

OHIO EPA

State of Ohio Environmental Protection Agency

Director's Office Number 33497

COVER MEMO

- Director's Signature
- Assistant Director's Signature
- DRAFT - Governor's Signature
- Deputy Director's Signature
- Background Investigation Report - CONFIDENTIAL

Subject: (MCR# _____) **Signed DFF&Os – Tice Enterprises, Inc. and MAT Enterprises, LLC**

Prepared by: ^{MS}Todd Anderson and Kelly Smith^{KS} Division: **Legal/DMWM** Date: December 31, 2012

Blind Copies: _____

NECESSARY APPROVALS

APPROVED BY

DATE

- Assistant Director
- Chief Legal Counsel Thomas C. Cook 1/16/13
- Deputy Director, Communication
- Director's Office, Rules Coordinator
- Legal Todd Anderson 12/31/12
- Other (Ed Lim, Manager, DERR) E. J. Lim 1/8/13
- Other

District Personnel Information		DMWM Division Personnel Information	
Approvals:	Date:	Approvals:	Date:
Supervisor _____	____/____/____	Unit Supervisor _____	____/____/____
Manager _____	____/____/____	Section Manager _____	____/____/____
Assistant Dist. Chief _____	____/____/____	Assistant Chief _____	____/____/____
District Chief _____	____/____/____	Chief <input checked="" type="checkbox"/> <u>Samuel J. Alth</u>	<u>1/15/13</u>
Other _____	____/____/____	Other _____	____/____/____

RETURN ALL SUPPORTING DOCUMENTS TO:

Name: Todd Anderson, 4-2840 Division: Legal

Document Name: _____ WPS Initials/Date: _____

Attachments: CC: Yes No BC: Yes No

Other: _____ PDF emailed To: _____

SNW 1/15/13 DO



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

CERTIFIED

January 24, 2013

Tice Enterprises, Inc.
13822 N. Vision Drive
P.O. Box 37
Kenton, OH 43326

MAT Enterprises, LLC
13822 N. Vision Drive
P.O. Box 37
Kenton, OH 43326

**Re: Director's Final Findings & Orders
Former King-Ohio Forge, Inc.**

Dear Sir or Madam:

Transmitted herewith are Final Findings & Orders of the Director concerning the matter indicated.

Sincerely,


Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosure: Director's Final Findings and Orders

cc: Kelly Smith, DMWM, CO
Todd Anderson, Legal

OHIO E.P.A.

JAN 24 2013

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

ENTERED DIRECTOR'S JOURNAL

In the Matter of:

Tice Enterprises, Inc.
13822 N. Vision Dr., P.O. Box 37
Kenton, OH 43326

MAT Enterprises, LLC
13822 N. Vision Dr., P.O. Box 37
Kenton, OH 43326

**Director's Final
Findings and Orders**

Respondents

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to Tice Enterprises, Inc. (Respondent Tice) and MAT Enterprises, LLC (Respondent MAT), (together, Respondents) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) §§ 3734.13, 3734.02(G) and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondents and successors in interest liable under Ohio law. No change in ownership of Respondents or of the Facility shall in any way alter Respondents' obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734. and the rules promulgated there under.

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: Jim L. Casper Date: 1-24-13

IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Pursuant to ORC § 3734.02(G) and rule 3745-50-31 of the Ohio Administrative Code (OAC), the Director may, by order, exempt any person generating, storing, treating, or disposing of hazardous waste in such quantities or under such circumstances that, in the determination of the Director, it is unlikely that the public health or safety or the environment will be adversely affected thereby, from any requirement to obtain a permit or comply with other requirements of ORC Chapter 3734. Any such exemption shall be consistent with and equivalent to rules promulgated under the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806, 42 U.S.C. § 6921 et seq., as amended.
2. Respondents are each a "person" as defined in ORC §3734.01(G) and Ohio Administrative Code (OAC) rule 3745-50-10(A). Respondent Tice is a corporation which registered to conduct business in Ohio on April 2, 1996. Respondent MAT is a corporation which registered to conduct business in Ohio on December 9, 2010.
3. On May 9, 2001, Ohio EPA conducted a complaint investigation at the facility located at 820 Steiner Ave., Kenton, Ohio (Facility). At the time of the investigation, the Facility was owned and operated by King-Ohio Forge, Inc. (King-Ohio). King-Ohio did not conduct any manufacturing or forging operations at the Facility, however, the investigation revealed that King-Ohio was storing hazardous waste without a hazardous waste installation and operation permit, in violation of ORC §3734.02(E) and (F) and had failed to evaluate wastes in violation of OAC rule 3745-52-11.
4. In April 2003, Ohio EPA referred King-Ohio to the Ohio Attorney General (AGO) for operating a hazardous waste facility without a hazardous waste installation and operation permit in violation of ORC §3734.02(E) and (F) and failing to evaluate over 280 containers and tanks of waste, in violation of OAC rule 3745-52-11. The containers and tanks of waste were subsequently evaluated and removed from the Facility by King-Ohio and on July 20, 2010 a signed consent order between the State of Ohio and King-Ohio was entered in the Hardin County Court of Common Pleas. The consent order required King-Ohio to pay a civil penalty and submit a closure plan in accordance with OAC Chapter 3745-55 for areas in Building 5 and Building 2 at the Facility where hazardous waste had been stored. Section VI., paragraph 8. of the July 20, 2010, consent order reads

in part: "King-Ohio Forge has entered into an option to purchase agreement with a prospective purchaser, Tice Enterprises, Inc. (Tice) for the sale of 820 Steiner Avenue, Kenton, Ohio (the "Property")." The July 20, 2010, consent order also included the following language in Section VI., paragraph 10.: "If Tice takes title to the Property on or before December 31, 2010, the State hereby waives all claims against King-Ohio Forge for injunctive relief for the claims alleged within the complaint . . ."

5. On November 19, 2010, the Clean Ohio Council awarded a Clean Ohio Revitalization Fund grant to the City of Kenton and its Development Partner, Respondent Tice, to conduct a site-wide cleanup at the Facility, under the Ohio EPA Voluntary Action Program, including closure of the former hazardous waste storage areas. In consideration for obtaining title to the Property, Respondent Tice agreed to complete the voluntary action at the Property.
6. On or about December 30, 2010, Respondent MAT, a party affiliated with Respondent Tice, purchased the Facility from King-Ohio Forge. Respondent MAT is an "owner" as defined in OAC rule 3745-50-10(A).
7. After Respondent MAT purchased the Facility, Respondent Tice conducted certain remediation activities to address the units subject to closure referenced in Finding No. 4. of these Orders. Respondent Tice is an "operator" as defined in OAC rule 3745-50-10(A) due solely to its activities relating to the remediation/closure of the Facility.
8. On or about June 18, 2012, Respondent Tice submitted to Ohio EPA a document entitled *Certification Report for the Closure of Container Storage Areas King-Ohio Forge Facility*, summarizing the remediation work referenced in Finding No. 7. of these Orders. This document was submitted pursuant to OAC rule 3745-55-15. Respondents had not submitted to Ohio EPA a hazardous waste closure plan prepared in accordance with OAC Chapter 3745-55 prior to submittal of the closure certification.
9. As the owner and operator of an unpermitted hazardous waste facility, as described in Findings Nos. 3., 6. and 7. of these Orders, Respondents are required to have a hazardous waste facility installation and operation permit and are subject to all general facility standards found in OAC Chapters 3745-54 and 55, including but not limited to, closure in accordance with OAC rules 3745-55-11 through 3745-55-20 and the financial assurance for closure requirements contained in OAC rules 3745-55-42 through 3745-55-51. As the owner and

operator of a hazardous waste facility, Respondents are required to have a written closure plan in accordance with OAC Chapter 3745-55.

