



State of Ohio Environmental Protection Agency

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STREET ADDRESS:

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

March 17, 2009

RE: Alcoa Home Exteriors, Inc.
Landfill Unit
OHD 000 188 409
Financial Assurance

Mr. Steven Brown, Director
Insurance and Benefits
Ply-Gem Industries, Inc.
185 Platte Clay Way, Suite A
P.O. Box 1017
Kearney, Missouri 64060

Dear Mr. Brown:

On February 27, 2009, Ohio EPA conducted a financial record review of Ply-Gem Industries, Inc. (PGI) for the hazardous waste landfill unit at Alcoa Home Exteriors, Inc. (AHE) in Sidney, Ohio. I evaluated the facility for compliance with Ohio's financial assurance post-closure care requirements as set forth in Ohio Administrative Code (OAC) rules 3745-66-44 and 3745-66-45.

PGI provides financial assurance for the landfill at the Sidney, Ohio facility. PGI submitted a Letter of Credit (LOC) No. WALI- AO1315-IPOZ, dated March 28, 2007, and a Standby Trust Agreement (SBTA) to demonstrate post-closure care. The LOC was issued by UBS AG Stamburg Branch. In a letter dated January 11, 2008, PGI was cited in violation of OAC rule 3745-66-45(D) because the LOC and SBTA were not worded correctly. In April 2008, I received information from you which addressed most of my concerns noted in my January 2008 letter. However, the 2007 LOC No. WALI- AO1315-IPOZ wording was not worded as required by OAC rule 3745-55-51(D).

However, on March 5, 2009, PGI provided alternate financial assurance with the Credit Suisse irrevocable LOC No. TS 07004979 to demonstrate post-closure care. The Credit Suisse LOC No. TS 07004979 was not worded as required by OAC rule 3745-55-51(D).

GENERAL CONCERN

Neither LOCs are worded correctly. I can return both LOCs to you or you can make amendments to include the correct wording for the most recent LOC. The LOC must include the wording from OAC rule 3745-55-51(D). Also, an accompanying letter must be submitted as required by OAC rule 3745-66-45(D)(4) for the Suisse LOC. This letter must include specific information. The accompanying letter must refer to the LOC

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Chris Korleski, Director

number, issuing institution, date, EPA identification number, name, address and Ohio permit number of the facility (if applicable) and the amount of funds assured for closure /post-closure care.

In addition, Schedule B in the SBTA must be revised because Schedule B of the current SBTA refers to LOC No.WALI-A01315-1POZ.

Upon review of the above information, PGI remains in violation of OAC rule 3745-66-45(D) because the LOC has not been submitted with the exact wording and the accompanying letter has not been submitted for the Credit Suisse Bank. Also, Schedule B of the SBTA must be revised to omit reference to the LOC No.WALI-A01315-1POZ.

To abate the violation, submit the appropriate information: revised LOC, accompanying letter to LOC and revised Schedule B of the SBTA to me within thirty (30) days of receipt of this letter:

If you have any questions do not hesitate to call me at (614) 644-2951.

Sincerely,



Tina Jennings
Compliance Assurance Section
Division of Hazardous Waste Management

TJ/jms

cc: Harold O'Connell, DHWM, SWDO
Kristina Durnell, RIS, DHWM

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.