Mr. Robert LeVeck, Jr.
President/CEO
LeVeck Lighting Products, Inc
8415 State Route 202
Tipp City, Ohio 45371

Re: LeVeck Lighting Products, Inc.
Director's Authorization
Document Subtype
RCRA C - Hazardous Waste
Miami County
OHR000184390

Subject: Closure Plan Approval
For clean closure by decontamination and removal
LeVeck Lighting Products, Inc.
OHR000184390

Dear Mr. LeVeck:

On July 25, 2016, LeVeck Lighting Products, Inc. (LeVeck) submitted to Ohio Environmental Protection Agency (Ohio EPA) a closure plan for Unit A (lamp and lamp crusher storage area), Unit B (lamp crusher operation area), Unit C (crushed lamp drum storage area), and Unit D (temporary crushed lamp drum and lamp crusher storage area) located at 8415 State Route 202, Tipp City, Ohio. The closure plan was submitted pursuant the July 20, 2016 Director’s Final Findings and Orders in order to demonstrate that LeVeck’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 LeVeck’s submittal, I conclude that the closure plan for the hazardous waste facility at 8415 State Route 202, 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 July 25, 2016 by LeVeck Lighting Products, Inc. is hereby approved.

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 LeVeck Lighting Products, Inc. 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  
Southwest District Office,  
401 East Fifth Street  
Dayton, Ohio 45402  
Attn: Cathy Altman
If you have any questions about implementing this closure plan, contact Cathy Altman at (937) 285-6093.

Sincerely,

Craig W. Butler
Director

cc: Cathy Altman, DERR, SWDO
    Lisa Shook, DERR, CO
    Erik Hagen, Manager, ERAS, DERR, CO
    Mitch Mathews, DERR, CO
    RCRAInfo Data Entry