10. The Director has determined that Respondent MAT is the owner and Respondent Tice is the operator of an unpermitted hazardous waste facility and as such, Respondents are required to have a hazardous waste facility installation and operation permit and are subject to all general facility standards found in OAC Chapters 3745-54 and 55, including but not limited to, closure in accordance with OAC rules 3745-55-11 through 3745-55-20, the financial assurance for closure requirements contained in OAC rules 3745-55-42 through 3745-55-51 and corrective action for waste management units in accordance with OAC rule 3745-54-101. To obtain a hazardous waste facility installation and operation permit, Respondents are required to submit "Parts A and B" of the application in accordance with OAC Chapter 3745-50.
11. The submittal of a Closure Plan which complies with the administrative requirements of OAC Chapters 3745-65 and 66 and the substantive requirements of OAC Chapters 3745-54 and 55 including but not limited to the groundwater protection program in accordance with OAC rules 3745-54-90 through 3745-54-100 in lieu of the submittal of an application for a hazardous waste facility installation and operation permit is unlikely to adversely affect the public health or safety or the environment. Therefore, the Director finds that the issuance to Respondents of an exemption from the requirement to submit an application for a hazardous waste facility installation and operation permit is unlikely to adversely affect the public health or safety or the environment within the meaning of ORC § 3734.02(G).
12. On October 19, 2012, Respondent Tice submitted to Ohio EPA the draft document *RCRA Closure Plan for Container Storage Areas King-Ohio Forge Facility*.
13. Because Respondent Tice has conducted certain remediation activities to address the closure of the hazardous waste management units, will submit a closure plan in accordance with OAC Chapter 3745-55 and these Orders for those units described in Finding No. 4. of these Orders, and has entered Ohio's Voluntary Action Program to address any site-wide contamination, the Director has determined that it is unnecessary to reserve site-wide corrective action for the Facility.

V. ORDERS

Respondents shall achieve compliance with Chapter 3734. of the ORC and the regulations promulgated there under and are hereby exempted from the requirement to submit an application for a hazardous waste facility installation and operation permit for the Facility, provided that Respondents comply with the following:

1. Within 60 days after the effective date of these Orders, Respondents shall submit to Ohio EPA for review and approval a Closure Plan for the hazardous waste drum storage areas in Building 5 and Building 2 at the Facility.
2. This Closure Plan shall comply with the administrative requirements of OAC Chapters 3745-65 and 3745-66 and the substantive requirements of OAC Chapters 3745-54 and 3745-55, including but not limited to, the groundwater protection program in accordance with OAC rules 3745-54-90 through 54-100.
3. The Closure Plan is subject to approval by Ohio EPA. If Ohio EPA does not approve the Closure Plan and provides Respondents with a written statement of deficiencies, Respondents shall submit a revised Closure Plan for approval addressing the deficiencies within 30 days of receiving such written statement. If Ohio EPA modifies the Closure Plan, the modified Closure Plan becomes the approved plan.
4. Upon Ohio EPA's written approval of the Closure Plan, Respondents shall implement the approved Closure Plan in the manner and pursuant to the time frames set forth in the approved Closure Plan and OAC rules 3745-55-13/3745-66-13.
5. Within 60 days after approval of the Closure Plan pursuant to Order No. 3. of these Orders, Respondents shall submit a closure cost estimate and documentation demonstrating that Respondents have established financial assurance and liability coverage for the areas of the Facility subject to closure, in accordance with OAC rules 3745-55-42 through 3745-55-47.
6. Subsequent to the approval of the Closure Plan, Ohio EPA shall review the document *Certification Report for the Closure of Container Storage Areas King-Ohio Forge Facility* referenced in Finding No. 8. of these Orders to determine if the requirements of OAC rule 3745-55-15. If Ohio EPA identifies deficiencies with respect to closure certification and provides a written statement of the

deficiencies, Respondents shall address the deficiencies in writing within 30 days of receiving such written statement.

