Mr. Larry Lewis  
303 South Mckinley  
Haviland, Ohio 45851  

RE: Lewis, Larry Junkyard, Haviland  
Remediation Response  
RCRA C - Hazardous Waste  
Paulding County  
OHR000161646

Subject: Closure Plan Approval  
REMOVAL  
Larry Lewis

Dear Mr. Lewis:

On March 22, 2016, the Ohio Environmental Protection Agency (Ohio EPA) received a closure plan for the hazardous waste management unit located at 303-305 South Mckinley Street, Haviland, Ohio. The closure plan was submitted in order to demonstrate that Larry Lewis'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 Larry Lewis's submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 303-305 South Mckinley Street, Haviland, Ohio, as modified herein, meets the performance standard contained in OAC rule 3745-55-11, and complies with the pertinent parts of OAC rule 3745-55-12.

The closure plan submitted to Ohio EPA on March 22, 2016, by Larry Lewis is hereby approved with the following modification(s):

1. Financial assurance and liability coverage shall be established in accordance with OAC rules 3745-55-42 through 3745-55-47.

2. In accordance with OAC 3745-55-15, within sixty (60) days after completion of closure of each hazardous waste unit, the owner or operator will submit to the director, by registered mail, a certification that the hazardous waste management unit has been closed in accordance with the specifications in the approved closure plan. The certification must be signed by the owner or operator and by a qualified professional engineer.
Documentation supporting the professional engineer's certification must be furnished to the director upon request until he releases the owner or operator from the financial assurance requirements for closure under paragraph (I) of rule 3745-55-43 of the administrative code.

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, 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 Larry Lewis 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: Erik Hagen, ERAS
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: Michael Terpinski

If you have any questions about implementing this closure plan, contact Brian Patterson at (419) 352-8461.

Sincerely,

Craig W. Butler
Director

/mrf

ec: Michael Terpinski, DERR-NWDO
    Brian Patterson, DERR-NWDO
    Don Vogel, DERR-CO
    Erik Hagen, Manager, ERAS, DERR-CO
    Kelly Smith, Enforcement Unit, DMWM-CO
    Connie Livchak, FARU-DMWM-CO
    RCRARInfo Data Entry