



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

May 19, 2008

John Simon, President
Industrial Recovery Capital Corporation of Ohio, LLC
11911 Freedom Drive, Suite 900
Reston, VA 20190

**RE: Eljer Park, OHD004495545
Marysville
Financial Assurance
Return to Compliance**

Dear Mr. Simon:

On March 23, 2008, I completed a review of the financial assurance documentation file for the Industrial Recovery Capital Corporation of Ohio, LLC (IRCC) facility referenced above. I evaluated your facility for compliance with financial assurance requirements for post-closure set forth in the Ohio Administrative Code (OAC) rules 3745-66-45. On March 26, 2008, I sent you a Notice of Violation (NOV) letter citing violations of **OAC 3745-55-44(B)** and **OAC 3745-55-45**.

On May 6, 2008, I received a submission from you containing a signed original of your trust fund and a April 29, 2008 cash balance statement for the trust of \$29,049.00. With this submission IRCC has returned to compliance for the **OAC 3745-55-44(B)** and **OAC 3745-55-45** violations cited in my March 26, 2008 NOV letter.

If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to call me at (614) 644-3067. I will be happy to assist you in any way possible.

Sincerely,

Isaac B. Wilder
Compliance Assurance Section
Division of Hazardous Waste Management

cc: Kristina, Durnell, RIS, DHWM
J. David Hohmann, DHWM CDO

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.

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





September 25, 2009

Jan J. Chizzonite
Industrial Recovery Capital Corporation of Ohio, L.L.C.
11190 Sunrise Valley Drive, Suite 300
Reston, VA 20191

RTC of 6/9/09 NOV

Re: Eljer Park
OHD004495545 Marysville
Return to Compliance
Financial Record Review

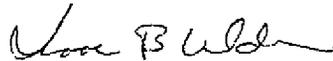
Dear Mr. Chizzonite:

On September 21, 2009, I completed a review of the financial assurance documentation file for the Industrial Recovery Capital Corporation of Ohio, L.L.C.'s (IRCC) facility referenced above. I evaluated your facility for compliance with financial assurance requirements for post-closure set forth in the Ohio Administrative Code (OAC) rules 3745-66-45.

A June 3, 2009 review of your financial assurance documentation, revealed a violation of OAC 3745-55-44(B) (Failure to update post-closure cost estimate for inflation). On July 8, 2009, the Ohio EPA received updated financial assurance documentation. The post-closure cost was updated for inflation for the years 2007 and 2008. Your trust fund was increased in value to cover the increase in the post-closure cost estimate. With this information IRCC has returned to compliance for the violation of OAC 3745-55-44(B) cited in my June 9, 2009 notice of violation letter.

If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to call me at (614) 644-3067. I will be happy to assist you in any way possible.

Sincerely,



Isaac B. Wilder
Compliance Assurance Section
Division of Hazardous Waste Management

cc: Kristina Durnell, RIS, DHWM
J. David Hohmann, DHWM, CDO

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