



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

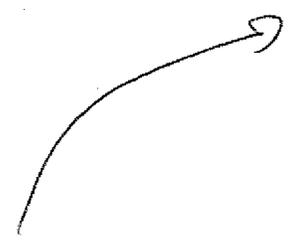
TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

June 9, 2010

Mr. Spencer Wendelin
Maumee and Western Railroad Corporation
4301 North Western Avenue
Connersville, Indiana 47331

*also FRR final
(see review)*



**Re: Final Closure Letter
Clean Closure by Removal
Maumee and Western Railroad Corporation
OHR 000 134 445**

*PER JOHN S. RTC of
08/19/09 & 9/30/09 NOV'S*

Dear Mr. Wendelin:

On February 27, 2009, Ohio EPA approved the closure plan for Maumee and Western Railroad Corporation's hazardous waste facility located at 817 Fifth Street, Defiance, Ohio 43512.

On May 19 and June 4, 2010, the director received final closure certification documents from Miranda Garlock and Steve Gach of TTL Associates, Inc. for Maumee and Western Railroad Corporation in Defiance, Ohio. Spencer Wendelin of Maumee and Western Railroad Corporation and Steve Gach, P.E. of TTL Associates, Inc. certified that the Maumee and Western Railroad Corporation in Defiance, Ohio, has been closed according to the specifications in the approved closure plan. The type of closure was an unrestricted closure by removal.

To verify Maumee and Western Railroad Corporation's closure activities, Don North from Ohio EPA's Northwest District Office, conducted a final inspection of Maumee and Western Railroad Corporation's, Defiance, Ohio facility on November 12 and 13, 2009. He also reviewed documents pertaining to the closure of the facility and determined that the activities proposed in the closure plan were conducted adequately.

Based on this inspection and review, Ohio EPA has determined that Maumee and Western Railroad Corporation has closed the Defiance, Ohio facility according to the approved closure plan and the substantive requirements of Ohio Administrative Code (OAC) rules 3745-55-11 through 3745-55-15.

The facility's compliance with closure obligations under Ohio's hazardous waste laws does not discharge Maumee and Western Railroad Corporation's obligation to investigate and possibly clean up contamination from releases of hazardous waste or hazardous constituents at the facility, regardless of when the waste was placed in the unit. This requirement is known as RCRA Corrective Action.



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Based on a review of Maumee and Western Railroad Corporation's financial assurance for closure records, the company failed to establish a closure cost estimate, financial assurance and liability coverage for this closure pursuant to OAC rules 3745-55-42 through 3745-55-47 and February 12, 2009, Director's Final Findings and Orders (Orders). Because Maumee and Western Railroad Corporation has completed final closure at the Defiance facility, the company is no longer subject to the financial assurance requirements for closure or liability coverage for the events described in the Orders.

Maumee and Western Railroad Corporation has completed final closure of its Defiance, Ohio facility. Based on a November 12, 2009, Compliance Evaluation Inspection of Maumee and Western Railroad Corporation's Defiance, Ohio, facility, it should revert to the status of a Conditionally Exempt Small Quantity Generator of hazardous waste.

If you have any questions concerning the closure process or the status of the facility, please contact Don North by phone at 419-373-3074, or by mailing address at:

Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Don North
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402

Sincerely,



Michael Terpinski, Supervisor
Division of Hazardous Waste Management
Northwest District Office

DN/cs

pc: Jeremy Carroll, Manager, RISS, DHWM, CO, Central File
Ed Lim, Manager, ERAS, DHWM
Harry Sarvis, Manager, CAS, DHWM
~~John Schierberl, DHWM, CO~~
Cole Miller, DHWM, CO
Michael Terpinski, DHWM, NWDO
Don North, DHWM, NWDO
Mike Allen, Supervisor, Engineering Unit, DHWM, CO
NWDO, DHWM File, Defiance County, Maumee & Western