

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korresen, Director

September 21, 2010

**RE: SEVERSTAL  
2006, 2007, 2008 ANNUAL REPORTS  
NOTICE OF VIOLATION  
NOTICE OF DEFICIENCY**

**CERTIFIED MAIL**

Mark Clark  
Severstal Warren, Inc.  
1040 Pine Ave. SE  
Warren, OH 44483-6528

Dear Mr. Clark:

In a letter dated September 10, 2010, the Ohio Environmental Protection Agency (Ohio EPA) notified you of several violations identified in the 2009 annual report. As a result, Ohio EPA has re-examined the 2006, 2007, and 2008 annual reports, and has identified the following violations:

1. ***OAC Rule 3745-30-14(M)(1) "...The annual operational report shall include the following information... a topographic map; the areal extent of each phase constructed; the areas of final, interim and intermediate cover placement; the current working phase and projected phase(s) for filling in the coming year and a comparison of actual vertical and horizontal limits to applicable authorizing documents..."***

**2006 Annual Report:** The information required by this rule was not contained in the annual report.

**2007 and 2008 Annual Reports:** Areas of intermediate cover, projected filling areas in the coming year, on-site borrow areas and cover material stockpiles were not identified in the annual report.

The following note is provided in reference to Phases 1 and 2 of the "new" landfill on Plan Sheet 1 of 1: "Isopach values shown in red on the north side of Phases 1 and 2 indicate elevation of waste above the internal slope between Phases 1, 2 and 3. Existing waste elevation does not exceed final permit top of waste elevation in Phases 1 and 2." Although the note states that final waste grades have not been exceeded in these areas, this rule requires a comparison be conducted between actual and approved grades. Such a comparison was not provided.

In the southwest portion of Phase 1, Ohio EPA observed some points which exceed the "PTI surface" (assumed to mean the approved waste grades for that phase).

Plan Sheet 1 of 1 includes the following note in the "old" landfill area: "Isopach values shown in red on the old landfill indicate elevation of waste above the 1978 Operation Report surface." Since there are also values shown in blue in the "old" landfill, a note should be added to describe these areas.

Based upon the information contained in these annual reports, the progression of waste placement activities since 2006 is not clear. In response to this violation, please provide a series of corrected drawings which includes all the information required by this rule. For each year, provide a comparison of the actual vertical and horizontal limits of emplaced waste to the authorized vertical and horizontal limits of waste placement for that phase of construction and for final waste elevations. In areas where emplaced waste exceeds the authorized limits of vertical and horizontal waste placement, this comparison must include a topographic map which delineates the areal extent of emplaced waste that exceeds approved limits. In addition, the topographic map shall contain notes that indicate the following information for waste exceeding authorized limits of waste placement: the maximum estimated volume, the maximum depth, and the average depth.

2. **OAC Rule 3745-30-14(M)(6)** *"...The annual operational report shall include the following information...the most recent updated final closure cost estimate, post closure cost estimate, and if applicable, corrective action cost estimate, adjusted for inflation and for any changes in the estimates..."*

**2006 Annual Report:** The information required by this rule was not contained in the annual report.

Ohio EPA has identified the following deficiencies in the reports:

1. **OAC Rule 3745-30-14(M)(2)** *"...The annual operational report shall include the following information...an estimate of the remaining sanitary landfill facility life, in years, and in terms of remaining volume of the sanitary landfill facility to be filled, in cubic yards..."*

**2006, 2007, and 2008 Annual Reports:** In Section 12, Line "B1", page 20, of the 2006 annual report, WCI Steel, Inc. provided a "remaining gross airspace" of 1,684,935 cubic yards (cys). The origin of this value is not clear. From a historical perspective, PTI No. 02-6667 was approved on July 23, 1999, which granted the facility a capacity of 4,052,000 cys to be placed in 7 phases over approximately 82 years of life. The total airspace volume was reduced to 3,668,400 cys via a PTI alteration approval, dated November 14, 2004. On June 12, 2002, Directors Final Findings & Orders (DFFOs) became effective which ordered the company to address an overheight in the prior landfill that was operated under a 1978 Operational Report. Starting with Phase 3 of the

