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July 17, 2009

Mr. Douglas E. Roberts, President
Envirosafe Services of Ohio, Inc.
876 Otter Creek Road
Oregon, Ohio 43616-1200

Re: Hazardous Waste Permit Modification
Class 1 Acknowledgment – Envirosafe Services of Ohio, Inc.
U.S. EPA ID# OHD 045 243 706 / Ohio Permit #03-48-0092

Dear Mr. Roberts:

On June 1, 2009, Ohio EPA received a notification for a Class 1 hazardous waste permit modification from Envirosafe Services of Ohio, Inc. (ESOI) located at 876 Otter Creek Road, Oregon, Ohio. With this letter, Ohio EPA acknowledges the above referenced Class 1 modification submitted pursuant to OAC Rule 3745-50-51, and accordingly has updated the facility's Part B permit application and permit.

The following modifications to clarify notification requirements of the Response Action Plan for the Containment Building (RAP) found in Appendix D.22 of ESOI's permit application were assigned the permit information tracking system (PITS) ID number of OHD045243706-090601-1-1;

- Replace the existing Appendix D.22 cover page (with one dated May 26, 2009, Modification No. 028)
- Replace the Table of Contents pages D.22-i and D.22-ii (with those dated May 26, 2009, Modification No. 028)
- Replace pages D.22-16 through D.22-25 (with those dated May 26, 2009, Modification No. 028)

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OHIO EPA
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DIV. OF HAZARDOUS
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Enclosed is a copy of the revised permit application pages. This has been included to ensure that all involved parties have written confirmation of the changes. If you have any questions concerning this action, please contact Chris Maslo at the Ohio EPA, Northwest District Office, at (419)698-3130.

Sincerely,

John Pasquarette
Manager
Division of Hazardous Waste Management

*In accordance with OAC Rule 3745-50-51(D)(1)(a)(ii), ESOI shall send a notice within 90 days of replacement of the permit application pages to all persons on the Agency mailing list. An updated mailing list can be obtained by contacting Dave Sholtis at (614)644-2937, or by email at dave.sholtis@epa.state.oh.us.

CM/cs

Enclosure

pc: Jeremy Carroll, Manager, RISS, DHWM, CO
Mike Allen, Supervisor, ERAS, DHWM, CO (w/enclosure)
Tammy Heffelfinger, DHWM, CO (w/enclosure)
Cindy Lohrbach, DHWM, NWDO (w/enclosure)
Gary Deutschman, DHWM, NWDO (w/enclosure)
Mayor Marge Brown, City of Oregon
DHWM, NWDO - ESOI File: Permit, (w/enclosure)
DHWM, NWDO File: ESOI Permit Application (enclosure only)

ec: Michael Terpinski, Supervisor, DHWM, NWDO
Gary Deutschman, DHWM, NWDO
Chris Maslo, DHWM, NWDO
Mary Setnicar, U.S. EPA Region V
Jae Lee, U.S. EPA, Region V

APPENDIX D.22

RESPONSE ACTION PLAN

FOR THE

CONTAINMENT BUILDING

(Consisting of D.22-1 through D.22-25, TOC D.22-i through D.22-ii and the following Attachments:)

Attachment 1 - Drawing D2000-C23: CBS Collection Areas and Sump Locations

Attachment 2 - CBS Liquid Volumes, 2000 - 2003

Attachment 3 - Secondary CBS 1, CBS 5 and CBS 14 vs. Rainfall, 2000

Attachment 4 - Recorded Precipitation 1998 - 2000 and 2001 - 2003

RESPONSE ACTION PLAN FOR THE CONTAINMENT BUILDING

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Attachment 1 - Drawing D2000-C23: CBS Collection Areas and Sump Locations

Attachment 2 - CBS Liquid Volumes, 2000 through 2003

Attachment 3 - Secondary CBS 1, CBS 5 and CBS 14 vs. Rainfall, 2000

Attachment 4 - Recorded Precipitation 1998 through 2000 and 2001 through 2003

Ohio EPA, or their designee(s), will be notified by telephone, voice mail or email of the exceedance;

