August 25, 2017

OGM, LTD dba Clean Water Ltd.
ATTN: Mike Current
300 Cherokee Drive
Dayton, OH 45417

Re: Clean Water Ltd
Director’s Final Findings and Orders
(DFFO)
DFFO
RCRA C - Hazardous Waste
Montgomery County
OHD004274031

Subject: Final Findings and Orders of the Director

Dear Sir:

Transmitted herewith are the Final Findings and Orders of the Director concerning the matter indicated for OGM, LTD. dba Clean Water, Ltd.

If you have any questions, please contact Andrea Smoktonowicz at (614) 644-3037.

Sincerely,

Tonya Andrews, Administrative Professional 3
Division of Environmental Response & Revitalization

Enclosure

cc: Mitch Mathews, DERR, CO
    Randy Kirkland, DERR, CDO
    Andrea Smoktonowicz, Legal
    Chris Kim Kahn, ckim@fbtlaw.com
BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

OGM, LTD. dba Clean Water, Ltd.
300 Cherokee Drive
Dayton, Ohio 45417

Respondent

Director's Final
Findings and Orders

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: [Signature] Date: 8-25-17

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to OGM, LTD. dba Clean Water, Ltd. (Respondent) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) §§ 3734.13 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or of the Facility shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734. and the rules promulgated thereunder.

IV. FINDINGS

Nothing in the findings shall be considered to be an admission by Respondent of any matter of law or fact. The Director of Ohio EPA has determined the following findings:
1. Respondent is a "person" as defined in ORC § 3734.01(G) and Ohio Administrative Code (OAC) rule 3745-50-10(A)(8).

2. Respondent owns and operates a "facility" for the "storage" of hazardous waste as those terms are defined by ORC § 3734.01 and OAC rule 3745-50-10(A) located at 300 Cherokee Drive in Dayton, Montgomery County, Ohio (Facility). Respondent has been assigned EPA identification number OH04274031 and Ohio Hazardous Waste Facility Installation and Operation Permit, No. 05-57-0555 (Permit). The permit also includes the requirement to implement Facility-wide corrective action to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may have been released at the facility.

3. At the Facility, Respondent generates "hazardous waste" as that term is defined in OAC rules 3745-50-10(A) and 3745-51-03, in amounts greater than 1000 kilograms per month, and therefore is a generator of hazardous waste subject to the requirements in OAC rule 3745-52-34(A), commonly referred to as a large quantity generator (LQG). Respondent is also a used oil transporter subject to the requirements in OAC rules 3745-279-40 through 3745-279-47, a used oil processor subject to the requirements in OAC rules 3745-279-50 through 3745-279-59, and a used oil fuel marketer subject to the requirements in OAC rules 3745-279-70 through 3745-279-75.

4. Respondent stores hazardous waste at the Facility in containers. This hazardous waste is stored in containers in Building E prior to shipment offsite to an authorized facility or is pumped from the containers and tanker trucks and processed in Respondent's onsite wastewater treatment plant. Hazardous waste is also generated from used oil processing and from laboratory waste generated as a result of Respondent conducting onsite fingerprinting analysis for waste and used oil accepted at the Facility. Laboratory waste is also generated from calibrating and cleaning laboratory equipment used by Respondent to perform on-site waste analysis for waste received by the Facility. Hazardous wastes generated by Respondent include, but are not limited to, used oil processing waste which is hazardous due to ignitability (D001) and benzene (D018) and laboratory wastes, which are hazardous due to ignitability (D001), the toxicity characteristic for barium (D005), cadmium (D006), lead (D008), benzene (D018), and methyl ethyl ketone (D035), and listed wastes F001, F002, F003 and F005, as defined in OAC rules 3745-51-21 (ignitable), 3745-51-24 (toxicity), and 3745-51-31 (listed hazardous waste from non-specific sources).

5. By letter dated June 10, 2015, Respondent informed Ohio EPA that there was an
appointment of a receiver and a change in the responsible party in control of the Facility. This notification was the result of a hearing in the Franklin County, Ohio, Court of Common Pleas (Court) that occurred on June 5 and June 12, 2015. At the hearing, the Court granted a motion for Appointment of a Receiver due to Respondent’s imminent danger of insolvency. The Court found that the investors’ stake in Respondent’s business and survival of the business are in jeopardy; and given the chemicals and other materials Respondent handles and treats at the Facility, the public interest in environmental protection and continuing proper operation of Respondent’s facilities has special importance.

