



June 25, 2010

Mr. Andrew Fan
US EPA Region III, 3WC23
1650 Arch Street
Philadelphia, PA 19103-2029

Ms. Barbara Brown
Project Coordinator
Maryland Department of the Environment
1800 Washington Blvd.
Baltimore, Maryland 21230

**Re: Consent Decree, Civil Action Nos. JFM-97-558, JFM-97-559
Regarding January 8, 2010 Decision to Require Interim Measures
Coke Point Landfill**

Dear Mr. Fan and Ms. Brown:

This letter proposes an updated compliance plan and associated schedule that is intended to address Coke Point Landfill operational requirements outlined in the MDE correspondence dated January 8, 2010 as further modified by discussions agreed to in a meeting with MDE on May 26, 2010. During the meeting, it was agreed that the landfill operational items originally requested in MDE's January 8, 2010 letter as additional Interim Measures under Section V.A.4 of the Consent Decree instead will be addressed as part of the requirements for landfill operation outlined in Section VII.C of the Consent Decree.

Procedures have been developed to address the landfill operational items and are hereby submitted with an associated milestone schedule to MDE for approval in accordance with the timeframe agreed to between myself and Barbara Brown on June 2, 2010. The procedures are consistent with requirements outlined in Section VII.C of the Multimedia Consent Decree as appropriate for the planned use of the landfill facility. We also note that with the outstanding February 8, 2010 Notice of Dispute that MDE's subsequent approval of today's submittal will eliminate the need to request formal dispute resolution of these issues.

Action items that have been identified for Coke Point Landfill include the following:

- **Delineate the actual footprint of the Coke Point Landfill;**
- **Provide access and security improvements to mark the boundaries of the Coke Point Landfill and restrict access to authorized users;**
- **Implement improved operating and waste management practices;**

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- **Provide waste characterizations to document compliance with acceptable waste disposal practices;**
- **Implement groundwater monitoring program;**
- **Evaluate options for control and monitoring of surface water runoff at potential outfall locations; and**
- **Provide slope stabilization and waste covering plan.**

BACKGROUND

Coke Point Landfill is a solid waste disposal area located at the southern boundary of the Sparrows Point facility. The landfill area is approximately 46 acres that is located on made land comprised of slag and miscellaneous fill. Filling operations to form the land mass began in approximately 1952 and continued until approximately 1973 as determined by aerial photograph records. Topographic elevations of surrounding made land range from 2 to approximately 15 feet.

Waste disposal was initiated subsequent to formation of the land sometime in the early 1970's. The existing waste materials generally consist of debris from ironmaking and steelmaking operations and include construction and demolition debris. Wastes have been disposed in an irregularly shaped waste pile with topographic elevations ranging up to approximately 70 feet. A portion of the landfill footprint is also currently used for the storage of slag materials. Because of historical waste disposal activities, Coke Point Landfill has also been identified as a Special Study Area subject to corrective measures work as part of the Consent Decree.

Coke Point Landfill is currently utilized for the management of the following non-hazardous waste materials, annual waste quantities are expected to range between 25,000 to 75,000 cubic yards;

- Waste debris generated from the "rubble pit" associated with steelmaking operations at the Basic Oxygen Furnace;
- Waste slag debris from the slag skimmer bowl metal reclamation operations;
- General debris from the Sparrows Point facility that can be generated from industrial, construction, demolition and other activities occurring on the grounds of the facility;

Plans for a new landfill to be located proximate to Greys Landfill on the northern portion of the property have been finalized and the process of obtaining permits for this landfill is underway. It is a facility goal that waste management will occur solely at the new landfill and, once permitted and constructed, Coke Point Landfill will be phased out and secured. The compliance program outlined in this document provides operating practices for the current landfill operations.

In addition, the Maryland Port Authority (MPA) has expressed interest in acquiring portions of Coke Point for use as a dredged material containment facility. If this project moves forward, certain aspects of the operational measures outlined below (e.g., surface water runoff controls, slope stabilization, etc.) may need to be adjusted or amended to accommodate MPA's development plans.

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COMPLIANCE ACTION ITEMS

Delineate the actual footprint of the Coke Point Landfill

Drawing No. C-002, as included in the Coke Point Landfill Erosion/Sediment Control Plan Baltimore County, Maryland dated August 25, 2008, is an accurate topographic map that shows pertinent surrounding features and delineates the Coke Point Landfill boundary. This boundary will be used as the footprint (horizontal extent) of Coke Point Landfill for all future waste management activities. MDE confirmed during the meeting on May 26, 2010 that this drawing as previously submitted is acceptable for this action item.

Provide access and security improvements to mark the boundaries of the Coke Point Landfill and restrict access to authorized users

Access control berms and gate access structures will be installed at the landfill to mark the boundaries of the Coke Point Landfill and restrict access to authorized users. Location(s) of the access/security improvements will either be installed at the landfill boundary or utilize existing topographic features to prevent unauthorized access. Berms will be of sufficient height and grade as to prevent vehicular access.

