



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

MAR 19 2008

CERTIFIED MAIL

Mark Wagenbrenner ✓
Harrison Park Development, Ltd.
and
Royal Tallow Holdings, Ltd.
1289 Grandview Avenue
Columbus, OH 43212

Mr. Gary Guglielmi
City of Columbus
Department of Development
109 North Front Street
Columbus, OH 43215

Re: Audit of No Further Action Letter 06NFA231 for Harrison West/Former A.C. Humko Property, Project ID # 125-1651-003

Dear Messrs. Wagenbrenner and Guglielmi:

The purpose of this letter is to notify you that the Ohio Environmental Protection Agency (Ohio EPA) has completed an audit of the no further action (NFA) letter issued under the authority of Chapter 3746 of the Revised Code for the Harrison West/Former A.C. Humko property, located at 525 West First Avenue, Columbus, Franklin County, Ohio. Attached is the audit report conducted on the above referenced NFA letter listing the findings of the audit to the volunteer. As you are aware, Atul Pandey of PANDEY Environmental, LLC, submitted the NFA letter to the Ohio EPA on March 9, 2006, with a request for a covenant not to sue (CNS) on behalf of the Royal Tallow Holdings, Ltd., Harrison Park Development Ltd. and the city of Columbus.

Ohio Revised Code (ORC) Section 3746.17(B) requires that Ohio EPA conduct audits of at least 25 percent of the NFA letters issued during the calendar year previous to the year in which the audits are conducted. The audits conducted by Ohio EPA in 2007 were of those properties for which NFA letters were issued in 2006. The property was selected for audit from the "Priority Audit Pool" defined in Ohio Administrative Code (OAC) rule 3745-300-14, and a Tier I audit was conducted in accordance with the procedures established in that rule.

In accordance with the ORC Chapter 3746 and OAC rule 3745-300-14, the audit was conducted to 1) determine whether the property meets applicable standards established in the Voluntary Action Program ("VAP") rules; 2) review the qualifications and work performed by the certified professional (CP) to determine whether the CP's performance resulted in the issuance of an NFA letter that is not consistent with applicable standards; and 3) review the qualifications and work performed by the certified laboratory to determine whether its performance resulted in the issuance of an NFA letter that is not consistent with applicable standards.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Mark Wagenbrenner
Harrison Park Development, Ltd.
Royal Tallow Holdings, Ltd.
and
Mr. Gary Guglielmi
City of Columbus
Department of Development
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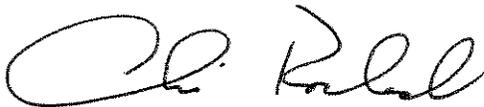
Summary of Audit Findings

After review of the NFA letter and supplemental information, no significant findings related to the property were found as a result of the Tier I audit.

The request for a CNS was approved on September 13, 2006. Based upon the information reviewed in the Tier I audit, Ohio EPA was able to conclude the property meets the applicable standards established in the VAP rules. Therefore, Ohio EPA decided not to conduct a Tier II audit, which would involve physical investigation of the property. Royal Tallow Holdings, Ltd., Harrison Park Development, Ltd., and the city of Columbus have satisfied all applicable VAP rules as they apply to the property. As long as the property's use continues to comply with the conditions of the CNS, the release of liability provided by Ohio EPA will remain in good standing.

If you have any questions concerning this letter, or any audit findings made by Ohio EPA, please contact Ms. Amy Yersavich, Manager of the VAP, at (614) 644-2285 or Ms. Diana Bynum at (614) 728-3826.

Sincerely,



Chris Korleski
Director

Enclosure: Audit Findings Report

c: Atul Pandey, PANDEY Environmental, LLC, CP#224, w/o enclosure
Dennis Smalley, Blackhand Laboratory, LAB# CL0064, w/o enclosure
Don Richner, EA Group, LAB# CL0015, w/o enclosure
Maya Murshak, Merit Laboratories, Inc., LAB# CL0002, w/o enclosure
Diana L. Bynum, DERR/CDO
Deborah Strayton, DERR/CDO
Amy Yersavich, Manager, DERR/CO/VAP
Files DERR/CO and DERR/CDO 06NFA231

Division of Emergency and Remedial Response

**Harrison West/Former A.C. Humko
Property, Columbus, Ohio
Voluntary Action Program
No Further Action Letter Audit**



December 2007

Ted Strickland, Governor
Chris Korleski, Director

**Voluntary Action Program
NFA Audit Findings
NFA Letter Submitted March 9, 2006**

Harrison West/Former A.C. Humko Property, Columbus, Ohio
No Further Action Letter No. 06NFA231
AUDIT REPORT – December, 2007

Name and Address of Property:

Harrison West/Former A.C. Humko Property
525 West First Avenue
Columbus OH 43215

Name and Address of Volunteers:

