



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

June 29, 2018

CERTIFIED MAIL

Mr. Mark Clark
Director
Republic Steel
2633 Eighth Street N.E.
Canton, Ohio 44704

Re: Final Findings and Orders for air pollution
violations

Dear Mr. Clark,

Transmitted herewith are the Final Findings and Orders ("Orders") of the Director of Ohio EPA concerning the above-referenced matter.

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director's journal, which is the date that is stamped on the first page of the Orders.

Sincerely,

A handwritten signature in black ink, appearing to read "James Kavalec". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James Kavalec, Manager
Compliance/Enforcement Section
Division of Air Pollution Control

cc: Steve Feldmann, DAPC
Terri Dzienis, Canton

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Ohio EPA JUN 28 '18
Entered Directors Journal

Republic Steel - Canton
2633 Eighth Street N.E.
Canton, Ohio 44704

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**Director's Final Findings
and Orders**

*I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.*

PREAMBLE

The Director of Ohio Environmental Protection Agency ("Ohio EPA") hereby issues final findings and orders as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Republic Steel ("Respondent") pursuant to the authority vested in the Director of Ohio EPA under Ohio Revised Code ("ORC") §§ 3704.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or of the facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3704 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA makes the following findings:

1. Respondent owns and operates a facility located at 2633 Eighth Street NE, in Canton, Ohio (Stark County). This facility is a steel mill (Facility ID1576050694) and it is a Title V source.
2. The following relevant emissions units ("EUs") at the facility are subject to Ohio EPA rules and regulations and they are the subject of these orders:

EU ID	Company Description	Egress	Year Installed/ modified
F010	Continuous bloom casting facility ("CBCF") ladle transfer	Fugitive from CBCF Building	1994 / 2016
P123	CBCF ladle metallurgical facility	CBCF main baghouse stack and Fugitive from CBCF Building	1994 / NA
P124	CBCF vacuum tank degasser ("VTD")	VTD stack and Fugitive from CBCF Building	1994 / 2016
P125	CBCF continuous caster	Fugitive from CBCF Building (and during leaded-steel heats only use vacuum truck with stack)	1994 / 2016

3. ORC § 3704.05(C) prohibits any person who is a holder of a permit issued by the Director of Ohio EPA pursuant to ORC § 3704.03 from violating any of its terms and conditions.

4. ORC § 3704.05(G) prohibits a person from violating any order, rule, or determination of the Director that was issued, adopted, or made under ORC Chapter 3704.

5. Ohio Administrative Code ("OAC") rule 3745-15-07 states, "(A) The emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance.

6. The Canton City Health Department, Air Pollution Control Division ("Canton APC") acts as a contractual agent for Ohio EPA's Division of Air Pollution Control in Stark County.

7. The most recent Title V permit for the facility (P0101210) was effective on December 29, 2005 and expired on April 24, 2007. Timely Title V renewal applications were submitted for the facility pursuant to OAC rule 3745-77-08(E)(1). As such, all provisions and authorizations of the expired permit remain in effect until the Director's final action on the pending renewal applications.

8. Chapter 31 modification Permit-to-install ("PTI") # P0120406 was issued on December 2, 2016 for the modification to add leaded steel operations to CBCF EUs F010, P124, and P125 and was administratively modified as PTI P0123277 on October 18, 2017. PTI P0123277 term B.4.d. states, in part, if the ambient air monitor measures lead

in the air equal or greater than 0.11 ug/m^3 as a 3-month average, then the permittee shall submit a written proposal of addition actions to take to minimize airborne lead. This proposal shall be submitted within 10 days of receiving the 3-month average lead data. In addition, the PTI requires that the quantity of lead added to P124 to process leaded steel shall be restricted to 1,293 lbs/heat, calculated as a rolling 12-month average. Additionally, this PTI requires the Respondent to perform lead ambient air monitoring, which Respondent has selected Canton APC to perform. This PTI also contains several monitoring, recordkeeping, and reporting requirements to support compliance with emissions limitations, operational restrictions, and work practice requirements.

9. Canton APC conducted several inspections and records reviews in 2018 and has determined that Respondent has since November 30, 2017, exceeded the quantity of lead added to P124 to process leaded steel, which is restricted to 1,293 lbs/heat, calculated as a rolling 12-month average, in violation of the terms and conditions of PTI P0123277 and ORC § 3704.05(C). By letter dated June 8, 2018, Canton APC notified Respondent of these violations.

10. The National Ambient Air Quality Standard ("NAAQS") for lead is 0.15 ug/m^3 for a 3-month rolling average. Ambient monitoring results from the lead monitor located across the street from Respondent's facility show the March 2018 through May 2018 3-month average at 0.25 ug/m^3 .

11. It is the Director's position that based upon the ambient monitoring results, Respondent has caused, permitted, or maintained a public nuisance in the neighborhood surrounding the facility as a result of the monitor exceeding the NAAQS for lead, in violation of OAC Rule 3745-15-07 and ORC § 3704.05(G).

12. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Upon the effective date of these Orders by 11:59 P.M., Respondent shall suspend leaded steel production at the facility and investigate the cause of the ambient monitoring exceedances on May 11, 2018 and May 20, 2018. The investigation shall include, but not be limited to, a review of production data and an investigation into which lead emission sources were being operated, what maintenance activities were being conducted at the CBCF building, what dust handling activities were being conducted, and what cleanup/housekeeping was being conducted at or around the CBCF building. The results of the investigation, including a list of all activities that were conducted on May 10, 2018, May 11, 2018, May 19, 2018 and May 20, 2018, shall be submitted to Ohio EPA

and Canton APC as soon as possible after completion.