existing permit, the "new" landfill will eventually expand into areas of the "old" landfill. As required by Order No. 1 of the DFFOs, a topographical map was submitted on July 19, 2002. Although the data from the map documented 370,600 cys of material over the 1978 grades and 438,800 cys under these grades, no information was provided pertaining to the total volume of airspace approved and the amount of waste placed under the 1978 report. Since it appears that this data is being utilized to determine the remaining gross airspace, Severstal should provide its calculations for this value. This information is important because the gross remaining airspace is used to calculate the following items in the annual report: "Remaining Life Based on AMDWR", "Remaining Life Based on Recent Waste Receipts" and "Remaining Tons for Waste Placement."

**2. March 26, 2007 Correspondence  
Volume Calculations for DFFO Order No. 2**

**2006 Annual Report:** On the first page of the above letter, the following results of the volume calculations were provided: Volume over 1978 Operational Report Surface – 274,115 cys; Volume under 1978 Operational Report Surface – 327,648 cys and Net (airspace under 1978 Operational Report Surface) – 53,533 cys (under). This data compares to information provided by WCI in a July 19, 2002 letter which was required by Order No. 1 of the June 12, 2002 DFFOs. The following volumes were provided in that letter: Volume over 1978 Operational Report Surface – 370,600 cys; Volume under 1978 Operational Report Surface – 438,800 cys and Net (airspace under 1978 Operational Report Surface) – 68,200 cys (under). In addition, page one of the March 2007 letter stated that a net reduction of 7,215 cys in the over height volume at the existing landfill from January 2006 to January 2007 was gained due to waste removal and recycling.

With respect to the last statement, the 2006 annual report contains Attachment 1, "Volume Calculations". In Section B.1., "Remaining Gross Airspace", page 21A, the text reflects a net airspace gain of 28,863 cys due to recycling from the old landfill and the north slag piles.

Please provide an explanation regarding this gain to the net reduction of 7,215 cys provided on the first page of the March 2007 letter. In addition to this issue, Ohio EPA also has a comment concerning the data table on page 2 of the March 2007 letter. The far right hand column of this table shows a reduction in the overheight of 96,485 cys (370,600 cys – 274,115 cys). Upon review of the net recycling efforts in the 2002 through 2006 annual reports, a total of 84,985 cys was recycled which would leave a remaining overheight of 285,615 cys. Please also explain this inconsistency.

Mark Clark  
Severstal Warren, Inc.  
September 21, 2010  
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**3. April 1, 2008 Correspondence  
Volume Calculations for DFFO Order No. 2**

**2007 Annual Report:** Page 22A indicates that there was a net gain of 355 cys as a result of the recycling efforts. Although this volume is also documented in the data table on page 2 of the April 1, 2008 letter, there remains a difference in the company's remaining maximum exceedance of 273,760 cys and the volume that I have calculated which is 285,260 cys.

**4. April 1, 2008 Correspondence  
Volume Calculations for DFFO Order No. 2**

**2008 Annual Report:** Page 16B indicates that there was a net gain of 7,984 cys as a result of recycling efforts. Since the data table on page 2 of the March 31, 2009 letter concludes a recycling effort of 5,522 cys (273,760 cys – 268, 238 cys), please explain this inconsistency.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Please submit a response to this letter by October 21, 2010. If you have any questions concerning this letter, please contact me at (330) 963-1257.

Sincerely,

  
Katharina Snyder  
Division of Solid and Infectious Waste Management

KS:cl

cc: Kevin Francis, Trumbull County Health Department  
File: [Kurko/LAND/WCI/Severtal/ANN/78]  
DSIWM #1395, 2478 . 277

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Mark Clark

Sent To **Severstal Warren, Inc.**  
 Street, Apt. No. or PO Box No. **1040 Pine Ave. SE**  
 City, State, ZIP+4® **Warren, OH 44483-6528**

PS Form 3800, August 2006 See Reverse for Instructions

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