

**OhioEPA**  
Division of Surface Water

**Response to Comments**

**Project:** New Steel International / MMK Americas  
**Ohio EPA ID #:** 073246 (401 Water Quality Certification)  
073247 (Isolated Wetlands Permit)

**Agency Contacts for this Project**

Division Contact: Thomas Harcarik (614) 644-2139  
[tom.harcarik@epa.state.oh.us](mailto:tom.harcarik@epa.state.oh.us)

Public Involvement Coordinator: Jed Thorp, (614) 644-2160,  
[jed.thorp@epa.state.oh.us](mailto:jed.thorp@epa.state.oh.us)

Ohio EPA held a public hearing on April 8, 2008 regarding applications for Section 401 Water Quality Certification and an isolated wetlands permit submitted by New Steel International, for a steel mill facility to be constructed and operated in Scioto County. This document summarizes the comments and questions received at the public hearing and during the associated comment period, that ended April 15, 2008.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying the government agency with statutory authority to consider the issue.

Readers should be advised that no comments submitted on the above applications cited concerns regarding impacts to streams or wetlands. Rather, the comments raised concerns regarding air and surface water discharges from the facility. While Ohio EPA provided responses to the comments, commentors are directed to the formal Response to Comments regarding the NPDES permit, wastewater PTI, and air PTI found at the Ohio EPA webpage at [www.epa.state.oh.us](http://www.epa.state.oh.us).

**Comment 1**      **Concerns were raised that the project would increase the amount of storm water runoff and silt entering Ginat Creek and into the harbor, and require costly dredging within the harbor.**

**Response 1:** Ohio EPA has limited jurisdiction over flood control issues. Flood control is regulated by the local floodplain administrator and any local flood control regulations.

The Ohio EPA Construction Storm Water General Permit requires facilities to reduce flow rates of storms up to a ¾ inch rain event through storm water outfalls. Many of these controls will remain in place after the facility is constructed. The permit-to-install application indicates that NSI will retain significant amounts of storm water for use in the process wastewaters.

NSI will also be required to implement and maintain sediment and erosion controls throughout multi-year construction of the facility. While these measures may not totally eliminate sediment discharges into either Ginat Creek or the Ohio River, they will reduce such discharges. Actual discharges of sediment into adjacent water bodies will be a function of the proper installation and maintenance of erosion and control measures, along with the nature of rain events.

**Comment 2:** Concerns were raised regarding damages the proposed steel plant's wastewater discharges into the Ohio River will cause to wooden, fiberglass, and steel hulled boats and foam flotation for docks.

**Response 2:** Ohio EPA has not undertaken an analysis specific to the commentors' concerns. Ohio EPA does not have the legal authority to consider the types of damages raised by the commentor, nor is it aware of the concentrations of contaminants necessary to damage boats and docks. Wastewater permit discharge limits are established to be protective of human health and the environment, and recreational uses.

**Comment 3:** The proposed rerouting of the entrance road to the marina will hinder the ability to move boats and receive deliveries of a local business.

**Response 3:** Impacts to local business, such as that described in the comments, are not within the scope of Ohio EPA's authority. The commentor should direct this concern to any local officials having jurisdiction to consider such a concern, or directly to NSI to determine what accommodations may be made.

**Comment 4:** I am concerned about the contaminants to be discharged into the air and directly or indirectly into the Ohio River, the source of drinking, bathing, cooking, etc. water for

residents of (but not limited to Scioto County.) Such contaminants include, but are not limited to: nitrogen oxide, sulfur dioxide, volatile organic compounds, carbon monoxide, lead, fluoride, hydrogen fluoride, sulfuric acid mist, mercury, oil and grease, zinc, naphthalene, tetrachloroethylene, and copper.

**Who exactly determines how much of these contaminants is “safe” according to EPA standards? Will this/these persons be living in Scioto County, breathing this air that they/she/he have judged safe for people living in Scioto County to drink and breathe?**

**Response 4:** Response to this comment can be divided into concerns regarding air pollution and water pollution. The Division of Air Pollution offers the following response regarding the commentor’s concerns regarding air pollution:

The Division of Air Pollution Control (DAPC) has reviewed your letter and understands your concerns. We believe that it is important to make sure any air pollution source we permit will not cause any adverse health or welfare effect to any citizens in the area.

The New Steel International Franklin Furnace facility is expected to be a large source of air pollution. Like all new facilities, if built, it will release various amounts of various pollutants into the air. Our review process is designed to ensure that any new facility complies with all applicable air pollution rules and laws. These rules and laws were developed so that, if complied with, the amount of emission from a particular facility would not cause adverse health and welfare effects to citizens impacted by the facility. If NSI complies with the limits in the permit, then we believe that public health will be protected. This is true even for the very young or the very old, the group of our population that is more susceptible to air pollution.

The limits established in the permits are fixed and cannot be increased unless NSI asks for another permit. They are based on the maximum production allowed for the facility. Emissions that are above the amounts allowed in the permit would violate the permit and would subject NSI to enforcement.

The director has made a final decision on the air permit and decided to issue the final permit. However, before making a final decision on the permit, the director considered many

comments from various interested parties. These comments were collected during a 30 day comment period and at a public hearing held on March 20, 2008. Many of these comments are similar to yours. You can see a copy of our responses to these comments by reviewing the Response to Comments document at <http://www.epa.state.oh.us/pic/newsteelmk.html>. In addition, at that Web site you can obtain a copy of the final air permit.

The Division of Surface Water, Industrial Wastewater Permitting Section also devotes several pages of its Response to Comments addressing similar concerns. As indicated above, wastewater discharge permit limits are established to be protective of human health and the environment, including fish and other aquatic organisms. Such limits are approved by both Ohio EPA and the Ohio River Valley Water Sanitation Commission (ORSANCO).

**Comment 5:** Does (Ohio) EPA plan to employ a person to work daily at the Magnitogorsk Iron and Steel Plant to be built in Scioto County, Ohio to make sure “accidental dumping” of larger than allowed amounts of contaminants never occurs? Or is the public merely to “trust” the honesty and integrity of the plant’s officials?

**Response 5:** The Division of Air Pollution provided the following response to the above comment:

Ohio EPA does not have the resources to assign an employee to work at each facility we regulate. Instead, we verify compliance in a number of ways. For larger source, we require the use of continuous monitors to continuously monitor air pollution leaving the stacks. In addition, once the sources are built, we require extensive testing following U.S. EPA approved scientific methods to verify the amount of pollution emitted. We require companies like NSI to compile records and submit report on their operations to allow us to verify compliance. We also periodically conduct on-site inspections to verify compliance. The details of all of these requirements are spelled out in the permits (including in NSI’s permit).

**End of Response to Comments**