Eagon & Associates, Inc. on behalf of Elkem Metals Company (Owner) for EMC Ashtabula LP (Facility). The Facility's ground water monitoring program is regulated under the June 1, 1994 version of Ohio Administrative Code (OAC) Rule 3745-27-10 pursuant to the July 25, 2018 Director's Final Findings and Orders (DFFOs).

This request was made pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), which is a more recent version of the rule by which the ground water program at the Facility is regulated. This letter is being issued under the authority of the 1994 version of OAC Rule 3745-27-10 and pursuant to the previously issued DFFOs.

In accordance with OAC Rule 3745-27-10(D)(7)(c), the Owner is requesting the director's approval of an alternate source demonstration (ASD) indicating that a source other than the landfill caused a statistically significant increase in the concentration of ammonia in well MW-2-3S in samples collected in both October and November of 2019.

Ohio EPA has reviewed the Owner's ASD request and has determined that it is adequate to meet the intent of the rule. Therefore, pursuant to 1994 version of OAC Rule 3745-27-10(D)(7)(c), the owner/operator is hereby authorized to continue detection monitoring at monitoring well MW-2-3S in accordance with the 1994 version of OAC Rule 3745-27-10 and the 2018 DFFOs.

You are hereby notified that this action of the Director of the Ohio Environmental Agency (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Al Muller, DMWM, NEDO at (330) 963-1211.

Sincerely,


Laurie A. Stevenson
Director, Ohio EPA

LAS:AM

ec: Eric Adams, Ohio EPA, DMWM, NEDO
Albert Muller, Ohio EPA, DMWM, NEDO
Jeremy Carroll, Ohio EPA, DMWM, CO
Randall Barnes, Ashtabula County Board of Health