5) The increased pumping and measurement frequency will continue until the liquid accumulation rate has returned to a level below the ILR specified in the Table in Section 5.1, or for a maximum of fourteen calendar days. If the liquid accumulation rate remains above the ILR after 14 days, the pumping and measurement frequency of the affected CBS system will continue to be increased from weekly to working-day in accordance with the requirements of the Federal permit. See step 7 of Section 6.1, below. If an ALR is exceeded during an ILR excursion at the same sump, notify the U.S. EPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s), by telephone, voice mail or email within seven (7) days of the change in status from ILR to ALR. Thereafter follow the requirements of Section 6.2:
   - if the lead Agency has or does concur with an "external factors" determination, go to paragraph 4 of the "external factors" section.
   - if "external factors" is not applicable, go to paragraph 1 of the "unknown factors" section; the notification of the change in status from ILR to ALR fulfils the notification requirement of paragraph 5.

6) If the liquid accumulation rate has returned to levels below the ILR within fourteen calendar days, a written notice will be sent to the U.S. EPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s). The notice will inform the Agencies of the return of the liquid volume to levels below the ILR; and

7) If the liquid volume has not returned to a level below the ILR within fourteen (14) calendar days, a written notice will be sent to the U.S. EPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s) within seven (7) calendar days, and will include the steps taken, or to be taken, and a schedule to address the exceedance (see Section 6.3, below).

6.2 Action Leakage Rate Response Actions

Subsequent to the determination of the liquid accumulation rate as specified in Section 5.2, the rate for each individual secondary CBS system will be compared to the ALR values listed in the Table in Section 5.1. If any liquid accumulation rate exceeds the value listed (refer to Section 5.1 for special provisions for CBS 1), when calculated to one decimal place, the following actions will be initiated:

1) A record of the discovery will be entered into the facility operating record;
2) The affected portion of the Containment Building will be immediately removed from service;
3) The pumping and measurement frequency of the affected CBS area will be increased from weekly to working day, which at a minimum is Monday through Friday, exclusive of holidays;
4) The increased pumping and measurement frequency will continue until the liquid accumulation rate has returned to a level below the ILR specified in the Table in Section 5.1, or for a maximum of fourteen calendar days;
5) Within seven calendar days of the determination of the exceedance of the ALR, the USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s), will be notified by telephone, voice mail or email of the exceedance. The notification to the Director of Ohio EPA shall include the following information: The name of the facility, the U.S. EPA identification number, the date of detection of the liquid, the volume of the liquid found, the sample collection and analysis initiated and the response action taken;
6) Within fourteen calendar days of the determination of the exceedance of the ALR, a written notice will be made to the USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s), describing the steps taken and/or to be taken to address the elevated

leakage rate in the Containment Building and the schedule for accomplishing the work still to be completed;

7) If the liquid accumulation rate has returned to levels below the ILR within fourteen calendar days, a written notice will be sent to the USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s). The notice will inform the Agencies of the return of the liquid volume to levels below the ILR. The affected portion of the Containment Building may be placed back in service upon concurrence from the lead Agency, (Ohio EPA or U.S. EPA);

8) If the liquid volume has not returned to a level below the ILR within fourteen (14) calendar days, a written notice will be sent to the USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s) within seven (7) calendar days, and will include a description of the steps taken and/or to be taken to repair the Containment Building and a schedule and written plan for accomplishing any additional work (see Section 6.3, below); and

9) In addition to any repairs required by the paragraph above, a sample of the secondary liner system liquid will be collected and analyzed for RCRA metals, volatile organic compounds, and semi-volatile organic compounds consistent with EPA waste codes being handled in the Containment Building. The results of this analysis will be submitted to the U.S. EPA and Ohio EPA within seven days of the receipt of a complete set of results by ESOI. The analytical results will be used in determining the need for further action if the liquid accumulation rate does not return to below the ILR within fourteen calendar days. If the ALR exceedance is within 48 hours of an ILR exceedance, the sample collected in response to the ILR exceedance will satisfy the requirements of this paragraph for the RCRA metals analyses.