VI. TERMINATION

Respondents' obligations under these Orders shall terminate when Respondents certify in writing and demonstrate to the satisfaction of Ohio EPA that Respondents have performed all obligations under these Orders and Ohio EPA's Division of Materials and Waste Management acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA shall notify Respondents of the obligations that have not been performed, in which case Respondents shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondents to Ohio EPA and shall be signed by a responsible official of Respondents. For purposes of these Orders, a responsible official is a corporate officer who is in charge of a principal business function of Respondents.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the operation of Respondents' Facility.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondents.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondents pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Northwest District Office
Division of Materials and Waste Management
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: DMWM Manager

and Ohio EPA Central Office at the following addresses:

For mailings, use the post office box number:

Scott J. Nally, Director
Ohio Environmental Protection Agency
Lazarus Government Center
Division of Materials and Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Manager, Compliance Assurance Section

For deliveries to the building:

Scott J. Nally, Director
Ohio Environmental Protection Agency
Lazarus Government Center
Division of Materials and Waste Management
50 West Town Street
Columbus, Ohio 43215
Attn: Manager, Compliance Assurance Section

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondents each reserve all rights, privileges and causes of action, except as specifically waived in Section XII. of these Orders.

XII. WAIVER

In order to initiate and complete closure of hazardous waste units at the Facility, without admission of fact, violation or liability, Respondents consent to the issuance of these Orders and agree to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondents hereby waive the right to appeal the issuance, terms and conditions, and service of these Orders and Respondents hereby waive any and all rights Respondents may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondents agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondents retain the right to intervene and participate in such appeal. In such an event, Respondents shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

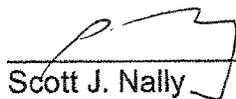
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency

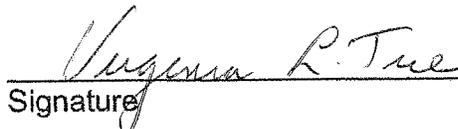


Scott J. Nally
Director

January 24, 2013
Date

IT IS SO AGREED:

Tice Enterprises, Inc.



Signature

November 8, 2012
Date

Virginia L. Tice

Printed or Typed Name
President

Title

MAT Enterprises, LLC



Signature

November 8, 2012
Date

Mark A. Tice

Printed or Typed Name
Owner

Title



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

INTEROFFICE MEMORANDUM

To: Scott J. Nally, Director
From: TMA Todd Anderson, Legal and Kelly Smith, CAS, DMWM⁴⁵
Date: December 31, 2012
Subject: Signed Director's Final Findings and Orders – Tice Enterprises, Inc. and MAT Enterprises, LLC

CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATION CONFIDENTIAL LAW ENFORCEMENT INVESTIGATORY RECORD

Attached for your approval and signature are Director's Final Findings and Orders (Orders) which have been signed by representatives of Tice Enterprises, Inc. (Tice) and MAT Enterprises, LLC (MAT). The Orders require Tice and MAT to submit, for Ohio EPA review and approval, a closure plan for the former King Ohio Forge, Inc. (King-Ohio) facility. The Orders do not require the payment of a civil penalty settlement.

On May 9, 2001, Ohio EPA conducted a complaint investigation at the business located at 820 Steiner Avenue, Kenton, Ohio (Facility). At the time of the complaint investigation, the Facility was owned by King-Ohio. While King-Ohio did not engage in any manufacturing operations at the Facility, the investigation revealed that King-Ohio had failed to evaluate wastes and was storing hazardous waste without a permit in violation of Ohio Revised Code (ORC) §§ 3734.02(E) and (F).

Ohio EPA attempted to resolve the compliance issues administratively but those efforts were not successful and in April, 2003, Ohio EPA referred King-Ohio to the Attorney General's Office for operating a hazardous waste facility without a permit and failing to evaluate over 280 containers and tanks of waste. The violations were ultimately resolved via a judicial consent order dated July 20, 2010. The consent order required King-Ohio to pay a civil penalty and submit a closure plan. The consent order further stipulated that if King-Ohio sold the Facility prior to December 31, 2010, it would be relieved of the obligation to submit a closure plan. During the negotiation of the consent order, King-Ohio was in contact with Tice regarding Tice's potential purchase of the Facility. Tice planned to apply to the Clean Ohio Revitalization Fund for assistance in remediating the Facility through the state's voluntary action program.