Royal Tallow Holdings, Ltd.
1289 Grandview Avenue
Columbus OH 43212

Harrison Park Development, Ltd.
1289 Grandview Avenue
Columbus OH 43212

City of Columbus
109 N. Front Street
Columbus OH 43215

Certified Professional:

Atul Pandey, CP#224

Certified Laboratories:

Blackhand Laboratory, CL#CL0064
Merit Laboratories, CL#CL0002
EA Group, CL#CL0015

Date NFA Letter Submitted:

March 9, 2006

County and Ohio EPA District:

Franklin, Central District Office

INTRODUCTION

Ohio EPA is required by Ohio Revised Code (ORC) 3745.17(B) to conduct audits of the no further action (NFA) letters received by the Ohio EPA Voluntary Action Program (VAP) during the preceding calendar year. The audit selection is required to include at least 25% of those NFA letters that relied upon a remedy and 25% of those that did not. The Harrison West/Former A.C. Humko property NFA letter submitted on March 9, 2006, entered the "priority audit pool" as defined by rule and was selected in accordance with the procedures described in Ohio Administrative Code (OAC) 3745-300-14 for the selection of NFA letters for auditing. The selections were made using the random number generator formula within the Microsoft Excel spreadsheet software. Additionally, OAC 3745-300-14 describes the purposes for conducting audits and the scope of activities that may be conducted by Ohio EPA as part of an audit.

NFA letter audits can be conducted for one or a combination of the following purposes: (1) to determine whether the properties comply with VAP applicable standards; (2) to review the qualifications and performance of the certified professional (CP) who issued the NFA letter; and (3) to review the qualifications and performance of the certified laboratories (CL) that performed work to support the NFA letter. The audit rule makes the distinction between Tier I and Tier II audit procedures. Tier I audits may be limited to a review of all pertinent documents that were utilized by the CP in issuing an NFA letter, but may also include a site inspection and review of additional records held by the volunteer, the CL, or property owner. Tier II audits involve additional activities, which can include additional site inspections and sampling activities that are needed to determine whether the property complies with VAP applicable standards.

Prior to beginning the Tier I audit, Ohio EPA sent audit notification letters to the following:

- Royal Tallow Holdings, Ltd.
- Harrison Park Development, Ltd.
- City of Columbus
- Atul Pandey
- Blackhand Laboratory
- Merrit Laboratories
- EA Group

The NFA letter audit for the property consisted of a visual property inspection conducted on May 31, 2007, and a review and analysis of the NFA letter documentation to determine compliance with the applicable standards defined in ORC 3746 and 3745. The following documents were reviewed:

Harrison West/Former A.C. Humko Property
 Voluntary Action Program
 NFA Audit Findings
 NFA Letter Submitted March 9, 2006
 Page 3 of 13

| Document | Date(s) Prepared |
|---|---------------------|
| Phase I | 5/03, 5/04, 8/05 |
| Phase II | 12/04 |
| Clean Ohio Revitalization Fund Application | 5/03 |
| NFA Letter Addenda 1-3 | 3/06, 5/06, 7/06 |
| Soil Excavation Report | 7/05 |
| NFA Letter Form | 3/06 |
| Gas Extraction Report | 1/05 |
| Gas Extraction Report Addendum | 2/06 |
| Phase I Update | 2/06 |
| Background Arsenic Soil Sampling Report | 11/03 |
| Petroleum Contaminated Soils Report for Concrete Vaults 1-7 | 10/04 |
| Railroad Spur Remediation Report | 8/05 |
| Post-Remedial Risk Evaluation Report | 2/06 |
| Risk Evaluation, Remedial Action Plan, CORF Property Assessment Checklist | 5/03 |
| Drum Disposal Checklist | 11/04 |
| BUSTR UST Closure | 9/05 |
| Confirmatory Sampling Report | 9/04 |
| Ohio Technical Services Closeout Document | |
| Soil Stockpile Sampling Report | 8/04 |
| Limited Phase I and II | 8/03 |
| Well Abandonment Report | 4/05 |
| Misc. DERR File Documents | |

PROPERTY BACKGROUND

The property consisted of approximately 11 acres and was comprised of 15 parcels of historically industrial land. At the time the Phase I property assessment was conducted in 2003, the property was covered by buildings, aboveground storage tanks (ASTs) and asphalt/concrete pavement. The property's last industrial use was for the production of refined edible oil products by A.C. Humko. The ASTs formerly contained crude

vegetable oil, refined oil products, and acid and caustic treatments. The Olentangy River is located less than 50 feet from the western property boundary. Residential properties are located to the north, a mix of residential and commercial properties to the east, and commercial properties to the south.

Some of the prior property owners included Abitec Corp., Stokely-Van Camp Inc., Dresser Industries Inc. and others. Columbus Forge and Iron began manufacturing on the southern portion of the property in 1898. Capital City Products began manufacturing margarine on the northern portion of the property in 1899.

The property is currently a residential development known as Harrison Park. It is a mixture of individual homes and condominium units, and is in the beginning stages of adding an apartment complex (master plan attached).

