



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

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Columbus, Ohio 43215

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

Thomas O. Shepker  
WCI Steel, Inc.  
1040 Pine Avenue, SE  
Warren, OH 44483-6528

**RE: WCI STEEL CLASS I RESIDUAL WASTE LANDFILL, TRUMBULL COUNTY  
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-30-08(D)(9)(b) APPROVAL**

Dear Mr. Shepker:

In a report dated January 23, 2004, and updated April 22, 2004, WCI Steel submitted to the Ohio Environmental Protection Agency (Ohio EPA) a demonstration that the statistically significant increase previously reported for total dissolved solids (TDS) does not exist at a statistically significant difference in monitoring well WC-11D at the WCI Steel Class I residual waste landfill.

According to OAC Rule 3745-30-08(D)(9)(b), the owner or operator may demonstrate that the statistically significant increase resulted from error in the sampling, analysis, or statistical evaluation, or from natural variation in ground water quality. When the owner or operator demonstrates the statistically significant increase to be an error in statistical procedure or from natural variation in ground water quality, a report documenting this demonstration shall be submitted for approval by the director or his authorized representative. The January 23, 2004, and April 22, 2004, documents conclude that the statistically significant changes in TDS at WC-11D are the result of an error in statistical procedure and intrawell statistical analysis would be appropriate to determine the facility's potential impact to ground water quality.

Pursuant to OAC Rule 3745-27-08(D)(9)(b), I hereby approve this demonstration and WCI Steel is authorized to continue detection monitoring at monitoring well WC-11D.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to enter into the assessment monitoring program in accordance with OAC Rule 3745-30-08(E), or to obtain approval to remain in the detection monitoring program.

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

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

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release the Entity from responsibility under Ohio Revised Code Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Katharina Snyder, Ohio EPA, Northeast District Office at (330) 963-1257.

Sincerely,

Christopher Jones  
Director

CJ/KS/KM/sw

cc: Scott Hester, DSIWM-CO  
Katharina Snyder, DSIWM-NEDO  
Frank Migliozi, Trumbull Health Department