



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

July 2, 2013

Ms. Rebecca Lewis
Vice President
McCabe Corporation
3470 Brecksville Road
Richfield, Ohio 44286

**RE: Notice of Violation/Denial of request for additional time
February 25, 2013 Notice of Deficiency
Republic Environmental Services - Dayton, Ohio
OHD 980 700 942**

Dear Ms. Lewis:

On June 25, 2013, Ohio EPA received a request for additional time from the McCabe Corporation (McCabe) for the purpose of addressing Ohio EPA's Notice of Deficiency dated February 25, 2013. The Notice of Deficiency required McCabe to submit a revised amended closure plan by June 25, 2013 (120 days).

Ohio EPA denies McCabe's request for additional time to address Ohio EPA's Notice of Deficiency.

The February 13, 2009, Decision, Order, and Entry (Order A page 27) and Paragraph # 12 of the September 18, 1998, Consent Order and Final Judgment in the Court of Common Pleas, Montgomery County, Ohio (Court Orders), and Ohio Administrative Code (OAC) rule 3745-66-12(D) require McCabe to submit an amended closure plan to address Ohio EPA's Notice of Deficiency by June 25, 2013.

This letter serves as notice that McCabe is now in violation of Court Orders and Ohio Administrative Code for failure to submit a revised amended closure plan addressing Ohio EPA's Notice of Deficiency by June 25, 2013. McCabe must submit a revised amended closure plan addressing Ohio EPA's Notice of Deficiency. McCabe will remain in violation of the Court Orders until Ohio EPA receives the revised amended closure plan and may incur additional stipulated penalties and enforcement action due to non-compliance.

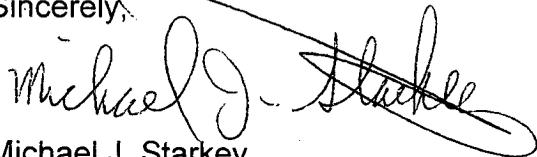
Ms. Rebecca Lewis

July 2, 2013

Page 2

If you have any questions or would like to discuss the comments, please feel free to contact me at (937) 285-6357.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Starkey". The signature is written in a cursive style with a large, sweeping flourish at the end.

Michael J. Starkey

Manager

Division of Environmental Response and Revitalization

ec RCRAInfo Data Entry
Ed Lim, Manager, DERR, CO
Brian Gitzinger, DERR, SWDO
George Horvath, AGO
Timothy Kern, AGO

cc: Alan Hirth, Myers, Roman, Friedberg & Lewis
Norman A. Abood, Law Office of Norman A. Abood

MJS\bp