



State of Ohio Environmental Protection Agency

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

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 Seal*

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 Kortecki, Director



USS Lorain Works  
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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:**

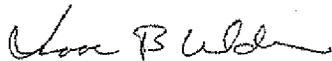
With the January 29, 2009 submittal USS has returned to compliance for the **OAC 3745-55-45** violation noted above.

**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.