



State of Ohio Environmental Protection Agency

OHIO E.P.A.

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

JAN 15 2010

P.O. Box 1049  
Columbus, OH 43216-1049

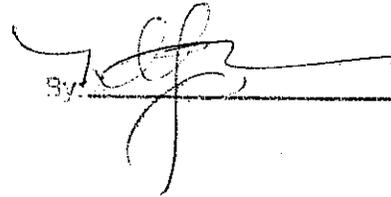
ENTERED DIRECTOR'S JOURNAL

**CERTIFIED MAIL**

JAN 15 2010

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.

Mark Tussing  
Owens-Brockway Glass Container Inc.  
Four O-I Plaza  
One Michael Owens Way  
Perrysburg, Ohio 43551

By:  Date: 1/15/10

**Re: Closure Plan Approval: Risk Assessment  
Universal Materials, Inc.  
OHD 980 792 600**

Dear Mr. Tussing:

On January 16, 2009, Universal Materials, Inc. (UMI) submitted to Ohio EPA a closure plan for four former storage areas located at 3995 Mogadore Industrial Parkway in Mogadore, Ohio. Revisions to the closure plan were received on April 9, 2009, and September 18, 2009. The closure plan was submitted pursuant to the November 17, 2008, Director's Final Findings and Orders in order to demonstrate that UMI's proposal for closure complies with the substantive requirements of 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 UMI's submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 3995 Mogadore Industrial Parkway in Mogadore, Ohio, as modified within, meets the performance standard contained in OAC rule 3745-55-11, and complies with the pertinent parts of OAC rule 3745-66-12.

The closure plan submitted to Ohio EPA on January 16, 2009, and revised on April 9, 2009 and September 18, 2009, by UMI is hereby approved with the following modification:

Figure 3 Schedule of Closure - The commencement of closure activities is no longer based on the approval of Ohio EPA. Instead, Month 2 corresponds to May 2010.

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

Compliance with the approved closure plan, including the modification 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 plan does not release UMI 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, 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:

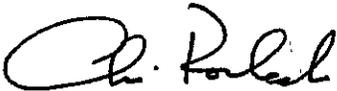
Jeremy A. Carroll, P.E., Manager  
Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Regulatory and Information Services Section  
P.O. Box 1049  
Columbus, Ohio 43216-1049

A copy should also be sent to:

Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Attention: Mr. Ed D'Amato  
Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087

If you have any questions about implementing this closure plan, please contact Ed D'Amato at (330) 963-1170.

Sincerely,



Chris Korleski  
Director

CK/CM/js

cc: Jeremy Carroll, Manager, RISS, DHWM, CO, Central File  
Ed D'Amato, DHWM, NEDO  
Cole Miller, DHWM, CO

ec: Mike Allen, Engineering Unit, DHWM, CO  
Ed Lim, Manager, ERAS, DHWM, CO  
John Schierberl, Supervisor, EU, DHWM, CO  
John Palmer, DHWM, NEDO