



State of Ohio Environmental Protection Agency

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January 28, 200~~8~~<sup>8</sup>

Mr. Frederick J. Koehler  
Mail Code: 480 410 186  
Facilities Services Group  
Environmental Technical Services  
Delphi Automotive Systems, LLC  
5825 Delphi Drive  
Troy, Michigan 48098

RECEIVED  
OHIO EPA

FEB 04 2008

DIV. OF HAZARDOUS  
WASTE MGT.

Re: **Delphi Automotive Systems, LLC**  
**OHD000817346**  
**Financial Assurance**

Dear Mr. Koehler:

On January 22, 2008, Ohio EPA conducted a review of the financial assurance documentation on file for the Delphi Automotive Systems, L.L.C., - Warren, Ohio (Delphi) facility referenced above. I evaluated the facility for compliance with post-closure cost estimates and financial assurance for post-closure care as set forth in Ohio Administrative Code (OAC) rules 3745-55-44 and 3745-55-45 and Ohio Hazardous Waste Permit Conditions A.27, B.33, B.34 and B.35 for the Delphi - Warren facility.

To demonstrate financial assurance for post-closure care requirements, Delphi submitted a Letter of Credit (LOC) No. P-241480, issued by J.P. Morgan, on September 24, 2003 for the Warren, Ohio facility. This LOC is accompanied by a Standby Trust Agreement. The amount of the LOC is currently \$288,740.00.

Pursuant to modifications made to the Delphi Hazardous Waste Permit in June and July 2006, Delphi's cost estimate was modified to the amount of \$204,710.00. However, the estimate must be updated annually by the anniversary date of the LOC, September 24, 2006 and September 24, 2007. To date, updated cost estimates and modifications to the Permit have not been submitted to reflect revised post-closure cost estimates.

Upon review of the above documentation, **Delphi is in violation of financial assurance post-closure cost estimates pursuant to the OAC rule 3745-55-44 and Ohio Hazardous Waste Permit Conditions A.27 and B.33.** The financial assurance post-closure cost estimate and LOC (if applicable) must be updated prior to the September 2007 annual anniversary of the LOC. For future reference, all financial

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

assurance updates require modifications to the Delphi hazardous waste permit.

To abate the violations, *submit updated cost estimates for 2006 and 2007 including permit modifications for post-closure cost estimates.*

Submit this information to me within thirty (30) days of receipt of this letter.

If you have any questions about the above matter do not hesitate to contact me at (614) 644-2951.

Sincerely,



Tina Jennings  
Compliance Assurance Section  
Division of Hazardous Waste Management

TJ: fms: G:\TJENNING\TJ08\Delphi 08.doc

cc: Suzanne Prusnek, DHWM, NEDO  
Marie Jarden, ERAS, DHWM  
Tammy McConnell, RIS, DHWM  
Raymond Hall, Delphi Automotive

*File*