The Facility was purchased by MAT, an entity affiliated with Tice, on December 30, 2010. Since King-Ohio sold the Facility prior to December 31, 2010, it was relieved of its obligation to submit a closure plan as set out in the consent order. Tice received a grant from the Clean Ohio Revitalization Fund and began remediating the Facility through the state's voluntary action program. However, through its purchase of an unpermitted hazardous facility which had not been closed, MAT became responsible to perform closure. Also, Tice, through its remediation activities, became the operator of an unpermitted facility and also subject to closure.

DERR and DMWM worked with the environmental consultant and attorney representing Tice and MAT and agreed to resolve the outstanding closure obligations at the Facility via the attached Orders. The Orders require Tice and MAT to submit to Ohio EPA, for review and approval, a closure plan for the unpermitted hazardous waste management units at the Facility. The closure plan, in large part, summarizes remediation work which was already performed during the implementation of the voluntary action. During the negotiation of these Orders, DERR and DMWM reviewed drafts of the closure plan and expects to receive an approvable closure plan immediately after the Orders are entered into the Director's journal. Although under the law, as the owner and operator of an unpermitted hazardous waste facility, MAT and Tice are strictly liable and are subject to a civil penalty, DMWM and DERR do not believe it is appropriate to impose a penalty since MAT and Tice never operated the Facility and are actively engaged in cleaning up the Facility.

If you have any questions, please do not hesitate to contact me, Kelly Smith of DMWM or Ed Lim of DERR.

Compliance and Enforcement Plan

Division of Materials and Waste Management – Hazardous Waste

December 31, 2012

Facility/Respondent Info

Company Name: Tice Enterprises, Inc. and MAT Enterprises, LLC

Individual(s) Name:

Address: 13822 N. Vision Dr.
P.O. Box 37
Kenton, Ohio 43326

County: Hardin

Contact Person(s): Joseph Reidy, Partner, Ice Miller LLP, Legal Counsel

Telephone Number: (614) 462-2207

Permit and/or I.D. Number: OHD004558383

Property Owner (if known): MAT Enterprises, LLC

Company/Individual Name: N/A

Address:

Telephone Number:

Description of Most Recent Violations Warranting SNC Status

In 2001, Ohio EPA conducted a complaint investigation of the property located at 820 Steiner Avenue, Kenton, Hardin County, Ohio. At the time of the investigation, the property was owned by King-Ohio Forge, Inc. (King-Ohio). Numerous violations of the hazardous waste regulations were discovered, including storage of hazardous waste in as many as 280 drums without a permit, in violation of ORC Section 3734.02(E) and (F). The waste in some of the drums was hazardous due to elevated levels of lead (D008), corrosivity (D002), ignitability (D001), benzene (D018), chlorobenzene (D021), dichlorobenzene (D027), and hexachlorobenzene (D032).

In 2003, Ohio EPA referred King-Ohio to the Attorney General's Office. To resolve the violations, on July 20, 2010, King-Ohio and the State entered into a Judicial Consent Order requiring closure of the areas where hazardous waste was stored and payment of a civil penalty. Before the closure was implemented, King-Ohio sold the property to MAT Enterprises, LLC (MAT). Tice Enterprises, Inc. (Tice), a company associated with MAT, conducted certain remediation activities at the facility. As a result of these events MAT became an owner, and Tice became an operator of an unpermitted hazardous waste facility because closure of the area where hazardous waste had been managed was not completed.

Prior Compliance History

King-Ohio entered into a Consent Order with the State on July 20, 2010 for violations that had been ongoing since 2001. No inspections/evaluations have occurred since MAT purchased the property on December 31, 2010, and Tice initiated remediation activities.

