

PUBLIC NOTICE
AMENDED COVENANT NOT TO SUE/FINAL FINDINGS AND
ORDERS
Toledo-Lucas County Port Authority (TLCPA), Chevron U.S.A
Toledo Refinery, Areas 1, 2, 4, 5, 7, 8, 9, 10, 11, and 13

Notice is hereby given that on June 21, 2013, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, issued an amended Covenant Not To Sue/Final Findings and Orders to the Toledo-Lucas County Port Authority, for property known as Chevron U.S.A Toledo Refinery, Areas 1, 2, 4, 5, 7, 8, 9, 10, 11, and 13 (the "Property").

The original CNS for the Property was journalized on September 17, 2003. The entire Property consists of approximately 220 acres. However, this amendment is specific to Parcel A containing approximately 74.4 acres of land, which is located at 2935 Front Street, Toledo, Lucas County, Ohio. A request to amend the Operation and Maintenance Plan and the Risk Mitigation Plan for the Property was submitted on August 31, 2012 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by Michael Momenee, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A). By e-mail dated November 14, 2012, Ohio EPA provided comments on the requested modifications. By letter dated March 1, 2013, Mr. Momenee, on behalf of the TLCPA, responded to Ohio EPA's comments.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "Commission") pursuant to ORC 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 thirty (30) days after notice of the 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 it is demonstrated 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 Commission at the following address: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

If you would like to review a copy of the amended Covenant Not To Sue/Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Environmental Response and Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.