



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

SEP 13 2011

ENTERED DIRECTOR'S JOURNAL

SEP 13 2011

Certified Mail

Mr. Bud E. Smith
RG Steel, LLC
1134 Market Street
Wheeling, WV 26003

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.

Dennis Cassler Date: 9-13-11

**Re: Amended Closure Plan Approval - RISK ASSESSMENT
RG Steel, LLC
OHD 010 448 231**

Dear Mr. Smith:

On July 7, 2011, RG Steel, LLC submitted to Ohio EPA an amended closure plan for the ARCO Ductwork Laydown Area located at 1001 Main Street, Martins Ferry, Ohio. The amended closure plan was submitted pursuant to rule 3745-66-12 of the Ohio Administrative Code (OAC) in order to demonstrate that RG Steel, LLC's proposal for amended closure complies with the requirements of OAC rules 3745-66-11 and 3745-66-12.

The owner or operator and the public were given the opportunity to submit written comments regarding the amended closure plan in accordance with the hazardous waste rule requirements. No public comments were received by Ohio EPA.

Based upon review of RG Steel, LLC's submittal, I conclude that the amended closure plan for the hazardous waste facility at 1001 Main Street, Martins Ferry, Ohio, meets the performance standard contained in OAC rule 3745-66-11 and complies with the pertinent parts of OAC rule 3745-66-12.

The amended closure plan submitted to Ohio EPA on July 7, 2011, by RG Steel, LLC is hereby approved.

Compliance with the approved closure plan, especially including the modifications specified herein, is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action, pursuant to chapters 3734. and 6111. of the Ohio Revised Code, and other applicable law, to enforce such compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this approved closure plan. Please be advised that approval of this amended closure plan does not release RG Steel, LLC from any responsibilities regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

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 "Ohio Treasurer Josh Mandel," 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
77 South High St., 17th Floor
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 approved closure plan. The certification by the owner or operator shall include the statement found in OAC rule 3745-50-42(D). These certifications should be submitted to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Attention: Ed Lim
Manager, Engineering Section
P.O. Box 1049
Columbus, Ohio 43216-1049

Sincerely,



Scott J. Nally
Director

SJN/MS/mlm

cc: Donald Vogel, DERR, CO
Melody Stewart, DMWM/DERR, SEDO