



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

March 19, 2007

RE: BEAZER EAST, INC.
OHD 004 198 784
MAHONING COUNTY
RETURN TO COMPLIANCE

Mr. Mitch Brouman, Environmental Manager
Beazer East, Inc.
One Oxford Center, Suite 3000
Pittsburgh, PA 15219

Dear Mr. Brouman:

In response to Ohio EPA's Notice of Violation letter dated December 21, 2007, from the compliance evaluation and groundwater sampling inspection of Beazer East, Inc. in Youngstown, Ohio EPA received your response dated January 24, 2007.

Based on review of the above submittal, the Ohio EPA has determined that the Beazer East, Inc. facility has returned to compliance for the following as of January 24, 2007:

1. Contingency Plan OAC 3745-65-52
2. Contingency Plan OAC 3745-65-53

CONCERN

3. It is understood that Beazer will attempt to remove and or divert ponded water that accumulates along and adjoining the RCRA unit using maintenance and minor grading and channeling to restore preferable hydrologic conditions. Note also that there is a trench drain for the adjacent building and paved area that no longer appears functional. This lack of drainage also ponds water onto the RCRA unit. Keep Ohio EPA informed with inspection results regarding this matter and the schedule and details of maintenance that will be performed Spring 2007. At this time it appears that closure plan modification or Rule 13 Authorization is not indicated.

DDAGW RECOMMENDATIONS

Beazer has indicated the following:

1. The monitoring well labels will be refreshed.
2. The locks on all four wells have been replaced.
3. Drainage weep holes have been drilled in all four monitoring wells.

Should you have any questions, please feel free to call me at (330) 963-1146. Please keep Ohio EPA informed in regard to the needed hydrologic maintenance of the RCRA unit cap.

Sincerely,

Ron Shadrach
District Representative
Division of Hazardous Waste Management

RS:ddw

ec: Frank Popotnik, DHWM, NEDO, OEPA
cc: Kevin Palombo, DDAGW, NEDO, OEPA
Atiur Rahman, DDAGW, NEDO, OEPA
Neal Misquitta, Key Environmental

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