Message

From: Ramanauskas, Peter [ramanauskas.peter@epa.gov]
Sent: 4/20/2017 3:59:34 PM
To: Prout, Susan [prout.susan@epa.gov]
Subject: RE: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

Ex. 5 AC/DP

From: Prout, Susan
Sent: Thursday, April 20, 2017 10:59 AM
To: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

Ex. 5 AC/DP

Susan Prout
Associate Regional Counsel
U.S. EPA
(312) 353-1029

From: Ramanauskas, Peter
Sent: Thursday, April 20, 2017 10:54 AM
To: Prout, Susan <prout.susan@epa.gov>
Subject: FW: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

Hi Sue,

Ex. 5 AC/DP

Thanks,
Peter

From: Kurdila, Julianne [mailto:julianne.kurdila@arcelormittal.com]
Sent: Thursday, April 20, 2017 10:50 AM
To: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

Hi, Peter.

Re: costs: is it okay to give you redacted actual costs from last year? If these records are to become public, we want to redact the name, address, and other identifying information of the firm(s).

Julianne

Julianne Kurdila | Lead Specialist, Environmental Compliance & Policy

ArcelorMittal USA | 4020 Kinross Lakes Parkway, Richfield, OH 44286

T +1 330 659 7471| **F** +1 330 659 7434 www.arcelormittal.com

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From: Ramanauskas, Peter [mailto:ramanauskas.peter@epa.gov]
Sent: Wednesday, April 19, 2017 12:34 PM
To: Kurdila, Julianne <julianne.kurdila@arcelormittal.com>
Subject: RE: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

Thank you, Julianne. I will check in with my colleagues in the UIC program and our Office of Regional Counsel on the termination issue.
Peter

From: Kurdila, Julianne [mailto:julianne.kurdila@arcelormittal.com]
Sent: Wednesday, April 19, 2017 11:22 AM
To: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

I will talk to Burns Harbor to get your answers.

FYI – I am in discussions with Steve re: changing some of the language in the UIC Trust. But in the meantime, JPM has not received notice of termination of its trusts, so we are at risk for paying both JPM and Citi. I appreciate any help you can provide.

Thank you.

Julianne

Julianne Kurdila | Lead Specialist, Environmental Compliance & Policy

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From: Ramanauskas, Peter [mailto:ramanauskas.peter@epa.gov]
Sent: Wednesday, April 19, 2017 12:16 PM
To: Kurdila, Julianne <julianne.kurdila@arcelormittal.com>
Subject: ArcelorMittal Burns Harbor 2017 Corrective Action Financial Assurance

Hello Julianne,

I've been looking over your March 31, 2017 Financial Assurance for RCRA Corrective Action submittal and the Excel spreadsheet you sent me in support of that. Last year, Doug Bley & I had the email exchange below regarding the development of Financial Assurance for Corrective Action. I wanted to ask about your Excel spreadsheet in light of the email below.

- Please confirm that your estimate of $5,500 for "rcra site per year" is the estimated cost of 3rd party inspection and maintenance of the capped area at IA-3.
- Please confirm that your estimate of $20,000 for "loco shop" is the estimated cost of 3rd party implementation of the recommendations noted in the attached April 10, 2017 report (i.e. free product removal from FP-4 and FP-5, free product disposal, and additional investigation of extent of groundwater contamination to the west and southwest via new piezometer installation & groundwater analysis).
- Do you have any cost estimates from a 3rd party to perform this work that you can provide?

Thanks,
Peter

From: Bley, Douglas [mailto:Douglas.Bley@arcelormittal.com]
Sent: Thursday, August 18, 2016 7:17 AM
To: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal Burns Harbor 2016 Corrective Action Financial Assurance

Thank you

From: Ramanauskas, Peter [mailto:ramanauskas.peter@epa.gov]
Sent: Wednesday, August 17, 2016 10:34 AM
To: Bley, Douglas <Douglas.Bley@arcelormittal.com>
Subject: RE: ArcelorMittal Burns Harbor 2016 Corrective Action Financial Assurance

Hello Doug,

We are in agreement with your points below. We will return the signed reduction and you can adjust the bond for the 2017 submittal.

Thanks,
Peter

From: Bley, Douglas [mailto:Douglas.Bley@arcelormittal.com]
Sent: Friday, August 12, 2016 8:58 AM
To: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal Burns Harbor 2016 Corrective Action Financial Assurance

Peter,

I have a couple issues with your email that need to be resolved.

