



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

APR 22 2014

Dan Pittman
City of Toledo – Manager
Hoffman Road Landfill
3962 Hoffman Road
Toledo, Ohio 43611

OHIO E.P.A.

APR 22 2014

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: Dorothy Cassiter Date: 4-22-14

**Re: Amended Post-Closure Plan Approval
Former XXKem Facility, Toledo, Ohio, Lucas County
OHD 980 586 804**

Dear Mr. Pittman:

On January 30, 2014, the City of Toledo submitted to the Ohio Environmental Protection Agency (Ohio EPA), an amended post-closure plan for the former XXKem facility located at 4015 Stickney Avenue, Toledo, Ohio. The amended post-closure plan was submitted to comply with the administrative requirements of Chapters 3745-65 and 3745-66 of the Ohio Administrative Code (OAC) and with the substantive requirements of OAC Chapters 3745-54 and 3745-55. The original post-closure plan was approved on June 17, 2009.

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

Based upon a review of the City of Toledo's submittal, I conclude that the amended post-closure plan for the hazardous waste facility located at 4015 Stickney Avenue, Toledo, Ohio, as modified herein, meets the performance standard contained in OAC rule 3745-66-18 and complies with the pertinent parts of OAC rules 3745-54 and 3745-55.

The amended post-closure plan submitted to Ohio EPA on January 30, 2014, by the City of Toledo is hereby approved with the following modification:

The City incorrectly stated that 4-(2,4-dichlorophenoxy)butyric acid, abbreviated (2,4-Db) (CAS RN 94-82-6), was a newly detected constituent that needed to be added to the constituent table in the *Post Closure Groundwater Monitoring Sampling and Analysis Plan*. The *Post Closure Groundwater Monitoring Sampling and Analysis Plan* is a component of the *Post Closure Plan*. The parameter list in the post-closure plan approved June 17, 2009 already contains 2,4-Db. The correct name of the constituent that must be added to the constituent table is 2,4-dichlorophenoxyacetic acid, abbreviated (2,4-D) (CAS RN 94-75-7). The City must provide a corrected Table 1.0, Semi-annual Analytical Parameter List, showing that 2,4-D was added to the parameter list in October 2013. Corrected copies of the table must be sent to the

Northwest District office at the addresses provided below.

Compliance with the approved post-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 amended post-closure plan does not release the City 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, OH 43215

When post-closure is completed, OAC rule 3745-66-20 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 completed the post-closure care period in accordance with the approved post-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: Dawn Pleiman.

If you have any questions about implementing this amended post-closure plan, please contact Dawn Pleiman at (419) 352-8461.

Sincerely,



Craig W. Butler
Director

pc: NWDO File: DERR-HW, Lucas County, XXKem, Closure

ec: William Franklin, Director, Dept. of Public Service, City of Toledo
Ed Lim, Manager, Engineering, DERR, CO
Michael Terpinski, Supervisor, DERR, NWDO
Connie Livchak, Supervisor, FARU-DMWM, CO
Devan Wolfe, DMWM, CO
Lindsay Taliaferro, Manager, DDAGW, CO
Chad Zajkowski, DDAGW, NWDO
Dawn Pleiman, DERR, NWDO