Dear Mr. Leon:

On August 20, 2014, the United States Steel Corporation (USSC) submitted to the Ohio Environmental Protection Agency (Ohio EPA) a petition to extend the time period for post-closure care in the post-closure plan and financial assurance for the D-2 Landfill, located at 2199 East 28th Street, Lorain, Ohio. The petition was submitted pursuant to rule 3745-66-18 of the Ohio Administrative Code (OAC) in order to demonstrate that USSC's petition for amended post-closure complies with the requirements of OAC rule 3745-66-18. The reasons for amending the plan was to extend the post-closure care period for ten years with additional ten-year terms to be added to the post-closure at the end of the period until such time the Director approves the termination of the post-closure plan and to extend financial assurance for a rolling ten-year basis, as petitioned by USSC in accordance with OAC 3745-66-18(G).

The owner or operator and the public were given the opportunity to submit written comments regarding the petition, in accordance with the hazardous waste rule requirements. No public comments were received by Ohio EPA.

Based upon review of USSC's submittal, I conclude that the petition for an amended post-closure plan for the hazardous waste facility at 2199 East 28th Street, Lorain, Ohio meets the performance standard contained in OAC rule 3745-66-11, and complies with OAC rule 3745-66-18, including the requested extension is necessary to protect human health and the environment, i.e., continued presence of waste in the unit requires ongoing groundwater monitoring with leachate collection and treatment.
The petition to amend the post-closure plan submitted to Ohio EPA on August 20, 2014, by USSC is hereby approved.

Compliance with the approved post-closure plan is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action, pursuant to chapters 3734. and 6111. of the Ohio Revised Code, and other applicable law, to enforce such compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this approved closure plan. Please be advised that approval of this amended post-closure plan does not release USSC from any responsibilities regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission, pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of $70.00 (made payable to "Treasurer, State of Ohio") which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street, 17th Floor  
Columbus, Oh 43215

When post-closure is completed, OAC rule 3745-66-20 requires the owner or operator of a facility to submit to the Director of Ohio EPA, certification by the owner or operator and a qualified professional engineer that the facility has completed the post-closure care period in accordance with the approved post-closure plan. The certification by the owner or operator shall include the statement found in OAC rule 3745-50-42(D). These certifications should be submitted to:

Ohio Environmental Protection Agency  
Division of Environmental Response and Revitalization  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Attn: Manager, Engineering Section

A copy should also be sent to:
U.S. STEEL D-2 LANDFILL
POST-CLOSURE PLAN PETITION AND APPROVAL

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Northeast District Office
2110 East Aurora Road
Twinsburg OH 44087
Attn: John Palmer

If you have any questions about implementing this post-closure plan, contact Mr. Palmer at (330) 963-1232.

Sincerely,

Craig W. Butler
Director
Ohio Environmental Protection Agency

ec: John Palmer, DERR, NEDO
Rich Kurlich, DDAGW, NEDO
Erik Hagen, Manager, Engineering, DERR, CO
Connie Livchak, FARU-DMWM, CO
Ohio EPA, CO, DERR (RCRA Info Data Entry) at: RCRAInfoData@epa.state.oh.us
Rodney Beals, DERR, NEDO
Harry Courtright, DERR, NEDO