NFA Letter Overview

Previous Environmental Assessments

According to the Phase I Assessment Report, numerous environmental assessments have been performed at the property.

CTL Engineering prepared a report titled Phase I Geotechnical and Environmental Assessments, Proposed Facilities, Bradley Avenue on July 27, 1989. The report provided geotechnical and environmental information regarding the former Columbus Forge and Iron facility on the southern portion of the property. The report listed several floor pits in various buildings filled with oil, oil storage tanks, ignitable gas seepage in the forge shop, and hydraulic oils, trichloroethylene (TCE) and other solvents as historically used in this area.

A report titled Limited Phase II Environmental Site Assessment Report was prepared by CTL Engineering on June 9, 1999. The report addressed soil and ground water at the property that had potentially been impacted with vegetable oil after a recent spill. Ten soil borings were installed with eight soil samples collected. This site assessment determined that soil and ground water had been impacted and that the vegetable oil would biodegrade over time.

A report titled Phase I Environmental Site Assessment, ACH Foods was prepared by Civil and Environmental Consultants (CEC) on November 8, 2000 and amended on February 9, 2001. The report stated that the property was listed on the Toxic Substance Control Act (TSCA) database due to PCB-containing transformers that were removed from the property in 1983. At least 12 underground storage tanks (USTs) were determined to have been on the property. Six boreholes, five around a concrete slab northeast of the acid plant building and one at the southern property boundary, were installed. Four of the five boreholes around the concrete slab were quickly

abandoned due to dangerous hydrogen sulfide concentrations. A total of three soil gas investigations were conducted at the property from September 1990 to December 1991, which revealed high concentrations of methane and hydrogen sulfide gas.

A report titled Soil Gas Survey and Soil Investigations was prepared by CEC on July 16, 2001. The report addressed the potential methane and hydrogen sulfide gas impact to property soils, the extent and source of elevated arsenic soil concentrations, the potential impacts near former USTs and the potential volatile organic compounds (VOCs) impact next to the former dry cleaning operations that was adjacent to the subject property. The report was submitted under affidavit to PANDEY by CEC.

CEC installed 17 soil gas points in the vicinity of the acid plant in May, 2001. Hydrogen sulfide concentrations ranged from one part per million volume (ppmv) to 1000 ppmv with the highest concentration just east/northeast of the acid plant building at a depth of 10-16 feet below ground surface. Total petroleum hydrocarbon (TPH) and polycyclic aromatic hydrocarbon (PAH) concentrations on the former Sinclair Oil parcel were also found to exceed the VAP residential direct-contact standard. Results for benzene, toluene, ethylbenzene and xylene (BTEX), TPH-DRO (diesel range organics) and PAH analysis in the UST area were below the applicable standards established by the Ohio Fire Marshal, Bureau of Underground Storage Tank Regulation (BUSTR). Samples analyzed for arsenic showed a general pattern of exceedance of VAP residential direct contact standards. It was determined that the arsenic concentrations did not appear to follow any identifiable pattern and, therefore, may be background levels.

Phase I Property Assessment

A Phase I property assessment was conducted in May 2003. The Phase I Property Assessment Report update was completed in August 2005, and the Final Phase I Property Assessment Report was completed in February 2006. The Phase I property assessment was conducted to determine whether there was any reason to believe that a release of hazardous substances or petroleum has or may have occurred on, underlying or was emanating from the property and to determine identified areas at the property in accordance with OAC 3745-300-06.

The Phase I Property Assessment Report included a determination of eligibility for entry into the VAP, a review of historic and current uses of the property and surrounding properties, a review of the environmental history of the property, a review of hazardous substances or petroleum releases, a property inspection and identification of areas of concern (AOCs). The property was determined to be eligible to enter the VAP. The Phase I Property Assessment Report concluded that a Phase II property assessment should be conducted in order to determine the potential adverse impacts to soil/ground water from historical industrial operations.

Identified Areas - The Phase I Property Assessment Report listed the following 13 identified areas. (Attachments include a figure showing the first ten AOCs listed below.)

