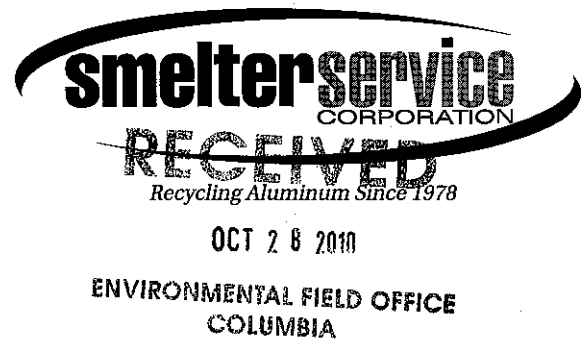


October 26, 2010

TN Department of Environment and Conservation  
Columbia Environmental Field Office  
Attention: Mr. DeWitt Logsdon  
1421 Hampshire Pike  
Columbia, TN 38401



**Re: Smelter Service Corp. – Response to Notice of Violation (September 27, 2010)**  
NPDES Permit Number: TN0078573

Dear Mr. Logsdon:

On September 26, 2010 you conducted an inspection of our facility and subsequently issued a Notice of Violation (NOV) letter dated September 27, 2010. We at Smelter Service appreciate the effort that you made with regards to various observations and suggestions offered during your visit. This letter is submitted in response to the cited NPDES permit violations, with the intent of confirming steps that we have taken to correct the noted deficiencies. The violations cited in your letter are shown below followed by our response.

- Failure to maintain records of all required information for monitoring of zinc, aluminum, and chlorine residual as required by the permit under Part I, subpart B. Monitoring procedures 4. Recording of Results and 5. Records retention.
- Failure to perform and document weekly SWPPP site inspections for the previous nine weeks since the week of July 9, 2010.

Response to Cited Violations: Since your inspection, we have made changes to our environmental management team. New personnel have been added to the team whose defined responsibility is to ensure that record documents are properly created and then retained per the permit retention requirements. We have also refreshed our sampling personnel to make them aware of the specific documentation issues that you raised in your letter, particularly with regards to sample event data, and field test equipment maintenance and calibration data.

Since your visit, weekly site inspections have been performed and documented and we will continue to fulfill this requirement. As a matter of historical practice, Smelter Service has performed these inspections. As you were made aware during your visit, we went through a period of time where the inspections were either not done or were not properly documented. As we discussed, we had a management change and the inspection duty wasn't delegated properly. This issue has been addressed and we are back on track and in compliance with this requirement.

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Response to Other Issues Noted:

- The SWPPP site map has been revised to provide a better representation of surface types and drainage areas.
- A notice of intent (NOI) has been submitted to TDEC to obtain permit coverage for Outfall SW3 under the Storm Water Multi-Sector permit. We are also working to obtain individual permit coverage but it will take several months for the application to go through the necessary channels. The SWPPP has been updated to address this outfall.
- All other items or suggestions noted in your NOV letter will be managed as part of standard operating procedures and/or as required to comply with the requirements of the NPDES permit.

At Smelter Service, we are always striving to improve our operations, including our environmental commitments and responsibility. Please let us know if you have any questions or comments with regards to this response letter.

Sincerely,  
**Smelter Service Corporation**

A handwritten signature in black ink that reads "John E. Pugh". The signature is written in a cursive, flowing style.

John E. Pugh  
Executive Vice President  
Enclosure

cc: Mr. Billy Nichols, URS

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