If it is determined that the ALR was exceeded due to factors external to the actual treatment and storage operations conducted within the Containment Building, e.g., groundwater infiltration, storm water infiltration, routine washdown activities, the following modifications will be made to the above actions:

1) Documentation of the external factor(s) will be placed in the operating record;
2) The USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s), will be notified by telephone, voice mail or email within 48 hours of the assumption that external factors are the cause of the ALR exceedance;
3) Subsequent to the verbal notification of the U.S. EPA and Ohio EPA as specified above and the concurrence of the lead Agency (U.S. EPA or Ohio EPA), operations in the affected portion of the Containment Building will be resumed;
4) The pumping and measurement frequency of the affected CBS area will be maintained at every working day;
5) The increased pumping and measurement frequency will continue until the liquid accumulation rate has returned to a level below the ILR, or for a maximum of fourteen calendar days;
6) If the liquid accumulation rate has returned to levels below the ILR within fourteen calendar days, a written notice will be sent to the USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s). The notice will inform the Agencies of the return of the liquid volume to levels below the ILR; and
7) If the liquid volume has not returned to a level below the ILR within fourteen (14) calendar days, a written notice will be sent to the USEPA, Region 5, Regional Administrator and the Director of the Ohio EPA, or their designee(s) within seven (7) calendar days, and will include a description of the steps taken and/or to be taken to repair the Containment Building and a

schedule and written plan for accomplishing any additional work (see Section 6.3, below).

If any repairs to the Containment Building are required, within fourteen calendar days of the completion of such repairs, verification will be submitted to the U.S. EPA and Ohio EPA. The verification will be signed by a qualified, registered professional engineer, and must state that the repairs and cleanup have been completed in accordance with the written plan submitted to the Agencies as required above. Once repairs have been completed and the liquid accumulation rate has returned to levels below the ILR, the affected portion of the Containment Building may be placed back in service upon concurrence from the lead Agency, (Ohio EPA or U.S. EPA).

6.3 Response Action Modification

During the implementation of the responses detailed above for an exceedance of an ILR or ALR, the actions will be monitored to determine their effectiveness. If it is determined by ESOI or the lead Agency (Ohio EPA or the U.S. EPA) that the actions are not effective in preventing a release of hazardous waste or hazardous waste constituents outside of the Containment Building, including the CBS systems, the response actions will be modified.

The following modifications will be reviewed and implemented on a case-by-case basis:

1) Limitation of waste receipt into the Containment Building (see Section 7.3);
2) Partial or full curtailment of individual operations, if operations have not already been curtailed by the removal of a portion of the unit from operation (see Section 7.4);
3) Acceleration of repairs (see Section 7.5);
4) Engineering investigations into the dynamics causing the release (see Section 7.6); and

5) Reduction of free liquid usage in the unit, i.e., curtailment of routine washings, water added for dust suppression, etc. (see Section 7.7); and
6) Removal of liquids from the CBS system seven days per week (see Section 7.8).

7.0 EFFECTIVENESS AND FEASIBILITY OF RESPONSE ACTIONS

The following sections will examine each of the response actions listed in Section 6.0 and detail their effectiveness and the feasibility of their implementation.

7.1 Increased CBS Liquid Pumping Frequency

7.1.1 Feasibility

The increase in the pumping frequency from weekly to each working day will be immediately implemented upon determination of the exceedance of an ILR or ALR.

7.1.2 Effectiveness

The increased frequency of removal of liquid from the CBS system will assist in the minimization of the liquid head on the liner. The decrease in head pressure will minimize the leakage of the liner, whether the leakage is due to an existing Construction Quality Assurance defect or liner damage.

7.2 CBS Liquid Sampling and Analysis

7.2.1 Feasibility

A sample of the CBS liquid will be obtained within seven calendar days of an ILR or ALR exceedance (see date calculation, Section 5.2). Sample retrieval will be performed through the sump riser pipes during liquid removal.

