



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Anton C. Marek, P.E.
Manager, Remediation
Cytec Industries, Inc.
5 Garret Mountain Plaza
West Paterson, New Jersey 07424

**Re: American Cyanamid Landfill, Lake County
OAC Rule 3745-27-13 Authorization, Deadline Extension**

Dear Mr. Marek:

On August 21, 2003, the Ohio Environmental Protection Agency (Ohio EPA) issued a consent agreement to Cytec Industries, Inc. (Cytec), pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13 and Ohio Revised Code (ORC) Section 6111.03, authorizing reconsolidation, construction, and closure activities and implementation of best management practices at the former American Cyanamid Landfill (Facility) located in Lake County in accordance with the document titled Proposed Plan to Upgrade Storm Water Controls, Former American Cyanamid Landfill (Authorized Plan).

Pursuant to Order Number 7, Cytec was to complete implementation of the Authorized Plan by December 31, 2004, unless weather conditions prevented Cytec from completing the activities by this date. In the event that weather conditions delayed completion of the project, Cytec could request an alternative deadline to complete the authorized activities. Cytec formally requested an alternative deadline, and on December 22, 2004, Ohio EPA granted Cytec an extension until December 31, 2005.

On October 21, 2005, Ohio EPA received another request from Cytec, dated October 18, 2005, for an extension to the OAC Rule 3745-27-13 deadline. Specifically, the request asks for another one year extension to the August 21, 2003, authorization for completing reconsolidation and closure activities at the Facility. Ohio EPA's Division of Surface Water (DSW) requested that stream restoration activities be performed on the stream running through the landfill facility. Cytec has requested an extension until December 31, 2006, to complete this project and to ensure that enough time has been allotted to secure the necessary work approvals and/or authorizations. On September 23, 2005, Cytec submitted a Nationwide Permit (NWP) 27 to the U.S. Army Corps of Engineers to perform the activities.

Based upon a review of the request, granting an extension to the deadline for completing the proposed work activities at the Facility will not result in a violation of applicable laws or regulations, will not create a nuisance, and is unlikely to adversely affect the public safety or

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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health or the environment. Therefore, I hereby grant Cytec an extension, until December 31, 2006, to complete the activities outlined in the August 21, 2003, authorization, pursuant to OAC Rule 3745-27-13 and ORC Section 6111.03. Cytec shall continue to comply with all other requirements of the August 21, 2003, authorization and associated plans, specifications, and information.

Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release Cytec from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the director of Ohio EPA is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days after filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this authorization, please contact Colum McKenna of Ohio EPA's Northeast District Office at (330) 963-1268.

Sincerely,

Joseph P. Koncelik
Director

JPK/CMK/MM/sw

cc: Murat Tukul, DSIWM-NEDO
Scott Hester, DSIWM-CO
Virginia Wilson, DSW-NEDO
Laura Kuns, Lake County Health Department