



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

February 26, 2019

VIA CERTIFIED MAIL # 1Z 198 24W A8 9648 0348

Mr. Rob Maciel
ArcelorMittal Burns Harbor
250 West U.S. Highway 12
Burns Harbor, IN 46304-9754

Dear Mr. Maciel:

Re: Violation Letter VL-2019-25867-S
Office of Land Quality
ArcelorMittal Burns Harbor
Deerfield Storage Facility
Solid Waste I.D. No. 64-10
Burns Harbor, Porter County

Representatives of IDEM's Office of Land Quality ("OLQ") are conducting inspections and record reviews of Sites to determine compliance with permit requirements, environmental statutes contained in the Indiana Code ("IC"), and environmental rules found in the Indiana Administrative Code ("IAC").

On December 28, 2017 and March 21, June 12, September 20, and December 5, 2018, Mr. Christopher Purvis of the OLQ of IDEM conducted inspections of the Deerfield Storage Facility Restrictive Waste Site, located at 250 West U.S. Highway 12, Burns Harbor, Indiana. Mr. John Olasuk represented your Site at this inspection.

The following violations were noted at the time of the inspections:

1. Pursuant to 329 IAC 10-4-2, no person shall cause or allow the storage, containment, processing, or disposal of solid waste in a manner which creates a threat to human health or the environment, including the creating of a fire hazard, vector attraction, air or water pollution, or other contamination.

As noted during the inspections, ArcelorMittal allowed secondary waste water treatment plant ("SWWTP") sludge, a solid waste, to be stored at the Site in a manner which creates a threat to human health or the environment. The SWWTP sludge was stored in two unlined sedimentation basins (pits). The pits were used for dewatering and solification of SWWTP sludge and are located outside of the Deerfield Storage Facility solid waste boundary.



2. Pursuant to IC 13-30-2-1(4), no person shall deposit or cause or allow the deposit of contaminants or solid waste upon the land, except through the use of sanitary landfills, incineration, composting, garbage grinding, or another method acceptable to the board.

As noted during the inspections, ArcelorMittal deposited or caused and/or allowed the deposit of SWWTP sludge, a solid waste, upon the land in a method which has not been determined by the board to be acceptable.

ArcelorMittal Burns Harbor shall achieve compliance with the following requirements:

1. ArcelorMittal shall remove SWWTP sludge in the pits below visible contamination and dispose the sludge in the Deerfield Solid Waste Restrictive Waste Site.
2. ArcelorMittal shall submit to IDEM photographs documenting the removal of SWWTP sludge from the pits and disposal of the sludge in the Deerfield Solid Waste Restrictive Waste Site.
3. IDEM is currently reviewing a proposed Closure Plan for the SWWTP pits. Upon approval of the Closure Plan, ArcelorMittal shall comply with the soil and groundwater sampling requirements in the Plan.

Your facility shall send to this office, within 35 calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. The letter shall state the date compliance was achieved. Failure to respond adequately to this Violation Letter and verify a return to compliance at your facility will result in an escalated enforcement action and may include civil penalties of up to \$25,000 a day for each violation, per IC 13-30-4-1.

Please direct your response to this letter and any questions to Jennifer Reno of the Enforcement Section at (317) 234-8243 or jreno@idem.in.gov.

Sincerely,



Nancy Johnston, Section Chief
Enforcement Section
Office of Land Quality

cc: OLQ Public File
Porter County Health Department
Christopher Purvis, Compliance, OLQ
Rick Massoels, Deputy Director, NWRO