



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

September 22, 2008

Robert F. Casselberry, General Attorney
United States Steel Corporation
Room 1538, 600 Grant Street
Pittsburgh, PA 15219

Re: **USS Lorain Works**
OHD004222030, Lorain
Financial Assurance
Return to Compliance

RTC 052 (XD)

RECEIVED
OHIO EPA

SEP 23 2008

DIV. OF HAZARDOUS
WASTE MGT.

Dear Mr. Casselberry:

On June 17, 2008, I completed a review of the financial assurance documentation file for the United States Steel Corporation (USS) facility referenced above. I evaluated your facility for compliance with financial assurance and liability requirements set forth in the Ohio Administrative Code (OAC) rules 3745-55-44 and 3745-44-45.

Upon review of the financial assurance documentation, the following violation was found: USS failed to provide a detailed post-closure cost estimate for the USS Lorain Works, in violation of OAC 3745-55-44.

On July 21, 2008, Ohio EPA received a document detailing actual costs for post-closure care for 2007. **With this submittal USS has returned to compliance for the OAC 3745-55-44 violation cited in my July 8, 2008 Notice of Violation letter.**

If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to call me at (614) 644-3067. I will be happy to assist you in any way possible.

Sincerely,

Isaac B. Wilder
Compliance Assurance Section, Division of Hazardous Waste Management

cc: Kristina Durnell, RIS, DHWM
John Palmer, DHWM NEDO

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







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February 5, 2010

Robert F. Casselberry
Attorney-Environmental
United States Steel Corporation
600 Grant Street
Pittsburgh, PA 15219

Re: USS Lorain Works
OHD004222030, Lorain
Financial Assurance
Notice of Violation
Return to Compliance

Entered as 1/29/2010 Sued

Dear Mr. Casselberry:

On February 3, 2010, I completed a review of the financial assurance documentation file for the United States Steel Corporation (USS) facility referenced above. I evaluated your facility for compliance with financial assurance and liability requirements set forth in the Ohio Administrative Code (OAC) rules 3745-55-44 and 3745-44-45.

In 2009, to demonstrate compliance with financial assurance and liability rules, USS used alternative II of the financial test for post closure care and liability coverage. A financial test, with a post-closure cost estimate for \$4,187,250.00 was submitted to Ohio EPA on March 19, 2009. A detailed post-closure cost estimate was not included with the submittal.

On January 29, 2010, USS submitted a Certificate of Insurance for Closure or Post-Closure Care for the USS Lorain Works facility. Policy # CPCC12010-OH has a face value of \$3,565,000.00 and an effective date of February 1, 2010. The policy was issued by Grant Assurance Corporation of Vermont. Grant Assurance Corporation is a subsidiary and captive insurance company of USS.

Upon review of the financial assurance documentation, the following violations were found:

OAC 3745-55-44(A) and (E): USS failed to provide a detailed post-closure cost estimate for the USS Lorain Work. Please provide a post-closure cost estimate detailing the reduction in post-closure costs reflected in your 2010 submittal as soon as possible.

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



USS Lorain Works
Financial Assurance
Notice of Violation/Return to Compliance
February 5, 2010
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OAC 3745-55-45(E)(9) and (F)(9): The owner or operator of a facility may not reduce the post-closure care cost estimate and/or the value of the post-closure financial assurance mechanism without the permission of the director.

OAC 3745-55-45: On April 27, 2009, Moody's reduced USS's bond rating to Ba2, which is below the required Baa minimum. **From April 27, 2009 until February 1, 2010, USS failed to provide financial assurance for the Lorain Works facility.**

Return to compliance:

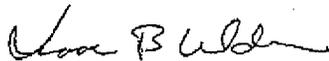
With the January 29, 2009 submittal USS has returned to compliance for the **OAC 3745-55-45** violation noted above.

The following area of concern was noted:

USEPA ID # OHR000037788 is **not** the correct ID No. for this post-closure unit. Please use USEPA ID # OHD004222030 in all future correspondence about this unit.

If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to call me at (614) 644-3067. I will be happy to assist you in any way possible.

Sincerely,



Isaac B. Wilder
Compliance Assurance Section
Division of Hazardous Waste Management

cc: Kristina Durnell, RIS, DHWM
John Palmer, DHWM NEDO

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.