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# Statement of Qualifications for Environmental Legal Work for Mini Mills

For more than 25 years, the ESTT group has worked with integrated a mini mill steel manufacturing companies. The group has provided counseling and guidance to, and defended compliance actions on behalf of, a number of mini-mills in the U.S. and Canada.

The group has extensive experience in all environmental issues applicable to mini-mills, including, with respect to air permitting and compliance: pre-construction PSD permitting of greenfield-sites, construction permitting for major modifications involving New Source Review issues and challenges; NESHAPs area source rules, and Title V air operating permits. We also have extensive experience in NPDES permitting and enforcement, intake water issues; stormwater construction and operating permits, wetlands, and groundwater monitoring and cleanup.

RCRA experiences include Part B permitting, closure and post closure of electric arc furnace dust landfills and wastepiles, permitting of a high-temperatures metal recovery furnace, and RCRA corrective action for dozens of SWMUs. The ESTT group has extensive experience in cleanups and spill response for all manner of materials handled at mini mills, tube mills, wire mills, plating facilities and coating and finishing operations, including cleanup of releases of KO61, KO62, PCBs, oils, metal sludge and dust, (including chromium cleanups), coatings, solvents and asbestos.

The group has worked with brand new, state-of-the art facilities, as well as with older plants and their historic problems, and has had responsibility for PSD/NSR pre-construction monitoring and permitting of three startup projects; wherein they were involved in all aspects of pre-construction permitting, including negotiating BACT emissions limits and terms and conditions of the construction permits, and issues surrounding startup operations and performance testing for those facilities.

In addition, the ESTT group has experience at older plants with the myriad issues faced by those plants: permitting and closure of land based slag and KO61 landfills and other KO61 storage units (including wastepiles and storage buildings for super-sac accumulation). We have experience in the complicated processes of major air permit modifications at older mini mills, including permitting for new technologies for such mills such as adding ladle metallurgy furnaces, upgrading furnace shells with oxyfuel burners and oxygen injection technology, adding post-combustion chambers, and the incorporation of HTMR technology for KO61 reclamation. Experiences include mothballing and final disposition of sites, and the complicated issues attendant thereto, including soil and groundwater cleanups, removal of dust and metals from contaminated buildings and structures, dismantling and disposal of equipment, structures and buildings and banking air emissions.

In addition to permitting and counseling, the ESTT group has defended numerous state and federal enforcement actions brought against steel companies for violations arising under all of the major regulatory programs, and have handled numerous permit appeals. Cases handled include, but are not limited to RCRA violations involving recycling spent pickle liquor, recycling KO61, financial assurance, closure and post closure, manifesting, transport, labeling, and contingency planning. Significant air enforcement cases have involved allegations of construction without a permit, sham permitting, major modifications, routine maintenance and repair, startup of mothballed sources, permitting mobile sources, monitoring violations, performance test failures, opacity exceedences, and actions involving continuous emissions monitoring, among others.

We have assisted steel mills in voluntary disclosures under the USEPA mini-mill initiative, as well as disclosures independent of the initiative, and have negotiated remediation contracts, electric arc furnace dust disposal contracts, construction and consulting contracts, slag handling contracts, leases, easements and access agreements, and a variety of other legal cases. Finally, we have defended clients in any number of superfund cases.

Please feel free to contact the ESTT group to discuss specific relevant mini-mill experience, and to obtain references from mini-mill clients.