



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center  
122 S. Front Street  
Columbus, Ohio 43215

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

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

Mr. Anton C. Marek, P.E.  
Manager, Remediation  
Cytec Industries, Inc.  
Garret Mountain Plaza  
West Paterson, New Jersey 07424

**Re: American Cyanamid Landfill, Lake County  
OAC Rule 3745-27-13 Authorization, Deadline Extension**

Dear Mr. Marek:

On August 21, 2003, the Ohio Environmental Protection Agency (Ohio EPA) issued a consent agreement to Cytec Industries, Inc. (Cytec), pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13 and Ohio Revised Code (ORC) Section 6111.03, authorizing reconsolidation, construction, and closure activities and implementation of best management practices at the former American Cyanamid Landfill (Facility) located in Lake County in accordance with the document titled Proposed Plan to Upgrade Storm Water Controls, Former American Cyanamid Landfill (Authorized Plan).

Pursuant to Order Number 7, Cytec must complete implementation of the Authorized Plan by December 31, 2004, unless weather conditions prevent Cytec from completing these activities by this date. In the event that weather conditions delay completion of the project, Cytec may request an alternative deadline to complete the authorized activities upon determination that the December 31, 2004, deadline cannot be satisfied.

By document dated October 18, 2004, and received by Ohio EPA on October 21, 2004, Cytec formally requested an extension to the August 21, 2003, authorization for completing reconsolidation and closure activities at the Facility. Cytec stated that weather conditions in 2004 did not allow stream restoration activities to be performed on the stream running through the landfill, as requested by Ohio EPA's Division of Surface Water (DSW). These activities are needed to complete adequate closure so that the stream will not affect the landfill cap system. Cytec has requested an extension until December 31, 2005, to complete this project and to ensure that enough time has been allotted to secure the necessary work approvals and/or authorizations. Ohio EPA, DSW has not yet approved the conceptual design for the restoration activities, and a permit will also need to be obtained from the U.S. Army Corps of Engineers after receiving Ohio EPA approval.

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

Anton C. Marek, P.E.

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Based upon a review of the information provided in the October 18, 2004, request, an extension to the deadline for completing the proposed work activities at the Facility will not result in a violation of applicable laws or regulations, will not create a nuisance, and is unlikely to adversely affect the public safety or health or the environment. Therefore, I hereby grant Cytec an extension until December 31, 2005, to complete the activities outlined in the August 21, 2003, authorization, pursuant to OAC Rule 3745-27-13 and ORC Section 6111.03. Cytec shall continue to comply with all other requirements of the August 21, 2003, authorization and associated plans, specifications, and information.

Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release Cytec from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the director of Ohio EPA is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days after filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you have any questions concerning this authorization, please contact Virginia Wilson of Ohio EPA's Northeast District Office at (330) 963-1180.

Sincerely,

Christopher Jones  
Director

CJ/VW/MM/sw

cc: Murat Tukul, DSIWM-NEDO  
Scott Hester, DSIWM-CO  
Dennis Lee, DSW-NEDO  
Laura Kuns, Lake County Health Department