



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

NOV - 1 2017

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL: 7016 3010 0000 7349 1048**  
**RETURN RECEIPT REQUESTED**

Mr. James P. Holms  
Delphi Automotive Systems, LLC  
5725 Delphi Drive  
Troy, Michigan 48098

Re: Acknowledgement of Termination  
RCRA 3008(h) Administrative Order on Consent  
Delphi Automotive Systems, LLC  
OHD 000 048 454 and OHD 052 151 701  
Docket #RSH-5-02-001 **RCRA-05-2018-0002**

Dear Mr. Holmes:

I am enclosing a fully-executed copy of the Acknowledgement of Termination and Agreement on Record Preservation and Reservation of Rights for the January 17, 2002 3008(h) Administrative Order on Consent. If you have any questions regarding this document, please contact Jean Greensley, of my staff, at (312) 353-1171 or by e-mail at [greensley.jean@epa.gov](mailto:greensley.jean@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jose G. Cisneros".

Jose G. Cisneros  
Chief  
Remediation and Reuse Branch

Enclosure

cc: Karl Karg

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**



IN THE MATTER OF:	)	ACKNOWLEDGEMENT OF
	)	TERMINATION AND
Delphi Automotive Systems, LLC	)	AGREEMENT ON RECORD
480 North Dixie Highway	)	PRESERVATION AND
Vandalia, Ohio, and	)	RESERVATION OF RIGHTS
250 Northwoods Boulevard	)	
Vandalia, Ohio 45377	)	Docket No. <b>RCRA-05-2018-0002</b>
	)	
EPA ID#: OH0 000 048 454	)	Proceeding under Section 3008(h) of
and OHD 052 151 701	)	the Resource Conservation and
	)	Recovery Act as amended, 42
RESPONDENT.	)	U.S.C. § 6928(h)
_____	)	

WHEREAS, on January 17, 2002, the U.S. Environmental Protection Agency (EPA) and Delphi Automotive Systems, LLC (Delphi) entered an Administrative Order on Consent (the Delphi AOC) under Section 3008(h) of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act of 1976 (“RCRA”), as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. § 6928(h), for corrective action at the facilities at 480 North Dixie Highway and 250 Northwoods Boulevard, Vandalia, Ohio; and

WHEREAS, on or about December 19, 2012, Delphi transferred a portion of the 480 North Dixie Highway facility to Pilot Travel Centers, LLC, subject to a restrictive covenant reciting that the property was subject to the Delphi AOC and imposing, among other things, the restriction that the property only be used for industrial and commercial purposes and subject to a right of access by EPA and by Delphi and its successors and assigns for purposes of performing remedial activity; and

WHEREAS, on or about June 30, 2015, Delphi conveyed the remainder of the 480 North Dixie Highway facility and the 250 Northwoods Boulevard facility (collectively, the “Facility”) to MAHLE Behr Properties Management, LLC (MAHLE) after giving notice of the proposed conveyance to EPA; and

WHEREAS, on or about September 9, 2017, MAHLE conveyed the Facility to CERTA Vandalia, LLC (CERTA) after giving notice of the proposed conveyance to EPA; and

WHEREAS, EPA and CERTA have entered into an AOC under Section 3008(h) of RCRA for corrective action at the Facility (the CERTA AOC); and

WHEREAS, by its terms, the CERTA AOC supersedes the Delphi AOC and substitutes CERTA as the party responsible for completing corrective action at the Facility; and

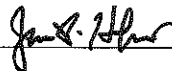
WHEREAS, Section XVII of the Delphi AOC provides that the EPA and Delphi may stipulate to terminate the Delphi AOC, through an Acknowledgement of Termination and Agreement on Record Preservation and Reservation of Rights,

EPA and Delphi Automotive Systems, LLC hereby agree and stipulate as follows:

1. EPA agrees and acknowledges that under the CERTA AOC, CERTA Vandalia LLC has undertaken responsibility for corrective action at the Facility, excluding the responsibility to maintain records Delphi has created or received under Section VIII (Record Preservation) of the Delphi AOC;
2. The Delphi AOC is terminated except for the provisions for Delphi's preservation of records under Section VIII of the Delphi AOC and EPA's reservation of rights under Section XIII;
3. Delphi agrees and acknowledges that responsibility to maintain records remains in effect for six years following the date this Acknowledgment of Termination is executed by the Director, Land and Chemicals Division, EPA Region 5;
4. Delphi agrees and acknowledges that the work it performed under the Delphi AOC does not limit or otherwise preclude EPA from taking additional enforcement action pursuant to RCRA or other available legal authorities, should EPA determine that such actions are warranted.
5. Delphi agrees and acknowledges that its performance of work under the Delphi AOC does not relieve it of its obligations to comply with RCRA or any other applicable local, State or federal laws and regulations.

IT IS SO AGREED AND ACKNOWLEDGED:

DATE: 09/20/2017

BY: 

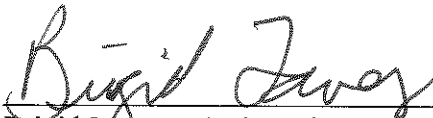
James P. Holms

(name printed)

Delphi Automotive Systems, LLC

Its: VP, Treasurer (Title)

DATE: 10/10/17

BY: 

Brigid Lowery, Acting Director

Land and Chemicals Division

U.S. Environmental Protection Agency

Region 5

In the matter of: Delphi Automotive Systems, LLC  
OHD 000 048 454 and OHD 052 151 701  
Docket Number: RCRA-05-2018-0002

CERTIFICATION OF SERVICE

I certify that a true and correct copy of the forgoing *Administrative Order on Consent* was sent this day in the following manner to the addressees:

Copy by Certified Mail  
Return-receipt:

Certified Mail # 7016 3010 0000 7349 1048  
Mr. James P. Holms  
Delphi Automotive Systems, LLC  
5725 Delphi Drive  
Troy, Michigan 48098

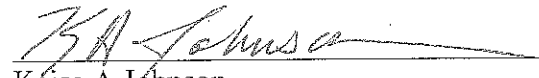
Copy by e-mail to  
Attorney for Complainant:

Thomas Williams  
williams.tom@epa.gov

Copy by e-mail to  
Regional Judicial Officer

Ann Coyle  
coyle.ann@epa.gov

Dated: Nov 1, 2017

  
Kajsia A Johnson  
Remediation and Reuse Branch, Region 5