



Environmental
Protection Agency

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

April 27, 2011

~~Terry R. Baehr, Landfill Manager
Hoffman Road Landfill
3962 Hoffman Rd.
Toledo, Ohio 43611~~

Case Ed Heland

026-027

Re: Financial Record Review: Former XXKem Site, Toledo, OH (OHD980586804)

Dear Mr. Baehr:

On April 26, 2011, I completed a review of the financial assurance documentation on file for the Former XXKem facility. I evaluated the facility for compliance with closure/post-closure/corrective action cost estimates, financial assurance for closure/post-closure/corrective action and liability coverage requirements. These requirements are set forth in the Ohio Administrative Code (OAC) rules 3745-55-42 through 3745-55-47.

The most recent financial assurance documentation submitted for the XXKem facility includes the following:

- An alternative II financial test of \$2,498,250 for closure, post-closure and liability coverage submitted on November 4, 2008; and
- A post-closure cost estimate of \$1,250,274 submitted on October 19, 2010.

Based upon review of the documentation noted above, the City of Toledo is in violation of the following Ohio financial assurance requirements:

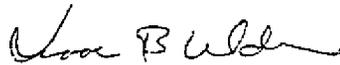
OAC 3745-55-45: The alternative II financial test noted above is not current and needs to be updated to reflect the changes in the cost estimate and to correct errors in the submittal. A new financial test must be submitted within 90 days of the close of your fiscal year.

To abate this violation, please submit financial assurance that reflects the new post-closure cost estimate of \$1,250,274.

Terry R, Baehr
Hoffman Road Landfill
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If you have any questions, or need further clarification of any matter mentioned in this letter, please do not hesitate to contact me at (614) 644-3067 or at isaac.wilder@epa.state.oh.us.

Sincerely,



Isaac B. Wilder
Compliance Assurance Section, Division of Material and Waste Management

cc: Dawn Pleiman, DHWM, NWDO
Dan Lukovic, DMWM, 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.