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State of Ohio Environmental Protection Agency

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January 12, 2007

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OHIO EPA

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DIV. OF HAZARDOUS
WASTE MGT.

Ms. Sandy Maben
TRW Inc.
12001 Tech Center Drive
Livonia, Michigan 48152

Dear Ms. Maben:

**Re: TRW (formerly Dayton Walther)
OHD 052 859 170
Financial Assurance**

On December 29, 2006, the Ohio EPA conducted a financial record review for the Portsmouth, Ohio facility formerly known as Dayton Walther. The facility was evaluated for compliance with the financial assurance requirements for post-closure care, as specified in Ohio Administrative Code (OAC) rules 3745-66-44 and 3745-66-45.

TRW Automotive (TRW) established financial assurance for the Portsmouth, Ohio facility. TRW maintains a Financial Guarantee Bond No. 6210354 established with Safeco Insurance Company of America, effective July 7, 2003 and a Standby Trust Agreement was entered into as of March 29, 2000, by and between TRW, Inc. and Key Bank, N.A. The total penal sum of the Surety Bond is \$326,830.00.

In a June 2, 2006 letter, I cited the Dayton Walter facility in violation of OAC rule 3745-66-42 because TRW had failed to maintain and regularly submit an updated detail post closure cost estimate for the facility. Ohio EPA is aware that the former Dayton Walter facility is undergoing post-closure care and the post closure cost estimate may be fluctuating. However, a copy of the facility's current detailed post closure cost estimate must be prepared and maintained in accordance with OAC rule 3745-66-44 (A) and (B) annually to the Ohio EPA. The estimate must also be updated for inflation annually.

General Concern:

Documentation submitted from Tony Saturni via emails August 2006 showed an updated estimate however, inflationary increases have not been shown annually. Even though the cost estimate may decrease annually, the financial assurance post closure cost estimate must be updated annually for inflation.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

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Pursuant to the Ohio Administrative Code 3745-55-44 (B) (2), the post-closure cost estimate must be adjusted for inflation within sixty days prior to the anniversary date of the establishment of the financial assurance mechanism (i.e. Surety Bond).

Upon review of the facility's financial assurance documentation, **TRW will remain in violation of the OAC rule 3745-55-44.** In order to demonstrate abatement of this violation TRW must submit an updated post-closure cost estimate to reflect the current inflation factor. Ohio EPA is currently using a 2.7 percent inflationary increase.

For future reference, an updated post-closure cost estimate should be submitted to Ohio annually within sixty days prior to the anniversary date of the Surety Bond. Submit this estimate to my attention within thirty days of receipt of this letter.

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

Sincerely,



Tina Jennings
Compliance Assurance Section
Division of Hazardous Waste Management

c: Donna Goodman, DHWM, SEDO
Maureen Donahue, TRW, Inc.
Tammy McConnell, RIS, DHWM

TRW.Dayton Walther.07.wpd.
TJ/si

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.



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