



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

ENTERED DIRECTOR'S JOURNAL

CERTIFIED MAIL

September 10, 2013

Mr. Joe Bryant
Cedar Creek Enterprises of Toledo, LLC
201 West Alexis Road
Toledo, Ohio 43612

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: [Signature] Date: 9-10-13

**Re: Closure Plan Approval
REMOVAL
Cedar Creek Enterprises of Toledo, LLC
OHR 000 159 582**

Dear Mr. Bryant:

On March 28, 2013, Cedar Creek Enterprises of Toledo, LLC (Cedar Creek) submitted to the Ohio Environmental Protection Agency (Ohio EPA) a closure plan for the East Side of the Rear Property located at 205 West Alexis Road, Toledo Ohio. Revisions to the closure plan were received on June 25, 2013. The closure plan was submitted pursuant the January 7, 2013 Director's Final Findings and Orders in order to demonstrate that Cedar Creek'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 Cedar Creek's submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 205 West Alexis, 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 March 28, 2013 and revised on June 26, 2013 by Cedar Creek is hereby approved with the following modification(s):

- 1. The title of the closure plan is changed as such: "CLOSURE PLAN CEDAR CREEK ENTERPRISES OF TOLEDO, LLC EAST SIDE OF THE REAR PROPERTY," to reflect the fact that the closure plan does not include Bays 7 and 14 in accordance with the January 7, 2013 Director's Final Findings and Orders.

2. Section 4.1.10 of the closure plan is amended to state "if contaminated soil is encountered within five feet of the uppermost saturated zone, then ground water investigative activities detailed in Appendix E of the Closure Plan will be implemented."

Compliance with the approved closure plan 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 Cedar Creek 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, OH 43402.
Attn: Brian Patterson, P.E.

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
Connie Livchak, FARU-DMWM, CO
Brian Patterson, DERR, NWDO
Don North, DMWM, NWDO
RCRAInfo Data Entry

ec: Michael Terpinski, DERR, NWDO
Don Vogel, DERR, CO