1. **Former Fuel Oil USTs** - Three to five fuel oil USTs were discovered on a portion of the former Columbus Forge and Iron part of the property in 1989. Chemicals of concern in this area included TPH and PAHs.
2. **Former 2000 Gallon Fuel Oil UST** - A 2000 gallon fuel oil UST was formerly located east of the acid plant on the southern portion of the property. Evidence suggested a possible release from the UST had occurred. Chemicals of concern in this area included TPH and PAHs.
3. **Former 6000 Gallon Diesel Fuel UST** - A 6000 gallon diesel fuel UST was located north of the truck garage on the southeastern portion of the property. An NFA letter was issued by BUSTR for this tank. Chemicals of concern in this area included BTEX, TPH and PAHs.
4. **Former 3000 Gallon Diesel Fuel UST/250 Gallon Waste Oil UST** - A 3000 gallon diesel fuel UST and a 250 gallon waste oil UST were located east of the truck garage. The Phase I Property Assessment Report states that one tank was removed in 1989. However, from the report it is unclear which of the two tanks it was. During a records search for the audit, the Closure Records and Closure Assessment Report dated January 20, 1990 stated that both tanks were removed at the same time. An NFA letter was issued by BUSTR for the 3000 gallon UST removed in 1989. Chemicals of concern in this area included VOCs, semi-volatile organic compounds (SVOCs) and TPH.
5. **Former 10,000 Gallon Fuel Oil USTs** - Two 10,000 gallon fuel oil USTs were located north of the manufacturing building on the north-central portion of the property. The tanks were removed in 1992 and a closure report was prepared by Lawhon & Associates. Chemicals of concern in this area included TPH and PAHs.
6. **Former and Current Railroad Spurs** - Numerous railroad spurs were located throughout the property. Chemicals of concern in these areas included PAHs and RCRA eight metals. The April 7, 2006 comment letter asked for additional details as to how the horizontal limits of the excavation were determined. This issue was addressed in Addendum 3 received on July 13, 2006.
7. **Former Sinclair Oil Bulk Plant** - According to historical Sanborn Fire Insurance Maps, numerous oil ASTs were located inside of a bulk oil plant building. Chemicals of concern in this area included VOCs, SVOCs and TPH.

8. **Former Auto Repair Garage** - An auto repair garage was located on a portion of the property east of Perry Street. Chemicals of concern in this area included VOCs and SVOCs.

9. **Area of Known Free Product** - An area of free product, located on the southeastern portion of the property, was encountered during the subsurface investigations conducted by Lawhon & Associates. The free product was thought to be cutting and machine oils originating from the Ohlen-Bishop facility. Chemicals of concern in this area included VOCs and SVOCs.

10. **Area of Known Methane and Hydrogen Sulfide Gas Impact** - High levels of methane and hydrogen sulfide gas were detected during the subsurface investigation conducted by CEC.

11. **Presence of Friable Asbestos in Plant Buildings** - Buildings throughout the property were likely to include asbestos-containing materials.

12. **Historic Industrial Use of Subject Property** - Site-wide consideration of industrial operations was listed as an identified area. Chemicals of concern included VOCs, SVOCs, TPH, RCRA eight metals, methane and hydrogen sulfide gas. The April 7, 2006 comment letter asked for clarification on potential exposure concerns and what sampling and/or remedial activities were performed to address any potential exposures.

13. **Site-Wide Ground Water** - Site-wide consideration of impacted ground water was deemed necessary due to the length of historical industrial use. Chemicals of concern included VOCs and SVOCs. The April 7, 2006 comment letter stated that metals should have been considered chemicals of concern in the ground water at the property. The comment letter also stated that based on technical data, an activity and use limitation may be required for ground water underlying the property. These issues were addressed in Addendum 3 received on July 13, 2006.

Phase II Property Assessment

A Phase II property assessment was conducted in early May 2003 and issued shortly thereafter on May 15, 2003. The Phase II property assessment included sampling and analysis of soil, ground water and soil gas at the property. A pathway completeness determination, applicable standards and a risk assessment from direct contact to the soils at the property were evaluated in the Preliminary Risk Evaluation Report.

Soil was investigated with approximately 40 soil borings installed to analyze for VOCs, SVOCs, TPH, PAHs and RCRA eight metals. Several detections of chemicals of concern were found to exceed residential direct contact standards.

Ground water samples were collected and analyzed for VOCs, SVOCs and RCRA eight metals. Free product (diesel and vegetable oil) had also been found in previous environmental assessments.

In the area of the acid plant building, hydrogen sulfide and methane gases were found to exist at levels considered unsafe for protection of human health, safety and the environment. This area had been defined by the soil gas investigation conducted by CEC in 2001 and PANDEY determined that no further soil gas investigation needed to be conducted as part of the Phase II property assessment.

An exposure pathway assessment was developed and prepared to evaluate potentially exposed human receptors, current and future, and identify potential exposure pathways associated with the property in accordance with OAC 3745-300-09. The following pathways were determined to be complete: direct contact soils (construction worker exposure), ground water (potable, non-potable and vapor intrusion), and soil vapor intrusion.

Remedial activities were conducted to achieve compliance with applicable standards in soil and ground water at the property. A modified soil vapor extraction system was used from July to November 2004 to reduce the hydrogen sulfide and methane gas concentrations in the acid plant area to a level that would permit excavation of the source. Once soil gas concentrations were reduced, soil removal began. A total of 112,229 tons of soil were excavated with 32,729 tons sent to a soil recycling center, 54,500 tons sent to a landfill and 25,000 tons remaining on site.

Soil was also removed along approximately 3,700 linear feet of railroad spur. Soil was excavated from this area and sent to a soil recycling facility.

In addition, a ground water remediation system was installed on the southeastern portion of the property. The system operated from June 2005 to January 2006, with a total of 1632 gallons of free product removed.

