Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

APR -7 2011

ENTERED DIRECTOR'S JOURNAL

APR 07 2011

I certify this to [illegible] a true and accurate copy of the official docum[illegible]s as filed in the records of the Ohio Environmental Protection Agency.

By: [illegible] Date: 4-7-11

Mr. Kirk Reich
General Manager
AK Steel, Middletown Works
1801 Crawford Street
Middletown, Ohio 45043-0001

RE: AK Steel, Middletown Works Class III Residual Waste Landfill #1 (Closed), Butler County, OAC Rule 3745-30-08(E)(7) Compliance Monitoring Program Plan Approval

Dear Mr. Reich,

On December 31, 2009, Ohio EPA, Southwest District Office (NEDO) received a request from AK Steel, Middletown Works (AK Steel) to implement a Compliance Monitoring Program Plan (Plan) at the AK Steel Residual Waste Landfill #1 (Closed) (Facility) in accordance with Ohio Administrative Rule 3745-30-08(E)(7).

The Facility received waste derived principally from the manufacturing and processing of steel. Some of the waste includes, but is not limited to, dust and sludge from air pollution controls and waste water treatment units. No waste was accepted from off-site sources.

Ground water monitoring has determined that barium, chloride, TDS, TOC, and specific conductance are at concentrations above background levels in downgradient ground water monitoring wells.

Ohio EPA reviewed the Plan and determined that the proposed methods used to evaluate the above constituents as described in the Plan are reasonable and justified. Therefore, pursuant, to OAC Rule 3745-30-08(E)(7), I hereby approve the Plan for the Facility.

Should future or existing ground water sampling results indicate statistically significant increases above the trigger levels for those constituents established under OAC Rule 3745-30-08(E)(7) and the approved Plan, AK Steel shall submit a corrective measures study to the director in accordance with OAC Rule 3745-30-08(F).

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
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions concerning this authorization, please contact Pat Willoughby of Ohio EPA, SWDO at (937) 285-6648.

Sincerely,

Scott J. Nally
Director

cc: Scott Hester, DSIWM-CO
Tracy Buchanan, DSIWM-SWDO
Pat Willoughby, DSIWM-SWDO