Beringer, Carrie

From: Avdellas, John
Sent: Thursday, March 22, 2012 5:09 PM
To: Peterka, John; Hamrick, Winde; Beringer, Carrie; Lorah, Steve; Murray, Frank; 'Krebs, Patrick J.'
Subject: FW: Non Ferrous Metals Fines from December Shipment

Team – Here is the response I received from Lee Weber of Wah Chang as a response to our notification from last week. As a reminder, Lee is the Director of Environmental Operations for ATI Wah Chang. Please advise on how we would like to proceed.

Thanks

John

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From: Weber, Lee [mailto:Lee.Weber@ATImetals.com]
Sent: Thursday, March 22, 2012 4:49 PM
To: Avdellas, John; Eric.Feist@veoliaes.com
Cc: Bodily, Ryan; Denham, Jim; Hamilton, Frank
Subject: RE: Non Ferrous Metals Fines from December Shipment

John,

Thank you for your response to Frank's email. I am deeply saddened and concerned about the fatal tragedy and injury of WTI employees. We share your concern, caution, and urgency about the further management of the 32 drums remaining at WTI from the 40 drum shipment of grinding swarf. Since the incident at WTI and your subsequent visits we have been reevaluating our understanding and characterization of zirconium grinding swarf. As you saw in your visits, our knowledge of zirconium grinding swarf is based on years of experience with the high friction, impact process that generates the swarf and testing developed over many years with experts in the industry and regulating agencies. Unfortunately, we do not have enough information to understand what happened at WTI.

To summarize, our knowledge of grinding swarf as we discussed during your visit; in the late 1990s and early 2000 Wah Chang, EPA Region 10, and Oregon DEQ spent years testing and developing a plan to ensure proper characterization of ignitability and reactivity for zirconium bearing wastes. In cooperation with Oregon DEQ and EPA, we developed test methods specifically for this material, and DEQ required us to test swarf and other similar materials with those methods. In all tests, none of our grinding swarf exhibited any hazardous characteristic. Results from testing of the grinding swarf generated at Precision Finishing have been consistent with this historical testing. The Precision Finishing swarf is contains threads of zirconium and has a felt-like consistency, which is different from our other grinding swarf and saw swarf. However, we have repeatedly tested the felt swarf. It has consistently tested as nonhazardous and we have not distinguished it from other swarf.

Our experience and understanding of zirconium grinding swarf, including the felt swarf, does not explain the events of the accident at WTI. Therefore, we are conducting a thorough reassessment of all our swarf and are preparing a new management plan for it. It would be most helpful if you could provide complete information about the accident, including the following questions. 1) At your visit you said that during the manual splitting of the drum, a video showed an ember-like glow followed by an intense fire. Is this correct? Our chemists are very interested in obtaining the video so we can see exactly what happened. 2) You mentioned that the drum splitting was being performed using a metal shovel or hoe-like tool. Is this accurate? 3) You have indicated that

B: Letter from WAWT

you don't think there was an ignition source. What do you believe was the cause of ignition? 4) At the time of the incident, had the liquid contents of the drum already been decanted or had the drum contents been allowed to air dry? 5) Have you had the swarf tested in any way? If so, we would really like to see the results of those tests.

We believe this information is vital for the development of the plan for the safe management of the remaining 32 drums. It is possible that this batch of felt swarf has some unique property that causes it to behave differently from our other swarf. The development of a safety management plan that accounts for all potential hazards discussed above will require a level of communication and time that could take longer than the April 5 date you have suggested. I look forward to discussing this with you. I would like to have a call with you next week (3/25) to set a tentative schedule for our inspection, sampling, packaging and shipment consistent with the safety management plan we are now developing.

Thanks

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Lee Weber
541-812-7063

From: Avdellas, John [mailto:JAvdellas@heritage-wtl.com]
Sent: Monday, March 19, 2012 11:33 AM
To: Hamilton, Frank
Cc: Weber, Lee; Bodily, Ryan; Denham, Jim; Eric G Feist
Subject: RE: Non Ferrous Metals Fines from December Shipment

Frank,

Per Eric's request, I wanted to get back to you on the questions raised in your emails from February 24and February 29.

1.) WTI shares your desire as referenced in your February 29 email to put together a plan to transport this material safely and without incident to the TSDF facility that Wah Chang is working with. We only ask that arrangements be made to have the material picked up f or shipment out of WTI on or before April 5.

2.) You mentioned in your February 24 email that you assume that the barrels have all been opened, inspected, and removed from the over packs as part of WTI's investigation, and that you therefore want all of the drums topped off with oil or cutting fluid. The 32 remaining barrels haven't been opened, inspected, or removed from the over packs. They each remain in the original over packs that they came in. WTI doesn't intend to open the over packs prior to the material being picked up for shipment back to Wah Chang.

3.) WTI's investigation, although not complete, hasn't concluded that a spark ignited this material as you indicate in your February 29 email. In any event, we are all in agreement that the material should carry a D001 waste code for ignitability when it's shipped back to Wah Chang. In addition, the waste should also carry a D003 waste code for reactivity.

4.) You requested in your February 29 email that WTI provide Wah Chang with information regarding the incident, testing results, and any other knowledge that we have concerning Zr swarf for purposes of Wah Chang's efforts to develop further treatability testing with another TSDF. As noted in my February 21 letter, the majority of the technical information that we have received regarding Zr swarf was obtained through Wah Chang and our site visits to your facility in Oregon and Precision Finishing's facility in Pennsylvania.

