



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

OHIO E.P.A.

OCT 24 2013

ENTERED DIRECTOR'S JOURNAL

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: D. J. Lassiter Date: 10-24-13

**CERTIFIED MAIL**

October 24, 2013

Mr. Robert Ribbing  
Amsted Rail  
1700 Walnut St.  
Granite City, IL 62040-3100

**Re: Amended Closure Plan Approval Amsted Rail Sebring Landfill, OHD 017 497 587**

Dear Mr. Ribbing:

On April 8, 2013, Amsted Rail submitted to the Ohio Environmental Protection Agency (Ohio EPA), an amended closure plan for the Sebring Landfill, located at Lake Park Boulevard and Heacock Road, Smith Township, Mahoning County, Ohio. Revisions to the amended closure plan were received on August 1, 2013. The amended closure plan was submitted pursuant to rule(s) 3745-55-12 of the Ohio Administrative Code (OAC), in order to demonstrate that Amsted Rail's proposal for amended closure complies with the requirements of OAC rules 3745-55-11 and 3745-55-12. During reclamation activities, which were completed on April 12, 2013, technical issues arose that required some material to be left un-reclaimed and in place, which facilitated the need to revise the closure plan.

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

Based upon review of Amsted Rail's submittal and subsequent revisions, I conclude that the amended closure plan for the hazardous waste facility at Lake Park Boulevard and Heacock Road, Smith Township, Mahoning County, 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 amended closure plan submitted to Ohio EPA on April 8, 2013, and revised on August 1, 2013 by Amsted Rail, is hereby approved with the following modifications:

1. Removal of references to post-closure under OAC 3745-66-18.
2. Incorporation of four quarters of ground water sampling following the completion of excavation activities.
3. Changing the clean-up goal from unrestricted land use to restricted, through an environmental covenant, to commercial/industrial uses.
4. Removal of the requirement for background sampling.
5. Removal of the requirement for confirmation sampling, except for material left in place.

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 (ORC), and other applicable laws, 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 closure plan does not release Amsted Rail 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 ORC. 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 "Treasurer, State of Ohio"), 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, 17<sup>th</sup> Floor  
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:

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  
**Attn: Edward D'Amato**  
Division of Environmental Response and Revitalization  
Northeast District Office  
2110 East Aurora Rd Twinsburg, Ohio 44087

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

Sincerely,



Scott J. Nally, Director

cc: Ed Lim, CO, DERR  
Connie Livchak, CO, DMWM/FARU  
Don Vogel, CO, DERR  
RCRAInfo Data Entry

ec: Rod Beals, NEDO, DERR  
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