Technical Assistance

Technical assistance was not requested.

Environmental Covenant

No use restrictions apply to the property.

Audit Criteria

On September 13, 2006, the director of Ohio EPA issued a covenant not to sue to Royal Tallow Holdings, Ltd., Harrison Park Development, Ltd. and the city of Columbus for the property.

The criteria for auditing the technical adequacy and completeness of the NFA letter are found in ORC 3746 and 3745-300. The evaluation of whether the property meets VAP applicable standards included, but was not limited to, a determination of the performance of all NFA letter activities in relation to OAC 3745-300 and the certified professional's compliance with the requirements set forth in OAC 3745-300-05.

Phase I property assessments conducted under the VAP are required to be performed following the standards set forth in OAC 3745-300-06. Phase II property assessments conducted under the VAP are required to be performed following the standards set forth in OAC 3745-300-07. A risk assessment conducted under the VAP must follow the requirements set forth in OAC 3745-300-09. A ground water assessment was conducted following the requirements set forth in OAC 3745-300-10.

OAC 3745-300-14(O) requires the director of the Ohio EPA to issue NFA letter audit findings that include a determination of whether VAP applicable standards and all other requirements established under OAC 3745-300 or ORC 3746 have been met, and whether or not additional action are required to attain compliance.

AUDIT FINDINGS

The findings of this Tier I audit are divided into three general categories:

1. Compliance with VAP applicable standards.
2. The performance of the CP.
3. The performance of the CL.

Assessment of Property's Compliance with Applicable Standards

Based on the information contained in the NFA letter and other reviewed documents, the property meets the applicable standards contained in ORC 3746 and 3745-300 for unrestricted (residential) land use and unrestricted potable ground water use. However the following deficiencies and data gaps were noted:

1. The SESOIL model was not sufficiently documented in accordance with OAC 3745-300-07(F)(5). Several elements of the model were missing or inconsistent.
 - The SESOIL model output provided in the NFA letter indicates a recharge to ground water of 0.88 in/year. In general a calibrated SESOIL model

scenario would be expected to have a recharge of approximately two-four in/year for clays and above four in/year for silts. Documentation that the model is calibrated to the geologic and hydrogeologic conditions, including a justification of the recharge rate, is needed, and should have been provided in the NFA letter addendum.

- An explanation of how the contaminant concentration was inputted was not provided. It could not be determined if the model was used in accordance with OAC 3745-300-07 (F). Appropriate documentation of the model contaminant loading is therefore needed, and should have been provided in the NFA letter addendum.
- Table 8 of the Revised Post-Remedial Risk Evaluation Report (May, 2006) indicates that a soil organic carbon value of 0.003 ug/g (0.3%) was used. The SESOIL input tables contained in Appendix A of the NFA letter indicate that an organic carbon content of 0.25% was used. Using 0.25% is more conservative and is also an acceptable default value for sandy silts.

Ohio EPA, Division of Drinking and Ground Waters (DDAGW) conducted SESOIL modeling on naphthalene using identical input data to that provided in the NFA letter in an attempt to duplicate the model runs in the NFA letter. Naphthalene was chosen because it represented the most mobile contaminant on the property. Because the NFA letter was unclear as to how the contaminant was input, the POLIN algorithm was used. The input value using POLIN as the source load is determined by multiplying the highest soil concentration times the bulk density times the thickness of the contaminated layer.

The hydraulic conditions could not be duplicated, even using the same hydraulic inputs as reported in the modeling section of the NFA letter. A review of both the NFA letter and Ohio EPA output files indicates that a greater amount of pore water went towards evapotranspiration in the model in the NFA letter, thus decreasing the recharge to ground water. The recharge to ground water from DDAGW's SESOIL model runs was 1.88 in/year, which generally would be acceptable for a clay to demonstrate that the hydraulic cycle of the model is calibrated to property conditions. The maximum concentration of naphthalene to reach ground water in DDAGW's model run was 1.58E-02 mg/L. While this value is higher than the value determined by the CP, Atul Pandey, it is well below unrestricted potable use standards (UPUS). Therefore, Ohio EPA believes that concentrations of chemicals of concern remaining in soil will not impact ground water above UPUS.

2. The data sources for the ground water flow direction map were not included in the Phase II report.

The source of data for the Ground Water Flow Direction Map (Figure 8 in the Phase II Property Assessment Report dated May, 2003) is unclear. No water levels are noted to indicate the water levels measured or which wells the levels were taken from. The legend indicates that the map is based on water elevations obtained by Lawhon & Associates on January 30, 2003. Table 4 of the Phase II report provides only water levels taken from wells PW-1 through PW-6 on January 20, 2003. However, the potentiometric lines in Figure 8 do not extend through the area where the PW wells are installed, indicating that the map is not made from water levels from these wells. It appears that no other water levels have been recorded. Therefore, the potentiometric map provided in the NFA letter documentation may be incomplete.

