



July 14, 2025

Transmitted Electronically

Ms. Pamela L. Barnett, PG
Cleanup Manager
RACER Trust
660 Woodward Avenue, Ste 1521
Detroit, MI 48226
pbarnett@racertrust.org

**Re: RACER Moraine Facilities
Plan
Approval
Post-Closure Plan
RCRA C - Hazardous Waste
Montgomery
OHD000817577**

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: *Kathy DeWine* Date: 07/15/2025

Subject: Amended Post-Closure Plan Approval

Dear Ms. Barnett:

On May 14, 2025, Ohio EPA received a Class 2 Permit Modification Request¹ from ARCADIS on behalf of RACER Moraine Facilities for the Former South Settling Lagoon located at 3600 Dryden Road, Moraine, Ohio. The request seeks to amend the 2002 Post-Closure Plan² last amended on March 12, 2020,³ for the Former North and South Settling Lagoons with the following changes:

- The engineering control at a portion of the Former South Settling Lagoon is proposed to be modified from a vegetated soil cover to an asphalt/concrete parking lot for semi-truck trailers from the adjacent property to the north, Heidelberg Distributing Company.
- A stormwater conveyance system and a stormwater retention basin are proposed to be constructed on a portion of the Former South Settling Lagoon, which would be regulated through a National Pollutant Discharge Elimination System permit.
- Inspections and maintenance of the parking lot, stormwater grates, and retention basin would occur quarterly, and the findings would be reported to Ohio EPA annually.

The Former North Settling Lagoon portion will continue to be maintained by the 2002 Post-Closure Plan amended on March 12, 2020.

1 <https://edocpub.epa.ohio.gov/publicportal/ViewDocument.aspx?docid=3638383>

2 <https://edocpub.epa.ohio.gov/publicportal/ViewDocument.aspx?docid=2485163>

3 <http://edocpub.epa.ohio.gov/publicportal/ViewDocument.aspx?docid=2194722>

In accordance with the table listed in the Appendix to Ohio Administrative Code (OAC) Rule 3745-50-51, my staff have recommended to the Director of Ohio EPA the request be approved as equivalent to a Class 2 permit modification (requiring review and approval). Therefore, the owner, operator, and the public were given the opportunity to submit written comments regarding the Amended Post-Closure Plan during the public comment period which ran from May 20, 2025, to July 7, 2025. No public comments were received.

Ohio EPA approves RACER Trust's above request to amend the Former South Settling Lagoon Post-Closure Plan submitted pursuant to OAC Rule 3745-55-18, and accordingly, Ohio EPA has amended the facility's Former South Settling Lagoon Post-Closure Plan. Compliance with the approved Amended Post-Closure Plan is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action pursuant to chapters 3734. and 6111. of the Ohio Revised Code and other applicable laws, to enforce such compliance, and to seek appropriate remedies in the event of noncompliance with the provisions of this approved plan. Please be advised, approval of this plan does not release RACER Trust from any responsibilities regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 30 days after notice of the director's action. The appeal must be accompanied by a filing fee of \$70.00 (made payable to "Ohio Treasurer of State") which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the director within three days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

When post-closure is completed, OAC Rules 3745-55-20 and 3745-66-20 require the owner or operator of a facility to submit, to the director of the Ohio EPA, certification by the owner or operator and a qualified professional engineer, that the post-closure care can be terminated

in accordance with the approved post-closure plan. These certifications should be submitted to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Eric Sainey, ERA
Or Eric.Sainey@epa.ohio.gov

A copy should also be sent to:

Ohio Environmental Protection Agency
Southwest District Office
Division of Environmental Response and Revitalization
401 E. Fifth Street
Dayton, Ohio 45403
Attn: Astrea Taylor
Or Astrea.Taylor@epa.ohio.gov

Alternatively, the certification can be submitted via email to Eric.Sainey@epa.ohio.gov and Astrea.Taylor@epa.ohio.gov or through Ohio EPA's eBusiness Center at ebiz.epa.ohio.gov.

If you have any questions concerning this letter, contact Astrea Taylor of my staff
Astrea.Taylor@epa.ohio.gov or 937-286-6061.

Sincerely,



John Logue
Director

cc: Eric Leitz, U.S. EPA RCRA, Leitz.Eric@epa.gov
Eric Sainey, Manager, ERAS, DERR, CO
Melissa Langton, Supervisor, ERAS, DERR, CO
Mitch Mathews, Manager, DERR, CO
Sarah Miles, Legal
Randy Kirkland, Manager, DERR, SWDO
George Strobel, Supervisor, DERR, SWDO
Bob Ostendorf, Supervisor, DSW, SWDO
Daniel Hoit, DSW, SWDO

Ms. Pamela Barnett, RACER Trust
July 9, 2025
Amended Post-Closure Plan Approval
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Astrea Taylor, DERR, SWDO
EPA.RCRAInfoData@epa.ohio.gov