



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

October 16, 2009
Mr. Kim Meyers, Environmental Manager
Amsted Rail
3900 Bixby Road
Groveport, Ohio 43125

**RE: Amsted Rail, formerly the Griffin Wheel Company, Franklin County
Final Closure/Post Closure Plan Approval**

Dear Mr. Meyers:

On June 7, 2006, the Ohio Environmental Protection Agency (Ohio EPA) issued Director's Final Finding and Orders (DFFOs) to the Griffin Wheel Company to resolve outstanding violations related to an unpermitted residual solid waste landfill (Facility) located at 3900 Bixby Road Groveport, Ohio. The Facility is operated by Amsted Rail (Amsted), formerly known as the Griffin Wheel Company. The DFFOs required that a closure/post closure plan be submitted within 180 days after the effective date of the DFFOs.

On December 4, 2006, Ohio EPA received a document titled, "*Final Closure/Post-Closure Plan Residual Waste Landfill*" (Closure Plan) for the Facility. The Closure Plan was submitted by RMT on behalf of Amsted. Revisions to the closure plan were received on April 17, 2009.

Ohio EPA has reviewed the Closure Plan, as revised on April 17, 2009, and has determined that it meets the applicable requirements. Therefore, I hereby approve the Closure Plan for the Facility. As part of this approval, Amsted is subject to the following conditions:

CONDITIONS

1. The Director of the Ohio EPA (Director), or an authorized representative, may enter the Facility at any reasonable time during construction, operation, or post-closure care for the purpose of making inspections, conducting tests, or examining records or reports pertaining to the activities authorized by this approval.
2. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the Closure Plan. There may be no deviation from the approved Closure Plan without the express, written approval of Ohio EPA. Any deviation from the approved Closure Plan or these conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of the Closure Plan does not constitute an assurance that the Facility will operate in compliance with all Ohio laws and regulations.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

3. The approval of this Closure Plan does not relieve the Facility of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. Nothing in this approval shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This approval shall not be interpreted to release Amsted from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
5. The general fill that will be used above the 40 mil PVC liner shall not contain sharp objects, including rocks, which may cut or otherwise puncture the liner.
6. Amsted shall take measures to reduce fugitive dust emissions from equipment during construction of the cap, including grading of the in-place sand.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to ORC Section 3745.04. 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 thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 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 (3) 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Allan Hurtt of Ohio EPA, Central District Office at (614) 728-3889.

Sincerely,

Chris Korleski, Director

C: Tamara Moorman, RMT
Jeff Gibbs, Franklin County Board of Health
DSIWM/CDO File