3. The following problems were noted on the NFA letter form completed for the property.

- The NFA letter form should have indicated that ground water exceeds UPUS. Question 3 of Section G of the NFA letter form indicates that ground water was determined to meet UPUS through sampling. However, because the ground water was determined to be above UPUS prior to remediation at the property, Question 3 should indicate that ground water exceeds UPUS. Since the ground water was previously impacted above UPUS, the ground water should be classified and the Class A response requirements applied to the ground water (OAC 3745-300-10(F)(4)(a)).
- The ground water should have been classified. A review of the NFA letter form reveals that Question 5 of Section G is not completed. Even though the remediation at the property succeeded in lowering COC concentrations to below UPUS, the ground water had been determined to be above UPUS prior to remediation. Therefore, the ground water classification should be indicated in Question 5 and the Class A response requirements applied to the ground water (OAC 3745-300-10(F)(4)(a)). However, the shallow ground water was remediated to UPUS and it was demonstrated that there was no off-property migration of COCs. Therefore, it was demonstrated that applicable ground water response requirements have been met.
- Protection of ground water meeting UPUS does not apply to the upper ground water zone. Question 4 of Section G of the NFA letter form indicates that protection of ground water meeting UPUS was determined for the upper ground water zone. Because the upper ground water zone was determined to be above UPUS prior to remediation at the property,

protection of ground water meeting UPUS does not need to be determined for that zone. Question 4 of Section G should indicate that the lower ground water zone meets UPUS and is protected.

Certified Professional's Performance

As part of the NFA letter audit, a review of the CP, Atul Pandey CP#224, was conducted. The following findings were noted:

1. The CP was certified pursuant to OAC 3734-300-05 to issue and submit the NFA letter and the subsequent addenda.

2. It is the obligation of a CP, as described in ORC 3746.11(A) and OAC 3745-300-13(A), to verify that a property complies with applicable standards in order to issue an NFA letter. With respect to the NFA letter for the property, the CP's performance resulted in the issuance of an NFA letter that is consistent with VAP applicable standards contained in ORC 3746 and OAC 3745-300. However, the following deficiencies and data gaps were noted during the NFA letter review:

- The SESOIL model was not sufficiently documented in accordance with OAC 3745-300-07(F)(5) and several elements of the model were missing or inconsistent.
- The data sources for the ground water flow direction map were not included in the Phase II report.
- A number of issues were noted with the manner in which the NFA letter form was filled out.

3. OAC 3745-300-05(F) provides standards of conduct that apply to a CP when the CP provides professional services under ORC 3746 and OAC 3745-300(F)(1). In summary, a CP must act with care and diligence and fully apply his knowledge and skill at the time that professional services are provided. The following deficiencies and data gaps were noted during the NFA letter review:

- The SESOIL model was not sufficiently documented in accordance with OAC 3745-300-07(F)(5) and several elements of the model were missing or inconsistent.
- The data sources for the ground water flow direction map were not included in the Phase II report.
- A number of issues were noted with the manner in which the NFA letter form was filled out.

Certified Laboratories Performance

All laboratories used held VAP certification per OAC 3745-300-04 for conducting analyses of samples for all analytical parameters in all environmental media presented in support of the NFA letter. The CLs appropriately performed all analyses as required per OAC 3745-300-04(E)(1) and (E)(2). No deficiencies were noted.

CONCLUSIONS AND RECOMMENDATIONS

The NFA letter audit demonstrates that the NFA letter as amended was issued in accordance with the requirements set forth in ORC 3746 and OAC 3745-300.

1. Compliance with Applicable Standards

The NFA letter audit demonstrates that the property is in compliance with VAP applicable standards. Although a number of deficiencies or data gaps were noted, no additional actions are recommended.