6. On June 30 through July 2, 2015, Ohio EPA conducted a compliance evaluation inspection at the Facility and a multi-media inspection on July 7, 2015. Follow-up inspections were also performed on July 15, August 14, and September 1, 2015. As a result of those inspections, Ohio EPA determined that Respondent:

a. Violated ORC § 3734.02(E) and (F), Permit Conditions A.1(b) and A.5, and OAC rules 3745-50-58(A) for storage of hazardous waste not authorized by Respondent’s Permit. Respondent unlawfully stored nine containers of hazardous waste (D002 (corrosive), D003 (reactive), F009 (reactivity and toxicity), and F019 (toxicity)) in the hazardous waste storage area, and stored a tanker truck (#406) holding hazardous waste (at a minimum hazardous for cadmium (D006)) in an unpermitted area north of Building B. Ohio EPA observed hazardous waste leaking from the tanker truck (#406) onto the concrete pad underneath;

b. Failed to properly operate and maintain the Facility in violation of Permit Condition A.9 and OAC rule 3745-50-58(E);

c. Failed to maintain and operate the Facility to prevent releases of hazardous waste or hazardous waste constituents in violation of Permit Condition B.1(a) and OAC rule 3745-54-31;

d. Failed to inspect the Facility in accordance with the schedule in Permit Condition B.5 and OAC rule 3745-54-15(C), and (D);

e. Failed to maintain access to communications and alarm systems in violation of Permit Conditions B.5 and B.11 and OAC rules 3745-54-15(C), and (D) and 3745-54-34.

f. Failed to remove spilled or leaked waste and accumulated precipitation from sumps and collection areas in a timely manner in violation of Permit Condition C.7(e) and OAC rule 3745-55-75(B)(5);
g. Failed to properly maintain the fence surrounding the Facility in violation of Permit Condition B.4 and OAC rule 3745-54-14(B)(2)(a);

h. Failed to document a discrepancy and add a waste code for one drum of chlorobenzene on a hazardous waste manifest in violation of Permit Conditions B.24(B) and B.3(b) and OAC rules 3745-54-71(A)(2)(b) and 3745-54-13;

i. Failed to use a hazardous waste manifest when transporting hazardous waste between Respondent’s facilities and failed to submit an unmanifested waste report to the Director within 15 days of receiving the waste in violation of Permit Condition B.24(A) and OAC rules 3745-54-76 and 3745-53-20(A)(1);

j. Failed to determine if the waste generated at the Facility was hazardous waste in violation of OAC rule 3745-52-11;

k. Failed to keep a drum of hazardous waste closed in violation of OAC rule 3745-52-34(C)(1) and (2);

l. Failed to keep a complete record of each used oil delivery, including the U.S. EPA identification number of the receiving facility in violation of OAC rule 3745-279-46(B)(2);

m. Failed to maintain complete used oil shipping records for shipments received on April 3, 4, 9, 13, 16, and 18, 2015 in violation of OAC rule 3745-279-56(A);

n. Failed to maintain a complete record of used oil shipments, including the U.S. EPA identification number of the receiving facility in violation of OAC rule 3745-279-56(B)(4);

o. Failed to maintain and operate the Facility to prevent releases of used oil outside of containment areas in violation of OAC rule 3745-279-52(A)(1);

p. Failed to properly manage used oil in violation of OAC rules 3745-279-54(B), (C), (D), (F), and (G), including storing used oil in a leaking tank (S-20) and other tanks (S-14 through S-19) that are not in good condition; failing to have adequate secondary containment for the used oil tanks; storing used oil in troughs and sumps; and failing to cleanup releases of
used oil outside of Transfer Pad A and around groundwater monitoring well MW-3;

q. Failed to properly maintain the emergency eyewash and shower station in violation of Permit Condition B.10 and OAC rule 3745-54-33; and

r. Failed to properly convert or abandon temporary groundwater monitoring wells in accordance with OAC rule 3745-9-03(B).

7. By letter dated September 9, 2015, Ohio EPA notified Respondent of the violations referenced in Finding No. 6. of these Orders and that Respondent had abated the violations referenced in Finding Nos. 6.f., k. and m.

8. By letter dated September 24, 2015, Respondent responded to the violations referenced in Finding Nos. 6. and 7. of these Orders. The letter indicated, among other things, the containers of hazardous waste that had been unlawfully stored were shipped offsite to an authorized facility and/or processed in the Facility’s wastewater treatment system; the hazardous waste released from the tanker truck (#406) had been removed and placed in a container which was being stored in a hazardous waste container storage area at the Facility; the tanker truck (#406) had been moved to an area of the Facility with secondary containment and a contractor had been hired to remove the remaining waste from the tanker truck; areas where used oil had been released were power-washed; an unmanifested waste report and discrepancy report were being prepared; used oil observed in the sumps at the Facility would be immediately removed; and all remaining used oil from tank S-20 was removed.

