



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

MAILING ADDRESS:

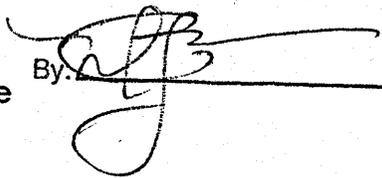
P.O. Box 1049  
Columbus, OH 43216-1049

**CERTIFIED MAIL**

December 24, 2008

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. T. Casey Stephens  
City of Toledo  
Department of Public Service  
Division of Solid Waste  
3962 Hoffman Road  
Toledo, Ohio 43611

By:  Date: 12.24.08

OHIO E.P.A.  
DEC 24 2008  
FEDERAL BUREAU OF INVESTIGATION

**RE: Closure Period Extension  
Former XXKem Site  
OHD 980 586 804**

Dear Mr. Stephens:

On December 2, 2008, the City of Toledo ("City") submitted a request for an extension to the closure period for the former XXKem site located at 4015 Stickney Avenue, Toledo, Ohio. The City is requesting an additional 210 days from the date specified in the July 7, 2008 closure extension letter, until June 30, 2009, to complete the closure. The extension request was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-66-13(B), as closure will require longer than the 180 day period specified in OAC Rule 3745-66-13. The City has requested this extension because the winter weather is temporarily preventing construction at the site.

My staff reviewed your request for an extension to the closure period and recommends the extension be granted pursuant to OAC Rule 3745-66-13(B). I concur, and am therefore granting this extension request. This extension is being granted for the above referenced closure plan and expires on June 30, 2009.

The City shall continue to take all steps to prevent a threat to human health and the environment from the unclosed, but inactive waste management unit pursuant to OAC Rule 3745-66-13(B)(2).

Please be advised that approval of this closure extension request does not release the former XXKem site from any responsibilities as required under the Hazardous and Solid Waste Amendments of 1984, regarding corrective action for all releases of hazardous waste or constituents from any solid waste management unit, regardless of the time at which waste was placed in the unit.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Ohio EPA is an Equal Opportunity Employer

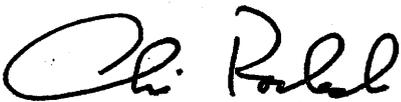
You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. 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 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, Ohio 43215

When closure is completed, OAC Rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of Ohio EPA, certification by the owner or operator and an independent, registered professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan. The certification shall follow the format specified in OAC Rule 3745-50-42(D) and should be submitted to:

Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Attention: Jeremy A. Carroll, P.E., Manager  
Regulatory and Information Services Section  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Sincerely,



Chris Korleski  
Director

pc: Dave Sholtis, Assistant Chief, DHWM, CO  
Ed Lim, Manager, ERAS, DHWM, CO  
DHWM-NWDO File: XXKem, Lucas County, Closure

ec: Shannon Nabors, Chief, DHWM, NWDO  
Michael Terpinski, DHWM, NWDO  
Dawn Pleiman, DHWM, NWDO  
Dan Lukovic, DHWM, CO