2. Within two (2) business days of the effective date of these Orders, Respondent shall submit to Ohio EPA and Canton APC in accordance with section VIII production records showing operating times and quantities of production that was conducted on May 10, 2018, May 11, 2018, May 19, 2018 and May 20, 2018. These production records shall cover the EAF (P907), LMF (P123), CBCF VTD (P124), CBCF Caster (P125) and CBCF ladle transfer (F010) operations on those days and shall include copies of heat sheets for those days.

3. Respondent shall commence an evaluation of potential short-term actions for the emission reductions of lead. The emissions evaluation shall also include an examination of building ventilation emissions from F010, P123, P124 and P125 including roof fans, doors and other egress points. Based upon the evaluation, Respondent shall submit a proposal of actions to be taken to minimize lead emissions. Respondent shall submit in accordance with section VIII, the evaluation results, proposed actions and an implementation schedule, to Ohio EPA, for approval. The Respondent may choose to use this submission to comply with the requirements of PTI P0123277 term B.4.d.

4. Upon approval from Ohio EPA, along with the submission of the results from the investigation as required by Order V.1, submission of the action plan as required by PTI P0123277 term B.4.d., and submission of documentation as required by Order V.3, Respondent may resume leaded steel production.

5. Within fourteen (14) days of resuming leaded steel operations or as soon as practicable after fourteen (14) days, Respondent shall conduct a stack test for EU P124 to determine the level of lead (Pb) and particulate emissions from the CBCF VTD stack and for EU P123 to determine the level of lead (Pb) and particulate emissions from the CBCF LMF baghouse stack. Pb shall be tested using U.S EPA Reference Method 29 and the particulate emissions shall be tested using EPA Reference Method 5 (or approved alternative method) with back-half analysis. Respondent shall conduct a Method 9 on the emissions from the CBCF VTD and CBCF LMF baghouse stacks and of the fugitives from the CBCF building roofline simultaneously while conducting the stack test for Pb and the particulate emissions. EU P124 and P123 (and other EUs controlled by the baghouse) shall be operated at or as close as possible to its maximum capacity and "worst case" conditions for leaded steel production while conducting the stack test for emissions from the CBCF VTD and CBCF LMF baghouse. In the event Respondent determines that particulates cannot be tested from the CBCF VTD stack, Respondent shall submit a detailed technical report that shows there are no approved or alternative methods to test for the particulate emissions from these types of steam laden stack emissions.

6. No later than fourteen (14) days prior to the scheduled testing, Respondent shall submit an Intent-to-Test notification ("ITT") for EUs P123 and P124 as identified in Order V.5 to Canton APC, in accordance with section VIII. Respondent shall submit reports, in accordance with section VIII, of the results of the stack testing conducted in accordance with Order V.5 to Ohio EPA and Canton APC within thirty (30) days following the testing.

7. Within thirty (30) days of the effective date of these Orders, Respondent shall install high-definition cameras positioned to and capable of recording video of particulate emissions from any part of the CBCF building roof and CBCF baghouse stack. At least one camera shall be installed at the lead monitor site on the monitor platform facing the facility. Respondent shall thereafter video record the CBCF roof and CBCF baghouse stack emissions daily from the time the ladle starts at LMF through the end of casting and leaded ladle dumping (P158) unless technical circumstances beyond the reasonable control of Respondent prevent recording. Respondent shall maintain the video of each day for 90 days and make it available for review at the facility by Ohio EPA and Canton APC upon request.

8. Upon resumption of leaded steel production, Respondent shall perform daily lead ambient air monitoring. Daily monitoring shall be performed for thirty (30) days. (This may be completed by Canton APC by increasing the frequency of the current lead ambient air monitoring program.)

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders, these obligations have been embedded in operation permits, if necessary, and the Chief of Ohio EPA's Division of Air Pollution Control acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is as defined in OAC Rule 3745-77-01(II) for a corporation, or a corporate officer who is in charge of a principal business function of Respondent.

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 applicable to Respondent.

VIII. NOTICE

All documents required to be submitted by these orders shall be submitted electronically by Respondent via the Air Services Portal.

IX. 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, including seeking penalties against Respondent for noncompliance with these Orders and/or for the violations described herein. Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require Respondent to perform additional activities pursuant to ORC Chapter 3704 or any other applicable law in the future. Nothing herein shall restrict the right of Respondent to raise any administrative, legal or equitable claim or defense with respect to such further actions which Ohio EPA may seek to require of Respondent. Nothing in these Orders shall be construed to limit the authority of Ohio EPA to seek relief for violations not addressed in these Orders.

X. APPEAL RIGHTS

You are hereby notified that this action of the 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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:

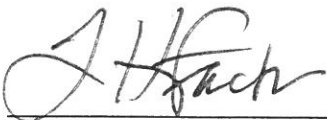
Environmental Review Appeals Commission
30 East Broad Street, 4th floor
Columbus, OH 43215

XI. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

IT IS SO ORDERED:

Ohio Environmental Protection Agency



Craig W. Butler
Director

6/29/18

Date