Thanks,

John

From: Hamilton, Frank [mailto:Frank.Hamilton@ATImetals.com]
Sent: Wednesday, February 29, 2012 1:04 PM
To: Eric G Feist
Cc: Avdellas, John; Weber, Lee; Bodily, Ryan; Denham, Jim
Subject: RE: Non Ferrous Metals Fines from December Shipment

Eric,

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A follow up from our phone conversation last night:

From the very limited information that ATI has about the Zr Swarf incident at WTI, it suggest to us that this waste did exhibit the characteristic of ignitability. Based on a comment from WTI that there was an ignition source from scraping the swarf from inside of the drum that caused the initial flash. Although we have not seen ignition of this material through friction, absorption of moisture or spontaneous chemical changes from our testing using Method 1030 (Ignitability of Solids). Based on the fatality and our limited experience of testing along with using this material in training with the local fire department, we believe this material should be managed as a D001 until it can be evaluated further. As such we are requesting any information that you have regarding the incident, testing results, and any other knowledge that WTI may have concerning Zr Swarf. This type of information and knowledge will be critical as we move forward and develop further treatability testing with another TSDF.

From our phone conversation on 2/28/12 Wah Chang has requested that WTI hold this material until we can put together a safety plan with the TSDF that we are currently working with. Communication is one item that we are trying to get better at on our end. It will be important that we work together concerning shipment dates so that we can plan on a safe transaction plan from WTI to Wah Chang. As recommended in the email below Wah Chang would like to have all barrels topped off again with an oil based product.

Thanks,

ATI

Frank Hamilton
Supervisor, Solid Waste

ATI Wah Chang
1600 NE Old Salem Highway
Albany, OR 97321
www.ATImetals.com

T: 541-619-1154
F: 541-924-6874

From: Eric G Feist [mailto:eric.feist@veoliaes.com]
Sent: Tuesday, February 28, 2012 3:33 PM
To: Avdellas, John (JAvdellas@heritage-wtl.com)
Cc: Hamilton, Frank; Hamilton, Frank
Subject: FW: Non Ferrous Metals Fines from December Shipment

John –

Can you please address Franks' questions below. I will be on vacation thru the end of the week. If you have any needs please contact Vince Brown or Frank directly.

Thank you

Eric Feist
Account Manager Pacific Northwest
22429 76th Ave. South
Kent, WA 98032
206-790-1890 – Cell
253-872-4599 - Fax

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From: Hamilton, Frank [mailto:Frank.Hamilton@ATImetals.com]
Sent: Friday, February 24, 2012 1:17 PM
To: Eric G Feist
Cc: Weber, Lee; Denham, Jim; Bodily, Ryan
Subject: RE: Non Ferrous Metals Fines from December Shipment

Eric –

Please have the 32 remaining barrels shipped back to Wah Chang here in Albany OR. I have an additional request before shipping; I'm assuming that these barrels have all been opened, inspected and possible removed from the over packs at some point of the investigation. Because of this and the condition of the existing barrels, it will be important that we know with a surety that these metal fines are still saturated. The barrels that are to be shipped back to us will need to be topped off again with oil or some type of cutting fluid.

It will also be important for us to have a time frame as to when the barrels will arrive at Wah Chang.

Thanks,

Frank Hamilton
Supervisor, Solid Waste

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T: 541-619-1154
F: 541-924-6874

From: Eric G Feist [mailto:eric.feist@veoliaes.com]
Sent: Friday, February 24, 2012 8:12 AM
To: Hamilton, Frank
Subject: Non Ferrous Metals Fines from December Shipment

SHEWCZYK Susan

From: Tarka, Michelle [Michelle.Tarka@epa.state.oh.us]
Sent: Friday, March 23, 2012 11:16 AM
To: SHEWCZYK Susan; schanilec.kevin@epamail.epa.gov
Cc: FULLER Brian; Popotnik, Frank
Subject: most recent info regarding WahChang waste
Attachments: WaChWasteShipEmail4.jpg; WaChWasteShipEmail.jpg; WaChWasteShipEmail1.jpg; WaChWasteShipEmail2.jpg; WaChWasteShipEmail3.jpg

The purpose of this email is to share the most recent information that I have obtained from WTI regarding the 32 drums of metal fines from WahChang.

As you are all aware, WTI has informed WahChang and Veolia that the 32 drums must be removed from WTI's property. WTI has now, most recently, informed WahChang and Veolia that the waste must off WTI property "**on or before April 5th**" per Carrie Beringer of WTI.

It appears that WahChang is attempting to forstall the return of these drums as long as possible. However, keeping or treating the drums here is not an option.

I requested a copy of recent correspondence between WTI and WahChang regarding how the waste will be managed. I was provided the attached series of emails between WTI personnel and ATI WahChang/Frank Hamilton and Veolia/Eric Feist.

There are 5 pages (WaChWasteShipEmail, Email1, Email2, Email3, Email4).

I can be available for a conversation on Thursday 3/29 and/or Friday 3/30 if you would like to discuss this.
Please give me a time frame in advance if possible so I can arrange my schedule to accomodate.