Construction of the access control berms is contemplated to be an activity that will not require an erosion and sediment control plan because of current site use for waste and slag management operations and perimeter stormwater management controls that are in place and monitored as part of the facility's NPDES permit. Upon MDE approval of this plan and associated construction activity without need for additional permitting, access and security improvements for the landfill will be completed within three months. Additional discussion of this projected schedule may need to occur as impacts to site resources are defined in the future that will be associated with the planned outage of steelmaking operations. The extent of the impact to site resources is not fully understood at this time.

Implement improved operating and waste management practices

An updated and revised operations manual including associated drawings and waste management practice descriptions will be developed to support current and projected waste management activities at the landfill. The operations manual will include necessary information to address the following content requirements:

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SITE INFORMATION

Responsible Officials
Site Location
Site Description
Access Control

DESCRIPTION OF SOLID WASTES

Types of Waste

Anticipated Volumes
Waste Sources and Service Areas

DAILY OPERATIONS

Waste Handling and Cover Operations
Grading and Drainage
Personnel and Equipment
Supervision
Dust and Litter Control
Safety Precautions
Personnel Facilities
Inspection and Solid Waste Compliance Program
Scavenging or Salvaging
Operational Restrictions

MONITORING REQUIREMENTS

Groundwater Monitoring
Surface Runoff
Explosive Gases

The updated operating manual will be completed and submitted to MDE six weeks after approval of this plan. The manual will provide appropriate documentation of waste management and metal recovery practices that will occur within the footprint of the landfill and implementation schedules for associated improved operating practices.

Provide waste characterizations of refractory brick to document compliance with acceptable waste disposal practices

An inventory of current types of refractory brick, location of use and typical quantity is currently being compiled. The inventory includes associated Material Safety Data Sheets for the manufacturer and brick type. Once the inventory is complete, an assessment will be conducted to document waste profiles, quantities and location of generation. This information will be forwarded to MDE within one month of approval of this updated compliance plan.

It is understood that more definitive waste determinations may be required in the future for as-generated waste refractory brick material. To support this request, laboratory characteristic testing may be conducted to support current applied knowledge assessments where appropriate in light of the process where the refractory brick was used.

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Implement groundwater monitoring program

Groundwater monitoring will be implemented at Coke Point Landfill. As an initial phase for the monitoring program, existing groundwater monitoring wells will be identified that are properly located to assess groundwater conditions at the landfill. The process will include an assessment of the condition and accessibility of the monitoring wells. A report of the assessment and location map of the existing, suitable groundwater monitoring wells will be submitted within one month after approval of this updated compliance plan.

After completion of the inventory, a groundwater monitoring program will be implemented consistent with the process that has been completed at Greys Landfill. It is anticipated that the first quarterly sampling round will be conducted in the 3rd quarter of 2010, with sampling conducted at existing wells that are in proper condition. The program is understood to consist of quarterly groundwater monitoring for an initial year with submission of semi-annual reports. Adjustments to the program will be made as appropriate upon review of the results obtained for the initial year.

Evaluate options for control and monitoring of surface water runoff at potential outfall locations

Current stormwater management practices at Coke Point Landfill include on-site retention and solids filtration. Stormwater is retained through the use of impervious dike structures that have been constructed in low areas susceptible to overland runoff. Solids filtration is accomplished with the use of gravel filter berms installed where potential runoff from access roads or the landfill could occur. Because of these controls, of which on-site retention is recognized as a preferred best management practice for stormwater control, stormwater runoff does not routinely occur that would allow for development of a monitoring program.

It is understood that when landfill facility improvements are designed and installed in the future, and if the improvements require stormwater outlet structures or outfalls, a sampling plan for this discharge point(s) will be implemented to monitor stormwater. The plan is expected to include locations of temporary or permanent surface runoff sampling locations on a scaled site map, methodology, frequency and proposed analytic methods. In addition, changes to the site stormwater controls will be included in a timely revision to the facility's NPDES Stormwater Pollution Prevention Plan.

Provide slope stabilization and waste covering plan

Existing waste slopes at Coke Point Landfill are stable as documented by the absence of visual evidence of slope failure or slope movement. However, the current waste slopes are steeper than is appropriate for engineered landfills and will need to be modified to support the placement of stable intermediate or final cover materials.

An engineered plan will be developed to provide grading and waste cover at the landfill that meets the requirements of the Consent Decree as appropriate for the operation and capacity currently envisioned for Coke Point Landfill. A draft of the engineered plan will be available for MDE review

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within three months of approval of this updated compliance program. After receiving feedback from MDE, the plan will also be submitted to Baltimore County Soil Conservation District (BCSCD) to gain approval for erosion and sediment controls necessary to support the defined construction effort. MDE will be kept apprised of the effort and schedule through monthly progress reports to obtain an approved plan from BCSCD.

A schedule to complete grading and waste cover activities will be developed once the extent of construction requirements is established based on receipt of an approved erosion and sediment control plan from BCSCD and approval from MDE.

Please contact me at (410) 388-6622 should you have questions regarding this submittal.

Sincerely yours,



Russell Becker
Division Manager
Environmental Engineering and Affairs