9. By letter dated October 1, 2015, Respondent submitted a discrepancy report in accordance with the requirements of OAC rule 3745-54-13 and an unmanifested waste report in accordance with the requirements of OAC rule 3745-54-76.

10. By electronic mail on October 9 and October 12, 2015, Respondent submitted additional documentation to address violations in Finding Nos. 6. and 7. of these Orders, including a report documenting the cleaning of the tanker truck (#406), an inventory of laboratory chemicals, used oil shipping papers, and photographs showing that the area where hazardous waste had leaked from the tanker truck (#406) had been cleaned up.

11. By letter dated December 2, 2015, Ohio EPA notified Respondent that it had abated the violations referenced in Finding Nos. 6.g., h., i., l., n., and q. of these Orders. Additionally, Ohio EPA notified Respondent that it was in violation of OAC
rule 3745-279-46(B)(5)(a) for failure to maintain complete records of outbound shipments of used oil.

12. On December 7, 2015, Ohio EPA inspected the Facility. During the inspection, Ohio EPA observed an overpack drum of ignitable hazardous waste calcium hypochlorite (D001 – ignitability as described in OAC rule 3745-51-21) in Respondent’s hazardous waste storage area. Ohio EPA had previously observed this drum during the July 15, 2015 inspection. Additionally, Respondent gave Ohio EPA hazardous waste manifests showing hazardous waste was managed offsite from tank S-17. Based on observations during the inspection, analytical results of samples taken from tanks S-14 through S-20 that were received during Ohio EPA’s September 1, 2015 inspection, and additional documentation submitted by Respondent, Ohio EPA determined that Respondent also violated the following:

a. Permit Condition B.6 and OAC rule 3745-54-16 for failure to conduct personnel training for two employees;

b. Permit Condition B.28 and OAC rules 3745-55-12 and 3745-50-21 for failure to amend its closure plan;

c. OAC rule 3745-66-74 for failure to inspect during the week of August 2, 2015 to August 8, 2015 an area where containers of hazardous waste were stored;

d. ORC § 3734.02(E) and (F) for storing the container of ignitable hazardous waste calcium hypochlorite (D001) for greater than 90 days;

e. ORC § 3734.02(E) and (F) for storing hazardous waste in tanks S-14 through S-19 without a hazardous waste permit; and

f. OAC rule 3745-52-11 for failure to evaluate the material in the pit (referred to by the Facility as “Foundation Sump”) between Building B and Old Transfer Pad D.

13. By electronic mail on December 8 and 15, 2015, and January 18 and February 18, 2016, Respondent submitted information in response to Ohio EPA’s letter referenced in Finding No. 11. of these Orders and the December 7, 2015 inspection, including a tank inventory summarizing the quantities of material in tanks S-14 through S-20, used oil shipping records, disposal records, and training documentation.
14. By letter dated February 25, 2016, Ohio EPA notified Respondent of the violations referenced in Finding No. 12 of these Orders and that the violations in Finding Nos. 11 and 12.a. and c. were abated.

15. On March 1, 2016, a biennial report was due from Respondent as required under Permit Condition B.25 and OAC rule 3745-54-75. Ohio EPA has not received the biennial report to date. The Director has determined that Respondent is in violation of Permit Condition B.25 and OAC rule 3745-54-75.

16. Respondent has repaired and reconstructed the sump system in the water treatment area of Building B with concrete. Respondent has changed its operating procedures and no longer accumulates waste in these sumps. Respondent has evaluated and determined that the material in these sumps is not hazardous under OAC rule 3745-52-11.

17. By letter dated March 11, 2016, Respondent responded to the violations referenced in Finding Nos. 6, 12, and 14 of these Orders. The response included shipping records, emergency equipment inspection forms, sump inspection forms, well sealing photographs, and product information for the material which will be used to repair secondary containment areas. Respondent stated that the contents in sumps in Building B are pumped to tanks OR-1 and OR-2 and the contents in the Foundation Sump between Building B and Old Transfer Pad D are pumped into the oil/water separator, and are treated through the Facility’s wastewater treatment system and discharged to the Montgomery County POTW.

18. By letter dated March 29, 2016, Ohio EPA notified Respondent that the violations referenced in Finding Nos. 6.b., d., and e. of these Orders were abated.

