



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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JUN -4 2009

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ENTERED DIRECTOR'S JOURNAL

CERTIFIED MAIL 7008 0500 0002 0748 9222

June 4, 2009

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.

Ms. Heather Klesch  
Clow Water Systems Company  
2266 South Sixth Street  
Coshocton, Ohio 43812

By: [Signature] Date: 6-4-09

Re: **Closure/Post-Closure Plan Approval  
Clow Water Systems Company  
OHD 004 294 849**

Dear Ms. Klesch:

On August 20, 2008, Clow Water Systems Company (Clow) submitted to Ohio EPA a closure/post-closure plan for the concrete pond located at 2266 South Sixth Street Coshocton, Ohio. Revisions to the closure/post-closure plan were received on February 6, 2009 and April 9, 2009. The closure/post-closure plan was submitted pursuant the June 3, 2009 Director's Final Findings and Orders in order to demonstrate that the Clow proposal for closure/post-closure complies with the substantive requirements of OAC Rules 3745-55-11, 3745-55-12 and 3745-55-18.

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

Based upon review of Clow's submittal and subsequent revisions, I conclude that the closure/post-closure plan for the hazardous waste facility at 2266 South Sixth Street Coshocton, Ohio, as modified herein, meets the performance standard contained in OAC Rule 3745-55-11, and complies with the pertinent parts of OAC Rules 3745-66-12 and 3745-66-18.

The closure/post-closure plan submitted to Ohio EPA on August 20, 2008, and revised on February 6, 2009, and April 9, 2009, by Clow is hereby approved with the following modifications:

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

1. On Page 6-1, the first paragraph is modified as follows:

"Clow will conduct post-closure care and monitoring from the date on which the professional engineer certifies the closure documentation report as described in Section 7 of this Closure Plan."

2. On page 6-13, the second paragraph text is modified as follows:

"...within 90 days [per 54-98(G)(6)(b)] of determining a statistically significant increase, submit a report to the Director which Ohio EPA agrees successfully demonstrates that a source other than the Concrete Pond caused the contamination or that the increase resulted from error in sampling analysis or evaluation."

3. On Page 6-13, the third paragraph text is modified as follows:

"Clow will appropriately revise the GWMP as approved by the Director if necessary within 90 days of the Director's approval."

4. The attached document entitled "Attachment 1 Example Sampling Forms and Laboratory Information" will be added to Appendix D of the closure/post-closure plan.

Compliance with the approved 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 Closure Plan. Please be advised that approval of this closure/post-closure plan does not release Clow 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 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, OH 43215

When closure is completed, OAC rule 3745-55-15 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:

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

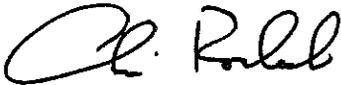
A copy should also be sent to:

Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Donna Goodman  
Southeast District Office,  
2195 Front St.  
Logan, Ohio 43138

Ohio EPA's Division of Hazardous Waste Management strongly encourages you to consider pollution prevention options for any processes at your facility that generate waste. While implementation of pollution prevention options is not required by Ohio laws and regulations, the application of waste minimization practices may help reduce the expense of remedial activities. Additionally, implementation of pollution prevention options may prevent the creation of new units and as a result eliminate the requirement to submit a

closure plan in the future. For assistance in identifying and implementing pollution prevention options, contact Donna Goodman at (740) 380-5293.

Sincerely,



Chris Korleski  
Director

CM:js

cc: Jeremy Carroll, Manager, RISS, DHWM, CO, Central File  
Ed Lim, Manager, ERAS, DHWM, CO  
Donna Goodman, DHWM, SEDO  
Cole Miller, DHWM, CO  
Mike Allen, Engineering Unit, DHWM, CO  
John Schierberl, Supervisor, EU, DHWM, CO