Subject: Petition to Reduce Post-Closure Care Period and Request Site Closure for the Former Hazardous Waste Storage Facility 87 (Former Facility-87; Installation Restoration Program Site ST011) Former Newark Air Force Base, Heath, Ohio Project #: 145-0001140-010

Dear Mr. Forbes:

On October 30, 2014, the Department of the Air Force submitted to Ohio Environmental Protection Agency (EPA) a petition to reduce the post-closure care period for the Installation Restoration Program Former Facility 87 (FF 87) located at the former Newark Air Force Base in Heath, Ohio. The post-closure reduction petition was submitted pursuant to rule 3745-66-18(G) of the Ohio Administrative Code (OAC) and evaluated by Ohio EPA to determine whether the Department of the Air Force’s proposal for reduction of post-closure care complies with the requirements of OAC 3745-66-17(A)(2)(a).

The owner, operator, and the public were given the opportunity to submit written comments regarding the post-closure reduction petition in accordance with the hazardous waste rule requirements in OAC rule 3745-66-18. No comments were received by Ohio EPA.

Based upon review of the Department of the Air Force’s submittal, I conclude that the post-closure reduction petition for the facility meets the performance standard contained in OAC rule 3745-66-11 and complies with the pertinent parts of OAC rules 3745-66-17(A)(2) and 3745-66-18 and is therefore hereby authorized.
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 authorization. Note that this authorization does not release the Department of Air Force 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

According to Section 3.11 of the approved post-closure plan and in accordance with OAC rule 3745-66-20, no later than 60 days after the completion of the established post-closure care period for the facility, the Air Force must submit to the Director, by registered mail, a post-closure owner/operator certification that the post-closure care period for the facility was performed in accordance with the specifications in the approved post-closure plan. The certification shall include the exact wording found in OAC rule 3745-50-42(D). It must be signed by the Air Force, Rick Platt of the Heath-Newark-Licking County Port Authority and an qualified professional engineer. This certification should include documentation supporting the qualified professional engineer's certification. Send the certification report to:

Ohio Environmental Protection Agency  
Division of Environmental Response and Revitalization  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Attn: Erik Hagen
Also send a copy to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Central District Office
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Chris Bulinski

If you have any questions about this correspondence, contact Chris Bulinski at (614) 728-5036.

Sincerely,

Craig W. Butler
Director

c: Rick Platt, Heath-Newark-Licking County Port Authority
   851 Irving Wick Drive West, Heath, Ohio 43056

e: Chris Bulinski, CDO, DERR
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