19. On August 2, 2016, Ohio EPA inspected the Facility. During the inspection, Ohio EPA observed cracks in the secondary containment system in Building E, used oil in troughs and sumps of Containment Pad E, and used oil mixed with water in the Evaporator Room. Based on observations during the inspection Ohio EPA determined that Respondent also violated the following:

   a. Permit Condition B.1 and OAC rule 3745-54-31 for the observed cracks and gaps in the secondary containment system in Building E;
   b. OAC 3745-279-54(D) for the observed used oil in troughs and sumps of Containment Pad E; and
   c. OAC 3745-279-54(G) for the observed groundwater infiltration that had become contaminated with used oil residues from equipment.
20. By letter dated September 2, 2016, Ohio EPA notified Respondent of the violations referenced in Finding No. 19 of these Orders and that Respondent had abated the violations referenced in Finding Nos. 19.b. and c.

21. The Director has determined that closure in accordance with OAC rule 3745-55-10 through OAC rule 3745-55-20 is not required by Respondent to address the unlawful storage and releases of hazardous waste referenced in Finding Nos. 6.a., c., and p. and 12.d. of these Orders. The hazardous waste has been removed from the tanker truck (#406) and managed offsite to an authorized facility, the tanker truck (#406) has been decontaminated, the hazardous waste has been removed from the concrete pad, and no other releases of the waste have been observed in this area. With regard to the hazardous waste container storage area, no releases of hazardous waste were observed and Respondent will continue to use this area to store hazardous waste.

22. On January 12, 2017, Respondent submitted an interim measures work plan to investigate releases or potential releases to ground water at the Facility based on conditions observed by Ohio EPA during inspections. The interim measures work plan will abate the violations referenced in Finding Nos. 6.a. (partially as to the tanker truck #406) and 12.b. of these Orders.

23. On January 9, 2017, Ohio EPA inspected the Facility. During the inspection, Ohio EPA observed that Respondent had a used oil spill that had occurred on December 23, 2016 from a tanker truck that had not been stored in an area with secondary containment and that used oil had been released from the tanker truck to outside of the Facility. Respondent had not notified Ohio EPA and the National Response Center until several hours after the release had been detected by Respondent. Also, inspectors observed four used oil tanker truckers stored in areas without secondary containment and a used oil release on Containment Pad C. Based on observations during the inspection, Ohio EPA determined that Respondent violated the following:

   a. OAC rule 3745-279-52(A)(1) for failure to maintain and operate the Facility to minimize the possibility of an unplanned release;
   b. OAC rule 3745-279-52(B)(6)(d)(ii) for failure to immediately report the spill;
   c. OAC rule 3745-279-54(C) for failure to store containers (tanker trucks) in areas with secondary containment; and
   d. OAC rule 3745-279-54(G) for failure to respond to a used oil release in Containment Pad C.
24. By letter dated January 23, 2017, Ohio EPA notified Respondent of the violations referenced in Finding No. 23 of these Orders and that Respondent had abated violations in Finding No. 23.a. and b. On January 16, 2015, Respondent had previously submitted documentation to Ohio EPA to respond to the violation referenced Finding No. 23.d.

25. On March 2, 2017, Respondent submitted a copy of the well sealing report to Ohio EPA for temporary groundwater monitoring wells MW-1, MW-2, and MW-3 at the Facility to show the wells had been properly abandoned in accordance with OAC rule 3745-9-03. This documentation abates the violation referenced in Finding No. 6.r. of these Orders.

26. On April 4, 2017, Respondent submitted documentation to Ohio EPA showing the secondary containment in Building E has been sealed with epoxy sealant to repair the cracks and gaps observed during the August 2, 2016 inspection. This documentation abates the violation referenced in Finding No. 19.a. of these Orders.

V. ORDERS

Respondent shall achieve compliance with Chapter 3734. of the ORC and the regulations promulgated thereunder according to the following compliance schedule. Respondent may seek an extension from Ohio EPA Southwest District Office for any or all of the dates in Order Nos. 2. through 5. for cause.

1. Upon effective date of these Orders if any waste is generated in the sump system located in the water treatment area of Building B, Respondent shall evaluate the waste under OAC rule 3745-52-11 and manage the waste accordingly. Compliance with this Order abates the violation referenced in Findings Nos. 6.j. and 12.f. of these Orders.

2. Within 30 days after the effective date of these Orders, Respondent shall submit a biennial report to Ohio EPA. Compliance with this Order abates the violation referenced in Finding No.15. of these Orders.

