



State of Ohio Environmental Protection Agency

**Southeast District Office**

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[www.epa.state.oh.us](http://www.epa.state.oh.us)

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

May 8, 2007

**Re:** Jefferson County  
Former Satralloy Site  
NPDES Permit  
Correspondence (IWW)

Mr. Christopher Rife  
WestLand Resources, Inc.  
2343 E. Broadway Blvd.  
Suite 202  
Tucson, AZ 85719

Dear Mr. Rife:

After further consideration, Ohio EPA Division of Surface Water (DSW) does not feel that discharge of pollutants in the contaminated runoff and drainage at the former Satralloy Site could be authorized by either a General Construction Site Storm Water or a General Industrial Storm Water NPDES permit. Due to the complex nature of the proposed activities and the potential to adversely impact water quality, a General NPDES type permit would not be applicable.

DSW does agree that the course that the applicant proposes in the eventual stabilization of the site will improve current conditions. Discharges from the site will need to be authorized under an NPDES permit before the applicant can commence demolition of the milling facility and the stabilizing the slag areas. The individual NPDES permit would be similar to the two General Storm Water permit mentioned above, but with some additions.

The individual NPDES would require the applicant to develop and implement a Storm Water Pollution Prevention Plan (SWP3) document that would be reviewed by Ohio EPA DSW. The SWP3 would contain Best Management Practices for the activities at the site. The SWP3 would also include, but not be limited to, the manner in which the slag will be handled, stored and stabilized. I have included a link to the SWP3 checklist to aid in designing and plan:

[http://www.epa.state.oh.us/dsw/storm/swp3\\_cgp\\_checklist2.pdf](http://www.epa.state.oh.us/dsw/storm/swp3_cgp_checklist2.pdf)

In addition, the individual NPDES permit would require the applicant to complete the project by a specific time and resolve any water quality issues from the storm water runoff and drainage. This date would be determined in the Director's Final Findings and

Orders (DFFOs) the applicant enters into with the Division of Emergency and Remedial Response (DERR). This condition would appear in the permit in Part II and refer to the DFF&Os time line.

Finally, DSW will be requiring the applicant to conduct an annual storm water sampling event on the former Satralloy Site. This requirement would be detailed in the SWP3 and would not appear as a sampling table or as effluent limits in the NPDES permit. Since the storm water discharges, to date, shows little impact to the aquatic life, DSW would propose that the applicant continue doing aquatic stream surveys yearly. The surveys would be conducted at the same locations and using the same procedures as was recently used by the applicant. The sampling data and aquatic stream survey data would be kept by the applicant and would be made available to Ohio EPA upon request. The Ohio EPA may use the data gathered by the applicant to help determine the resolution of surface water issues upon completion of work under the Remedial Investigation/Feasibility Study (RI/FS) DFFOs and any subsequent administrative orders necessary to complete the required remediation of the Site.

The NPDES permit will be exempt from the Ohio EPA's Antidegradation Rule in that an Antidegradation review will not be required. The Antidegradation Addendum will need to be filled out and included in the submittal. The following is a link to the Antidegradation Addendum:

[http://www.epa.state.oh.us/dsw/eag/antideg/revised\\_fis.pdf](http://www.epa.state.oh.us/dsw/eag/antideg/revised_fis.pdf)

The applicant will need to fill out item A, applicant information; item B, Antidegradation Applicability (check the box related to an initial existing discharge prior to October 1, 1996); item D, Discharge Information (item 1 - N/A) item 2 check - yes; and finally item E is the applicant signature. In addition to the Antidegradation Addendum, the applicant will need to submit NPDES permit application Form 1 and Form 2F:

<http://www.epa.state.oh.us/dsw/permits/npdesform.html>

After Ohio EPA has received a complete application, the Ohio EPA will Public Notice (PN) the receipt of application for 30 days. After that period, the draft NPDES can be PN for 30 days. Once the draft period, is over the NPDES permit can be issued final. I would suggest that the applicant submit a draft application for Ohio EPA SEDO to review before the official submittal. Ohio EPA can not officially act on unsigned Antidegradation Addendum and NPDES applications.

The Division of Surface Water has coordinated with the DERR to incorporate storm water best management practices into the Fencing Interim Action work plan required by the DFFOs. This will allow the applicant the ability to manage Site related waste materials in order to install the fencing required by the DFFOs.

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If you have any questions, please feel free to contact me at (740) 380-5240, or contact Aaron Pennington at (740) 380-5272.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy D. Spencer". The signature is fluid and cursive, with the first name "Randy" being more prominent.

Randy D. Spencer  
District Engineer  
Division of Surface Water

RDS/dh

c: Mike Sherron, SEDO, DERR