2. Certified Professional

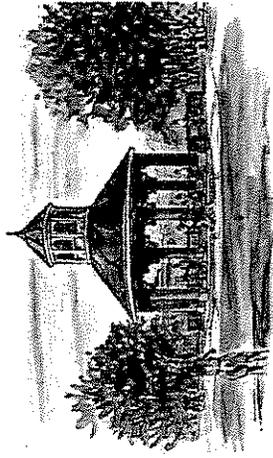
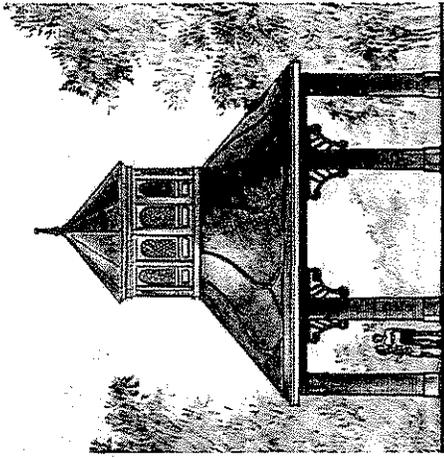
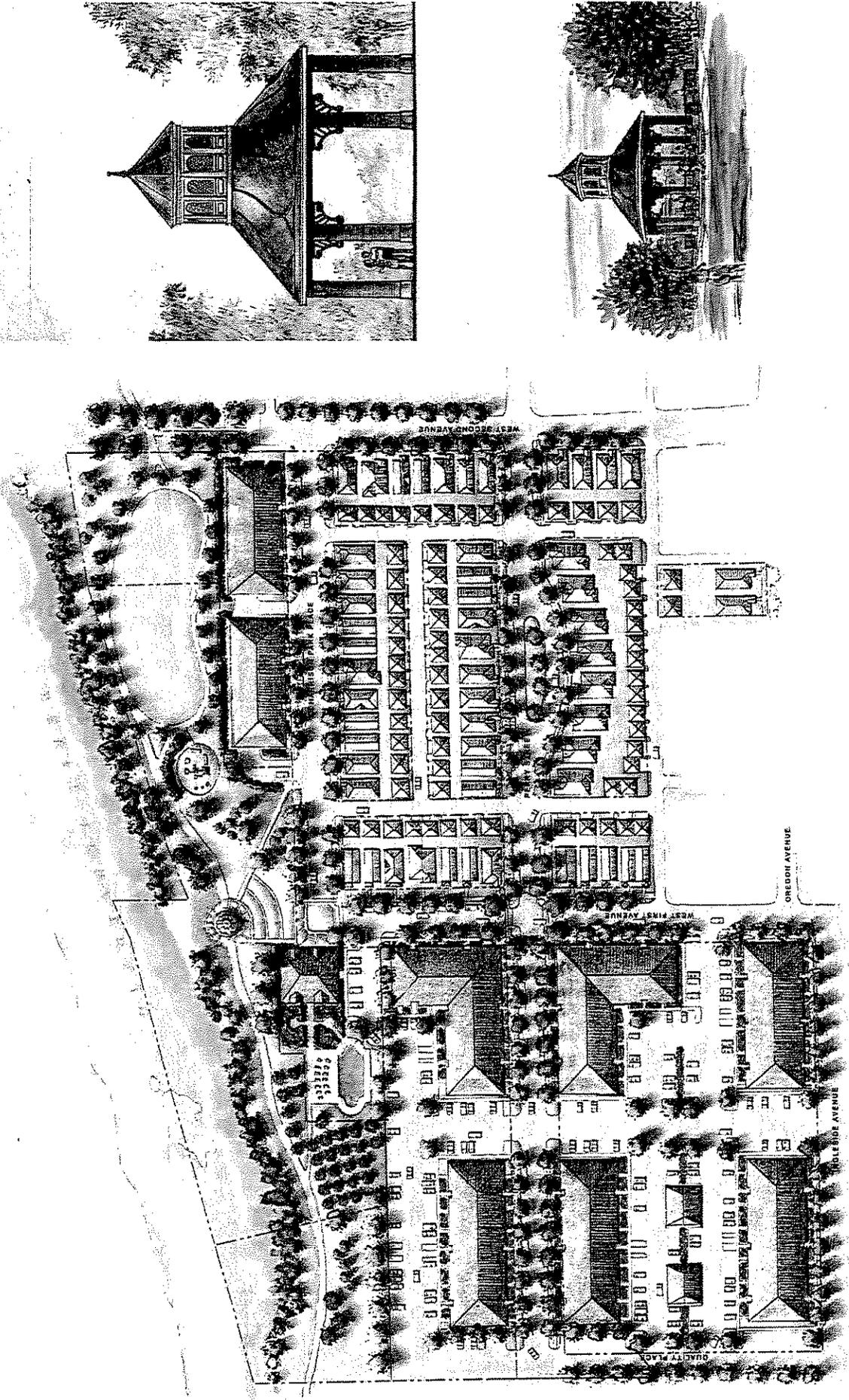
The CP's performance resulted in the issuance of an NFA letter that is consistent with VAP applicable standards contained in ORC 3746 and OAC 3745-300. However, a number of deficiencies or data gaps were noted with the SESOIL model, the Phase II report ground water flow direction map and the NFA letter form.

In particular, the SESOIL model was not sufficiently documented in accordance with OAC 3745-300-07(F)(5). Several elements of the model were missing or inconsistent. This could have resulted in the issuance of an NFA letter that was not consistent with the VAP applicable standards. See the above sections for details.

A letter should be sent to the CP listing the deficiencies or data gaps with the NFA letter. The letter to the CP should emphasize the need for documentation (particularly for the SESOIL model) and properly completing the NFA letter form.

3. Certified Laboratories

There were no deficiencies with the CLs' performance.



