



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

RTC of 6-21-11 NOV

September 27, 2011

Mr. Gerald Stewart  
Austin Powder Company  
P.O. Box 317  
McArthur, OH 45651

**RE: Austin Powder Company – McArthur, OH  
Return to Compliance  
OHD 004 293 775**

Dear Mr. Stewart:

I received your response to my June 21, 2011 Notice of Violation (NOV) letter on June 26, 2011. The documentation you submitted included an updated closure cost estimate dated May 25, 2010. The 2009 Closure Cost was \$325,167.00 and was increased by 0.90% to \$328,093.00 for the 2010 Closure Cost Estimate. In addition, due to your current permit renewal, you chose to increase your mechanism an additional 1.80%. You also committed to submit an updated detailed estimate for the 2011 Closure Cost Estimate in accordance with OAC 3745-55-42(A) for the permit renewal.

My July 25, 2011 review of this documentation reveals that Austin Powder Company has adequately demonstrated abatement of the following violation discovered during the June 20, 2011 financial record review:

**1. OAC Rule 3745-55-42(B), Must Adjust Estimate for Inflation**

If you have any questions, please feel free to call me at (614) 644-2933 or email me at [shawn.sellers@epa.ohio.gov](mailto:shawn.sellers@epa.ohio.gov).

Sincerely,

Shawn M. Sellers  
Engineering, Remediation, and Authorizations Section  
Division of Materials and Waste Management

ec: Vicky German, DMWM, SEDO  
Dustin Tschudy, DMWM, CO