1. Using a third party for inspections and maintenance at IA-3 will have a significant impact on the cost estimate since we have been handling this internally. May I wait to adjust the bond until the 2017 submittal? The current bond is set at $51,032 and you could just return the reduction for this year.
2. The IA-3 cap was completed on 8/29/02 and we should receive credit for the last 14 years. Therefore, I would like to have the costs identified for the remainder of the 30 year post-closure period (i.e., 16 years remaining). Please advise if you are in agreement.

From: Ramanauskas, Peter [mailto:ramanauskas.peter@epa.gov]
Sent: Friday, August 05, 2016 4:53 PM
To: Bley, Douglas <Douglas.Bley@arcelormittal.com>
Subject: ArcelorMittal Burns Harbor 2016 Corrective Action Financial Assurance

Hello Doug,

A question has come up from my management regarding the cost estimate for corrective action and the timeframe over which the cost estimate spans. For example, given that IA-3 is a capped disposal area, we would look to have estimates based on costs that would be incurred by an independent, third-party in order to ensure that the full costs of corrective action (i.e. inspection & maintenance) will be covered in the event an owner or operator is not able to fulfill its obligations. In the IA-3 case, since the remedy was capping in place, we would look to the duration for post-closure care requirements applicable to a landfill (i.e. 30 years) – see 264.117(a)(1).

So given your Feb 26, 2016 memo, we would request an adjustment of the IA-3 costs to cover 30 years of inspection & maintenance of the cap. Regarding the Loco shop, we can currently accept the $1125 per quarter estimate and await the submittal of the additional information request in #2 of EPA's February 19, 2016 letter to see how this may need to be adjusted for 2017.

Thanks,
Peter

From: Bley, Douglas [mailto:Douglas.Bley@arcelormittal.com]
Sent: Thursday, June 30, 2016 6:33 AM
To: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal 2016 Financial Assurance

Other than once/year mowing (if needed) and the annual inspection, the IA-3 cap has not needed any repairs or additional maintenance since installation. Based on that history, repairs or additional maintenance of the cap are not anticipated in 2016 or the near future.

From: Ramanauskas, Peter [mailto:ramanauskas.peter@epa.gov]
Sent: Wednesday, June 29, 2016 5:49 PM
To: Bley, Douglas <Douglas.Bley@arcelormittal.com>
Subject: RE: ArcelorMittal 2016 Financial Assurance

Thanks, Doug.

With respect to the Burns Harbor estimate, do you believe that there will be any IA-3 cap maintenance requirements needed this year that would exceed the $416 allotted to that or has an inspection not identified any needed cap repairs?

Thanks,
Peter

From: Bley, Douglas [mailto:Douglas.Bley@arcelormittal.com]
Sent: Wednesday, June 29, 2016 3:02 PM
To: Roy, Stephen <roy.stephen@epa.gov>; Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: ArcelorMittal 2016 Financial Assurance

Gentlemen:

Based on discussions with the trustee and surety, you can just print the pdf copies, and return the 2015 and 2016 trust amendments with original signature as requested by the cover letter (Please cc me as well). For Peter, you will also need to include the signed copy of the bond, as reduced. I have attached the pdf copies of both the 2015 and 2016 submittals for your convenience. Please let me know if there are any remaining issues.

From: Roy, Stephen [mailto:roy.stephen@epa.gov]
Sent: Tuesday, June 28, 2016 5:56 PM
To: Bley, Douglas <Douglas.Bley@arcelormittal.com>
Subject: ArcelorMittal 2016 Financial Assurance

Hello, Doug,
I am sorry to report that although I have searched high and low for this document, I have not been able to find the original. We know it came into the mailroom April 5 and that it went to the Regional Administrator's office on April 5 but no one has been able to find out what happened to it after that point. I have contacted several divisional offices to try to locate it but nothing has turned up. Sometimes it takes several weeks for a document to find its way to the proper office but since it has been almost three months, it is extremely unlikely that it will turn up in the near future. This leaves us with two options. If it is acceptable to ArcelorMittal and your bank, we can sign the PDF of the document that you provided and return the signed document to Ms. Mazurek as instructed in your cover letter of March 31. Alternately, if this is not acceptable, we request that ArcelorMittal generate a new original. If that is how you choose to proceed, I request that you mail it to me rather than to the Regional Administrator's office so that we can better guarantee that it will get to the right place in the Region 5 office.

Again, I apologize for this situation but the original document seems to have disappeared.

Steve