



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 06 2009

REPLY TO THE ATTENTION OF:
LR-8J

Mr. Rod Deeds
General Manager
Tunnel Hill Partners LLP
2500 Township Road 205 (Route 2)
New Lexington, Ohio 43764

Re: Off-Site Rule Acceptability Determination
Tunnel Hill Partners LLP
OEPA 06-07741

Dear Mr. Deeds:

This letter is in response to your letter of February 25, 2009, to Mr. William Damico regarding the Tunnel Hill Reclamation LLC facility, located at 2500 Township Road 205 (Route 2), New Lexington, Ohio, request for CERCLA Off-Site Rule acceptability.


Pursuant to 40 C.F.R. § 300.440 (b), my staff has determined that the Tunnel Hill Reclamation LLC in New Lexington, Ohio meets the acceptability criteria. Therefore, Tunnel Hill Reclamation LLC facility, located at 2500 Township Road 205 (Route 2), New Lexington, Ohio is acceptable to receive waste from CERCLA sites.

This acceptability determination is based on the assumption that only wastes which comply with the permits issued to the Tunnel Hill Reclamation LLC facility will be accepted. It is your responsibility to review any proposed waste streams for compliance with the permits for your facility.

Please note that this determination is based on the available information at the time of the review. Your status could be changed any time relevant information becomes available according to the procedures in 40 C.F.R. § 300.440 (d). Generators who need to use a currently acceptable facility should verify the current acceptability of any facilities they wish to use with the appropriate Regional Off-Site Rule Coordinator(s).

If you have questions, please contact Mr. Damico at (312) 353-8207, U.S. Environmental Protection Agency, Region 5 – LR-8J, 77 W. Jackson Boulevard, Chicago, Illinois 60604.

Sincerely,

A handwritten signature in dark ink, appearing to read "Willie H. Harris". The signature is fluid and cursive, with the first name "Willie" being the most prominent.

Willie H. Harris, P.E.
Chief, RCRA Branch
Land and Chemicals Division

cc: Dale Warner, Ohio Environmental Protection Agency, Southeast District Office