



MAR 18 2014

John R. Kasich, Governor

Mary Taylor, Lt. Governor - TIERED DIRECTOR'S JOURNAL

Craig W. Butler, Director

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.

By: Myra Lassiter Date: 3-18-14

CERTIFIED MAIL

March 18, 2014

Mr. Bryan Gallagher
NPEC Inc.
1999 Lake Avenue
Rochester, New York 14650-2230

**RE: Amended Post-Closure Plan Approval
Hilton Davis, Hamilton County
OHD 004 240 313**

Dear Mr. Gallagher:

On July 19, 2013, NPEC submitted an amended post-closure plan for the lagoons at the Hilton Davis facility located at 2235 Langdon Farm Road in Cincinnati, Ohio. The request for amendment included a July 19, 2013 Groundwater Monitoring Work Plan. The post-closure plan amendment is required so that a revised site-wide ground water monitoring plan may replace the Comprehensive Ground Water Monitoring Work Plan Revision No. 2-Updated June 2000.

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

Based upon review of the July 19, 2013 amended post-closure plan and subsequent revisions dated February 10, 2014, I conclude that the amended post-closure plan for the hazardous waste facility at 2235 Langdon Farm Road in Cincinnati, Ohio as modified herein meets the performance standard contained in OAC 3745-66-21 and complies with the pertinent parts of OAC rule 3745-66-18.

The amended post-closure plan submitted to Ohio EPA on July 19, 2013 is hereby approved with the following modifications:

- 1) The revisions submitted by NPEC to Ohio EPA dated February 10, 2014 are incorporated as replacement pages in the July 19, 2013 Groundwater Monitoring Work Plan.
- 2) The July 2013 Groundwater Monitoring Work Plan with the February 10, 2014 replacement pages is the only ground water monitoring plan for the site, and the interim site-wide ground water monitoring plans no longer apply.

Compliance with the approved post-closure plan, 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 plan. Please be advised that approval of this amended post-closure plan does not release NPEC 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 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 of State") 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 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 Street, 17th Floor
Columbus, OH 43215

If you have any questions about implementing the amended post-closure plan, contact Brian Gitzinger at (937) 285-6082.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig W. Butler". The signature is fluid and cursive, with a long horizontal stroke at the end.

Craig W. Butler
Director

cc: Brian Gitzinger, DERR, SWDO
Ed Lim, Manager, Engineering, DERR, CO
Connie Livchak, FARU-DMWM, CO
RCRA Info Data



ITS Programming

PUBLIC NOTICE RECORD

Notification Type: HAZARDOUS WASTE FACILITY POST-CLOSURE ACTION

Entity Info

Name: Emerald Materials Hilton Davis

Address: 2235 Langdon Farm Road

City/Township/Zip: Cincinnati, OH 45237

County: Hamilton

Description: Hazardous Waste

Notice Info

Weekly Review

Public Notice

Date Of Action: 03/18/2014

Notification Number: 19619

Receiving Waters:

Meeting Details:

Standard Remark:

Other Remark:

On March 18, 2014, pursuant to Ohio Administrative Code Rule 3745-66-18, the director of Ohio EPA approved the amended post-closure plan received on July 22, 2013, revised on February 10, 2014, from Emerald Materials Hilton Davis for the Former Hilton Davis facility located at 2235 Landon Farm Road, Cincinnati, Ohio 45237 in Hamilton County. The approval gives authorization to integrate the ground water monitoring plans in the approved current post-closure monitoring plan and the approved Corrective Action Work Plan. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.