7.2.2 Effectiveness

Hazardous waste and/or hazardous waste constituents are expected to be observed in the CBS liquid due to the nature of the operation of the unit. Therefore, their mere presence is not a cause for concern. However, the analytical data will be useful if it is determined that a release from the Containment Building is occurring. The data can then be used to quantify the risk that such a release poses and will help in better defining additional measures that must be taken to address the release and their timing.

7.3 Removal of the Containment Building from Service

7.3.1 Feasibility

A partial or complete removal of the Containment Building from service is a drastic measure that should only be implemented if there is an immediate threat to human health or the environment that can not be addressed in any other manner.

7.3.2 Effectiveness

For the most part, the removal of the Containment Building, or a portion thereof, from operation will not add appreciably to the effectiveness of other actions taken to prevent or abate a release to the environment of hazardous waste or hazardous waste constituents. For example, routine operations such as rail car unloading and waste stabilization in mixing containers can be carried on without educing any concerns regarding liner system integrity. The rail car unloading area does not employ any free liquids, and those free liquids used in the stabilization process are fed directly into the mixing containers themselves. Since these containers are finite in size and elevated on rollers, any possible release will be limited in size and readily discernable.

7.4 Curtailment of Operations

7.4.1 Feasibility

Partial or full curtailment of operations must be examined on a case-by-case basis. As stated in Section 7.3, such measures are drastic in nature and may not provide additional protection to human health and the environment.

7.4.2 Effectiveness

Curtailment may be required during the implementation of repair activity. However, as stated in Section 7.3, the curtailment of some operations will not enhance the effectiveness of other measures that can be taken in response to a release.

7.5 Acceleration of Repairs

7.5.1 Feasibility

The acceleration of a repair schedule may not be feasible depending upon the availability of the materials and personnel required to affect the necessary repair.

7.5.2 Effectiveness

The effectiveness of repair acceleration will be dependent upon the specific circumstances that required the repair to be made. In most instances the completion of the repair faster than originally planned will not enhance the protection of human health and the environment, since other measures will have had to be put in place for this protection. In those instances when it will add to this protection, and the required materials and/or personnel are available, this option should be pursued.

7.6 Engineering Study

7.6.1 Feasibility

An engineering study could be conducted that would provide information that would assist in determining the need for repairs, the type of repairs that would be the most effective, or provide other useful information.

7.6.2 Effectiveness

The need for an engineering study must be balanced against the time in would take to conduct such a study. Although, as stated in the above paragraph, valuable information could be obtained, the need for more timely action may outweigh the value of the information obtained.

7.7 Reduction of Free Liquid Usage in the Unit

7.7.1 Feasibility

Free liquids used for dust suppression of debris handling areas and for housekeeping purposes could be discontinued in order to minimize the amount of liquid that could potentially migrate to the liner system. As stated in Section 7.3, the chance of a free liquid release from the mixing containers is slight and the amount of any liquid that could be released is relatively small.

7.7.2 Effectiveness

If a release outside of the liner system is occurring, a reduction in the amount of liquid potentially introduced into the liner system from unconfined sources should be beneficial.

7.8 CBS System Liquid Removal Seven Days Per Week

7.8.1 Feasibility

The initiation of CBS system liquid removal seven days per week could be enacted. If this were an option being considered it would mean that the liquids were being removed every working day already.

7.8.2 Effectiveness

The amount of liquids collected in the CBS systems is normally relatively small, in addition, if this were to be contemplated the use of free liquids would have previously been curtailed to the extent that this would be practicable. Therefore, unless a substantial storm event were occurring, the increased pumping of a given sump every calendar day should have little additional effect.

Data From Containment Building Drawing D2000 – C23

CBS #	Secondary Storage Volume (gal)	Depth to Primary Bottom (ft)	Depth to Secondary Bottom (ft)
01	520	11.56	12.56
02	603	5.46	6.46
03	218	4.81	5.81
04	663	5.58	6.58
05	1172	3.21	4.21
06	59	NA	NA
07	24	NA	NA
08	257	4.18	5.18
09	936	4.73	5.73
10	48	NA	NA
11	341	4.27	5.27
12	142	4.02	5.02
13	23	NA	NA
14	1311	3.79	4.79