



**John R. Kasich**, Governor  
**Mary Taylor**, Lt. Governor  
**Craig W. Butler**, Director

January 30, 2018

Mr. Ryan Elliot  
Vorys, Sater, Seymour and Pease, LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, Ohio 43216-1008

RE: IRG Dayton II, LLC  
Permit - Intermediate  
Approval  
RCRA C – Hazardous Waste  
Montgomery  
OHD060928561

**Subject: Hazardous Waste Permit Modification - Class 1A Approval**

Dear Mr. Elliot:

On November 13, 2017, Ohio EPA received a request for a Class 1A hazardous waste permit modification from IRG Dayton II, LLC dated November 6, 2017. The modification requested the following change to the permit:

- Updated Permit Condition E.4 RCRA Facility Investigation (RFI) to change the date for submittal of IRG Dayton II, LLC's revised RFI report to Ohio EPA.

With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51, and accordingly has updated the facility's permit. The updated permit can be retrieved from the Agency's eDocument Search web site: <http://edocpub.epa.ohio.gov/publicportal/edochome.aspx>. Using the search function, search under the document type of "Permit" and then refine the search using the facility's RCRA ID number (Secondary ID) which is noted in the RE: block above.

If you have any questions concerning this letter, please contact Tim Hull of my staff at (937) 285-6088.

Sincerely,

Russell B. Brown  
Assistant Chief, Southwest District Office

Investigation completed in accordance with section E.4. Upon Ohio EPA approval thereof, the updated conditions summary shall replace and supersede the 2002 Current Conditions Summary in Appendix J-1 of the permit renewal application.

E.4 RCRA Facility Investigation (RFI)  
OAC Rule 3745-54-101

The Permittee must conduct an RFI to thoroughly evaluate the nature and extent of the release of hazardous wastes and hazardous constituents from all applicable WMUs identified in Permit Condition E.3 above and Permit Condition E.10. Delphi submitted the RFI Report to Ohio EPA in 2008. In 2013, Ohio EPA's comments on the RFI were provided to IRG. On or before January 11, 2019, Permittee will submit a revised RFI Report to Ohio EPA for approval. The final RFI will address Ohio EPA's comments on the initial RFI Report, describe the procedures, methods and results of the RFI, and contain adequate information to support further decisions concerning Corrective Action at the Facility. Ohio EPA will approve the revised RFI in writing, or send written comments to the Permittee. If Ohio EPA has further comments, the Permittee will review the comments, discuss with Ohio EPA if appropriate, and revise the RFI Report as appropriate. The final RFI Report, as approved by Ohio EPA, shall be incorporated into this Permit and become an enforceable condition of this Permit. Subsequent changes to the approved RFI Report may be proposed by Permittee for approval by Ohio EPA.

E.5 Interim Measure (IM)

In the event the RFI Final Report or other information documenting a release of hazardous waste or constituents to the environment, Ohio EPA may require (or the Permittee may propose) the development and implementation of interim remedial actions (also known as "Interim Measures") at any time during the life of the permit to mitigate or eliminate a threat to human health or the environment. The Permittee must implement the Interim Measures upon a time frame established by Ohio EPA. An Interim Measures Report may be used to form the basis of a permit modification under OAC 3745-50-51 to remove a defined portion of the permitted Facility from the Permit or to complete all or part of the remaining Corrective Action. If, based upon review of the Permittee's request for a Permit modification, the Interim Measures report, and other information, Ohio EPA determines that releases or suspected releases are either nonexistent or do not pose an unacceptable risk to human health and the environment, Ohio EPA will approve the requested modification.