3. Within 60 days after the effective date of these Orders, Respondent shall submit to Ohio EPA documentation demonstrating that tanks S-14 through S-20 are in compliance with the hazardous waste tank standards in OAC rules 3745-66-90 through 3745-66-99. In lieu of such a demonstration, within 60 days after the effective date of these Orders, Respondent shall submit a plan to Ohio EPA for review and approval and, if the Respondent is in Receivership, request appropriate approvals from the Receiver and/or the court for emptying tanks S-14 through S-
20 and not operating the tanks (as described at the end of this Order) in accordance with the following compliance schedule:

a. Within 90 days of the effective date of these Orders, weather permitting, Respondent shall begin removing the waste (solid) in tanks S-14 through S-20 and shipping them offsite to an authorized facility.

b. Within 180 days of the effective date of these Orders, weather permitting, Respondent shall submit documentation, including waste evaluation in accordance with OAC rule 3745-52-11, demonstrating that any hazardous waste (solid) in tanks S-14 through S-20 has been removed and shipped offsite to an authorized facility. This documentation shall include information describing any onsite storage prior to shipment of hazardous waste offsite and manifests;

c. Within 210 days of the effective date of these Orders, Respondent shall submit documentation that tanks S-14 through S-20 have been cleaned and are empty.

This documentation or plan shall be submitted in accordance with Paragraph X. of these Orders. If a plan is submitted in lieu of a demonstration, upon approval, the plan is incorporated herein and becomes an enforceable part of these Orders. Respondent shall implement the approved plan upon approval. Respondent shall not use S-14 through S-20 to store hazardous waste or used oil until it can demonstrate that tanks S-14 through S-20 are in compliance with the hazardous waste tank standards in OAC rules 3745-66-90 through 3745-66-99 or the standards for used oil processors in OAC rule 3745-279-54, as applicable. Compliance with this Order will abate violations referenced in Finding No. 6.p. (partially as to OAC rule 3745-279-54(B)) and 12.e. of these Orders.

4. Within 60 days after the effective date of these Orders, Respondent shall submit a plan to Ohio EPA for review and approval for the evaluation and repair of Containment Pads A, B, and C, including the troughs and sumps within Containment Pads A, B, and C to demonstrate compliance with OAC rule 3745-279-54(D). This plan shall be submitted in accordance with Paragraph X. of these Orders and shall include a description of the material used to make the repairs, photographs, diagrams, and any other information to document compliance with the rule. Upon approval, the plan is incorporated herein and becomes an enforceable part of these Orders. Respondent shall implement the approved plan upon approval. Compliance with this Order will abate the violations referenced in Finding No. 6.p. (partially as to OAC rule 3745-279-54(D)) of these Orders.
5. Within 90 days of the effective date of these Orders, Respondent shall ensure that any containers of used oil, including tanker trucks, are located in areas that have secondary containment, which may include a berm or diked area, provided it is sufficiently impervious to used oil, in compliance with OAC rule 3745-279-54. Compliance with this Order will abate the violations referenced in Finding Nos. 6.c. and o. and the remaining violations in 6.p. (OAC rules 3745-279-54(F) and (G)) and in Finding No. 23. of these Orders.

VI. TERMINATION

Respondent’s obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA’s Division of Environmental Response and Revitalization acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the specific obligations that have not been performed in a timely manner of Respondent’s submission, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: “I certify that the information contained in or accompanying this certification is true, accurate and complete.”

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is a [e.g., corporate officer] who is in charge of a principal business function of Respondent.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the operation of Respondent’s Facility.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS
These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Southwest District Office
Division of Environmental Response and Revitalization
401 East Fifth Street
Dayton, Ohio 45402
Attn: DERR Hazardous Waste Manager or Supervisor

and Ohio EPA Central Office at the following address:

For mailings, use the post office box number:

Manager, Hazardous Waste Compliance Assurance Section
Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049

For deliveries to the building:

Manager, Hazardous Waste Compliance Assurance Section
Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
50 West Town Street
Columbus, Ohio 43215

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA reserves its rights to seek civil or administrative penalties against Respondent for the violations of these Orders. Ohio EPA and Respondent each reserve all rights,
privileges and causes of action, except as specifically waived in Section XII. of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency

Craig W. Butler
Director
IT IS SO AGREED:

OGM, LTD. dba Clean Water, Ltd.

Signature

Kenneth B. Leachman

Printed or Typed Name

Receiver

Date

8-4-2017

Title