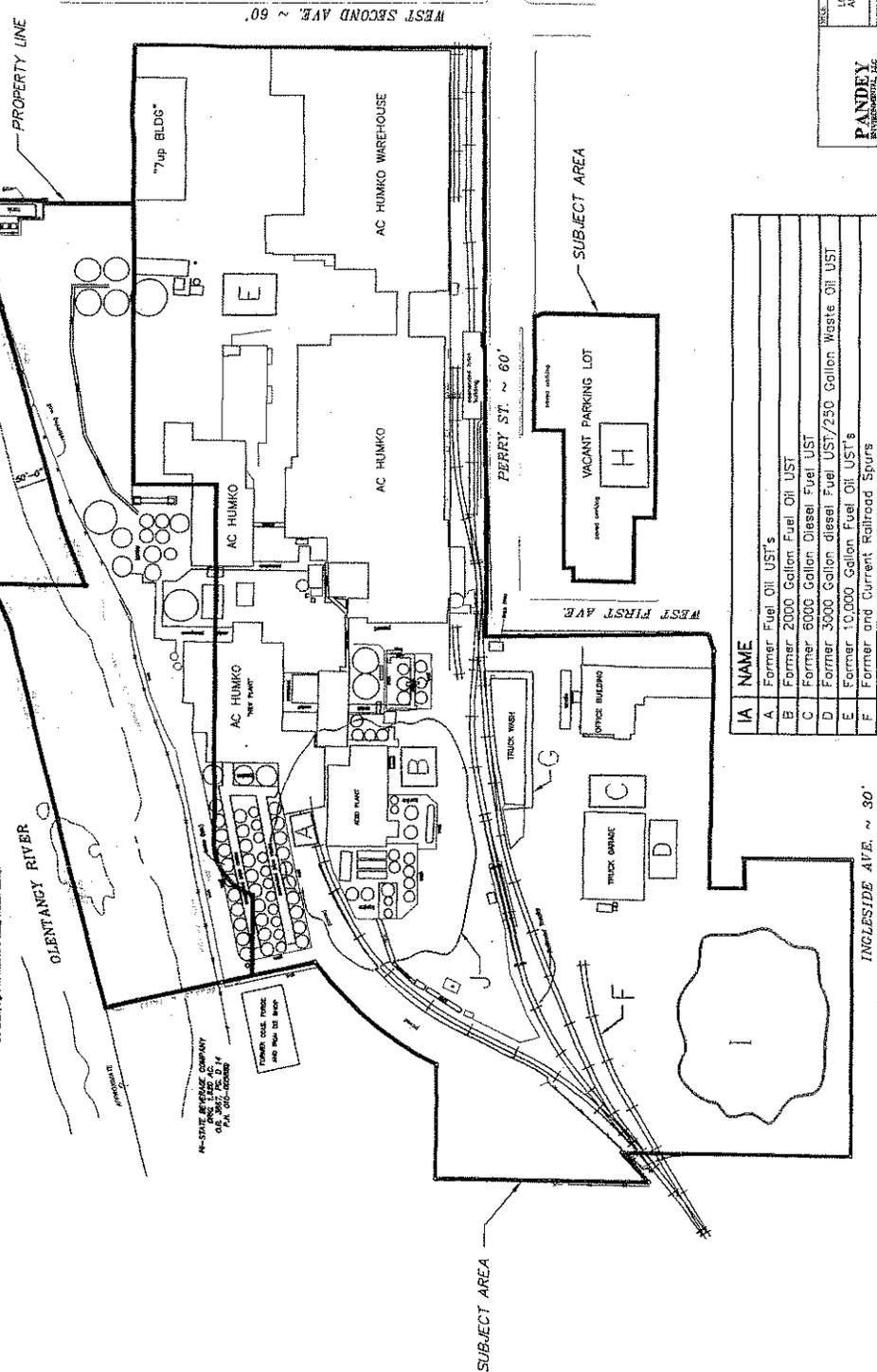
APRIL 21, 1948
SCALE 1/4" = 1'-0"

HARRISON WEST

ILLUSTRATIVE MASTER PLAN



SCALE 1" = 30'
 GRAPHIC SCALE
 0 30 60 90 120
 NORTH
 PREPARED BY: J. W. HARRIS, JR., P.E.
 DATE: 11/17/88



| IA | NAME |
|----|---|
| A | Former Fuel Oil UST's |
| B | Former 2000 Gallon Fuel Oil UST |
| C | Former 5000 Gallon Diesel Fuel UST |
| D | Former 3000 Gallon Diesel Fuel UST/250 Gallon Waste Oil UST |
| E | Former 10,000 Gallon Fuel Oil UST's |
| F | Former and Current Railroad Spurs |
| G | Former Sinclair Oil Bulk Plant |
| H | Former Auto Repair Garage |
| I | Area of Known Free Product |
| J | Area of Known Methane and Hydrogen Sulfide Gas Impact |

PANDEY
 INTERNATIONAL, INC.
 117 FIRST AVE.
 COLUMBIA, SC 29904
 PHONE: 803/733-8000
 FAX: 803/733-8001

LOCATIONS OF IDENTIFIED AREAS

DATE: 11/17/88

REVISION: FIGURE A