



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

August 3, 2017

TSB Metal Recycling LLC
dba City Scrap & Salvage
760 Flora Avenue
Akron, Ohio 44314

Re: **TSB Metal Recycling LLC dba City Scrap & Salvage
Non-permit Related Exemptions
Approval
Scrap Tires
Summit County
ST022455**

Subject: Final Findings and Orders

Dear Sir or Madam:

Transmitted herewith are the Final Findings and Orders of the Director concerning the matter indicated for TSB Metal Recycling LLC.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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, please contact Robin Nichols at (614) 644-3037.

Sincerely,

Brian Dearth, Administrative Officer 1
Division of Materials & Waste Management

Enclosure

ec: Scott Hester, DMWM, CO
Jeremy Carroll, DMWM, CO
Karen Naples, DMWM, NEDO
Lynn Sowers, DMWM, NEDO

Issuance Date: AUG 03 2017

Effective Date: AUG 03 2017

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Ohio EPA AUG 3 '17
Entered Directors Journal

In The Matter Of:

| | | |
|----------------------------|---|---------------------|
| TSB Metal Recycling LLC | : | |
| d/b/a City Scrap & Salvage | : | Director's Final |
| 760 Flora Ave. | : | Findings and Orders |
| Akron, Ohio 44314 | : | |

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to TSB Metal Recycling LLC, pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) Section 3734.02(G) and Ohio Administrative Code (OAC) Rule 3745-27-03(B).

II. PARTIES

These Orders shall apply to and be binding upon TSB Metal Recycling LLC and successors in interest liable under Ohio law. No change in ownership of TSB Metal Recycling LLC shall in any way alter TSB Metal Recycling LLC's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as used in ORC Chapter 3734 and the rules promulgated thereunder.

IV. FINDINGS OF FACT

The Director of Ohio EPA (Director) has determined the following findings:

1. TSB Metal Recycling LLC (TSB), a subsidiary of TimkenSteel Corporation (TimkenSteel), operates a metal salvage and recycling operation located at 760 Flora Avenue, Akron, Ohio 44314. TSB provides TimkenSteel scrap metal for the manufacture of specialty steel products at its Canton, Ohio facilities.

2. TimkenSteel is the owner and operator of the Faircrest Steel Plant (Faircrest Plant), located at 4511 Faircrest Street SW, Canton, Ohio, which utilizes electric arc furnaces (EAFs) in the production of steel.
3. By letter dated April 3, 2017, TSB proposed to accept a limited amount of whole scrap tires from third-party suppliers which TSB would shear and/or shred and temporarily store for subsequent use as a fuel or as a fuel and raw material in the production of steel at the Faircrest Plant. Because TSB would accept tires solely for use at the Faircrest Plant, the amount of scrap tires that TSB could accept would be limited by the amount of tires the Faircrest Plant is permitted to burn in its EAFs under its Title V air permit (PTI No. P0103991). Specifically, TSB anticipates that it could accept up to 250 tons of scrap tires per week. The scrap tires would be sheared within 48 to 96 hours of arrival in TSB's on-site shearing unit and stored at TSB until the next weekly shipment of scrap tires was delivered. The sheared tires would then be transported by a licensed scrap tire transporter to TimkenSteel for burning in the Faircrest Plant. Processed scrap tires will be stored at TSB on asphalted surfaces, at least 50 feet from ignition sources, with fire breaks to permit emergency vehicle access, and in plies less than 8 feet in height with no greater than 2500 square feet in basal area. In the event tires are not immediately sheared or stored for longer than 7 days due to operational disruptions, TSB will cover the tires with tarps to prevent mosquito concerns.
4. Pursuant to Ohio Administrative Code (OAC) Rule 3745-27-61(A), a scrap tire recovery facility with a daily design input capacity of less than two hundred tons per day is a Class II Scrap Tire Recovery Facility and shall be registered in accordance with OAC Rule 3745-27-61.
5. Pursuant to ORC Section 3734.81, "...no person shall operate a scrap tire ...recovery facility without a license issued under this section..."
6. The activities proposed by TimkenSteel on behalf of TSB, as described in Finding No. 3, constitute establishment and operation of a Class II Scrap Tire Recovery Facility subject to the registration and licensing requirements specified in Findings No. 4 and 5.
7. In the letter dated April 3, 2017, TimkenSteel requested, on behalf of TSB, an exemption from Ohio's scrap tire recovery facility registration and licensing requirements for scrap tire processing, including shearing and/or shredding and temporary storage activities, for subsequent use as a fuel or as a fuel and raw material in the production of steel at the Faircrest Plant as described in Finding No. 3.

8. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, including scrap tires, in such quantities or under such circumstances that, in the determination of the Director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a permit or license or comply with other requirements of ORC Chapter 3734 and any rules adopted thereunder.
9. Issuance of an exemption, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), relieving TSB from the requirement to obtain a registration and license as a Class II Scrap Tire Recovery Facility in order to shear and/or shred and temporarily store scrap tires for subsequent use as a fuel or as a fuel and raw material in the production of steel, as described in Finding No. 3, is unlikely to adversely affect the public health or safety or the environment.

V. ORDERS

1. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), TSB is hereby granted an exemption from the requirements to obtain a registration and license in accordance with OAC Rule 3745-27-61 and ORC Section 3734.81 in order to shear and/or shred and temporarily store scrap tires for use in steel production at the Faircrest Plant as described in Finding No. 3. The exemption granted herein applies solely TSB for the exclusive shearing and/or shredding and temporary storage of scrap tires at TSB.
2. All tires shall be transported from TSB to the Faircrest Plant by a scrap tire transporter licensed within the State of Ohio.
3. This exemption is specific to the shearing and/or shredding and temporary storage of scrap tires at TSB, located at 760 Flora Avenue, Akron, Ohio for use as a fuel or as a fuel and raw material in steel production at the Faircrest Plant.
4. TSB shall comply with the requirements of OAC Rule 3745-27-60 regarding the general storage and handling of scrap tires.
5. TSB shall be limited to no more than 2,500 square feet (50x50x8H) of tire storage as depicted in the plan dated April 3, 2017.
6. Not later than 30 days after Timken no longer needs scrap tires as a fuel or as a fuel and raw material in steel production, TSB shall remove all tires from TSB's 760 Flora Avenue facility and shall manage the scrap tires in accordance with

Ohio's scrap tire regulations or dispose of the scrap tires at a solid waste disposal facility, as appropriate.

VI. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action, or demand in law or equity against any person, firm, partnership, or corporation, not a party to these Orders, for any liability arising from, or related to, the shearing and/or shredding and temporary storage of scrap tires by TSB.

VII. OTHER APPLICABLE LAWS

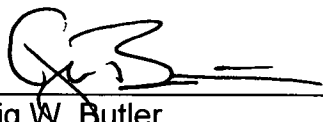
All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations that may be applicable to the shearing and/or shredding or storage of scrap tires in the State of Ohio.

VIII. RESERVATION OF RIGHTS

Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary for noncompliance with these Orders. Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require TSB to perform additional activities pursuant to ORC Chapter 3734 or any other applicable law in the future. Nothing herein shall restrict the right of TSB to raise any administrative, legal, or equitable claim or defense with respect to such further actions that Ohio EPA may seek to require.

IT IS SO ORDERED:

Ohio Environmental Protection Agency



Craig W. Butler
Director

8/1/17

Date