



OHIO E.P.A.

MAY -9 2013

ENTERED DIRECTOR'S JOURNAL

CERTIFIED MAIL

May 9, 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: Closure Plan Approval
Former King-Ohio Forge, Inc.
OHD004558383**

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: Joyce Lassiter Date: 5-9-13

Dear Sir or Madam:

On February 13, 2013, Tice Enterprises, Inc. and MAT Enterprises, LLC, (Tice and MAT) submitted to the Ohio Environmental Protection Agency (Ohio EPA) a closure plan for container storage areas located at 820 Steiner Avenue, Kenton, Ohio. The closure plan was submitted pursuant to the January 24, 2013 Director's Final Findings and Orders to demonstrate that Tice and MAT's proposal for closure complies with the substantive requirements of Ohio Administrative Code (OAC) rules 3745-55-11 and 3745-55-12.

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

Based upon review of Tice and MAT's submittal, I conclude that the closure plan for the hazardous waste facility at 820 Steiner Avenue, Kenton, Ohio, as modified herein, meets the performance standard contained in OAC rule 3745-55-11, and complies with the pertinent parts of OAC rule(s) 3745-55-12.

The closure plan submitted to Ohio EPA on February 13, 2013, by Tice and MAT is hereby approved with the following modifications:

1. Because the closure is based on commercial and industrial standards, Tice Enterprises, Inc. and MAT Enterprises, LLC must record an Environmental Covenant agreed to by Ohio EPA pursuant to Ohio Revised Code ("ORC") §§ 5301.80 to 5301.92 limiting the property to commercial and industrial use prior to submitting a closure certification report.

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 plan. Please be advised that approval of this closure plan does not release Tice and MAT 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, Ohio 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:

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

A copy should also be sent to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: Brian Patterson

If you have any questions about implementing this closure plan, contact Brian Patterson at (419) 373-3133.

Sincerely,



Scott J. Nally
Director

cc: Ed Lim, Manager, Engineering, DERR, CO
Kelly Smith, Enforcement Unit, DMWM, CO
Don Vogel, DERR, CO
Michael Terpinski, DERR, NWDO
Brian Patterson, DERR, NWDO
Connie Livchak, FARU-DMWM, CO
RCRAInfo Data Entry



ITS Programming

PUBLIC NOTICE RECORD

Notification Type: HAZARDOUS WASTE FACILITY CLOSURE ACTION

Entity Info

Name: Tice Enterprises, Inc.
Address: P.O. Box 37, 13822 N. Vision Drive
City/Township/Zip: Kenton, OH 43326 **County:** Hardin
Description: Hazardous Waste

Notice Info

Weekly Review
 Public Notice
Date Of Action: 05/08/2013
Notification Number: OHD004558383

Receiving Waters:

Meeting Details:

Standard Remark:

Other Remark:

On May 9, 2013, the director of Ohio EPA, pursuant to Ohio Administrative Code Rule 3745-55-12, approved the revised RCRA Closure Plan from Tice Enterprises, Inc. (Tice) for its facility, Former King-Ohio Forge Facility, 820 Steiner Avenue, Kenton, Ohio 43326 in Hardin County. The Ohio EPA ID for the facility is # OHD004558383. Tice proposes to close hazardous waste container storage areas in the facility conducting closure by removal as outlined in the Director's May 9, 2013 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.