Enforcement Actions Taken

In April, 2003, Ohio EPA referred King-Ohio Forge to the Ohio Attorney General for operating an illegal hazardous waste facility and failing to evaluate over 280 containers and tanks of waste. Ohio EPA requested that the AGO seek the necessary injunctive relief to bring King-Ohio into compliance with the hazardous waste laws through the filing of a civil complaint and consent order which included completion of closure for the unpermitted hazardous waste disposal units, as well as payment of an appropriate civil penalty. King-Ohio paid a \$12,500 penalty and subsequently sold the facility to MAT. Ohio EPA earmarked \$6,250 of the penalty to reimburse Tice for preparation and implementation of a RCRA Closure Plan. Tice received a grant from the Clean Ohio Revitalization Fund and began remediating the Facility through the state's voluntary action program. DMWM is recommending an administrative action with owner MAT and operator Tice to expedite submittal of a closure plan.

Cooperativeness; Return-to-Compliance History

Tice and MAT have been very cooperative and responsive. Tice has prepared a closure plan and promptly addressed numerous comments conveyed by Ohio EPA. Tice and MAT were both agreeable to entering into Director's Final Findings and Orders for submittal of a closure plan.

Environmental Harm from Non-Compliance

Environmental harm from non-compliance would result from hazardous waste and/or hazardous waste constituents remaining in place if a closure plan were not submitted, approved, and implemented. The investigation required by the closure plan would confirm whether or not the constituents contained in the hazardous waste, including

lead, benzene, chlorobenzene, dichlorobenzene and hexachlorobenzene, were released into the soil and groundwater at the facility. There would be the potential for harm to human health for future occupants of the property. There is also potential for harm to the RCRA regulatory program if RCRA closure is not implemented, because these requirements were created to regulate the waste from cradle to grave, with special safeguards for facilities that treat store and/or dispose of hazardous waste.

Abatement Options Available to Resolve Violations

The key abatement option to address the outstanding violation of ORC § 3734.02(E) and (F) resulting from owning and operating an unpermitted hazardous waste facility is the submittal of an approvable closure plan. Issuing Director's Final Findings and Orders requiring Tice and MAT to submit a closure plan will resolve the final remaining compliance issue at the facility.

Compliance Monitoring Plan

The compliance monitoring plan will consist of the administrative processing of Tice's closure plan for the King-Ohio facility and monitoring the company's subsequent implementation of the plan through certification that closure activities have met the closure performance standard as specified in OAC rule 3745-55-11.

Enforcement Recommendation

DMWM recommends to the Director the issuance of Director's Final Findings and Orders (DFFOs) which compel Tice and MAT to submit a closure plan to address the areas where illegal hazardous waste storage and disposal occurred and also provide an administrative mechanism for DMWM to review and the Director to approve the closure plan and subsequent closure certification.

Compliance/Enforcement Updates

Recommendation to Director December, 2012

Compliance/Enforcement Contacts: Todd Anderson, Legal (4-2840) and Kelly Smith, DMWM (4-3174).



ITS Programming

PUBLIC NOTICE RECORD

Notification Type: DIRECTOR'S FINAL FINDINGS AND ORDERS

Entity Info

Name: Tice Enterprises, Inc and MAT Enterprises, LLC

Address: 13822 N. Vision Drive, P.O. Box 37

City/Township/Zip: Kenton, OH 43326

County: Hardin

Description: Hazardous Waste

Notice Info

Weekly Review

Public Notice

Date Of Action: 01/24/2013

Notification Number: OHD004558383

Receiving Waters:

Meeting Details:

Standard Remark:

Other Remark:

On January 24, 2013, the director of Ohio EPA issued an administrative consent order to Tice Enterprises, Inc. and MAT Enterprises, LLC. The consent order includes an exemption from the hazardous waste permitting requirements, in accordance with Ohio Revised Code Section 3734.02(G). The exemption allows Tice Enterprises, Inc. and MAT Enterprises, LLC to submit a closure plan for several hazardous waste storage and disposal areas at the former King-Ohio Forge, Inc. facility, located at 820 Steiner Avenue, Kenton, Ohio 43326 in Hardin County in lieu of submitting an application for a hazardous waste installation and operation permit.