



State of Ohio Environmental Protection Agency

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Mr. Fred G. Krikau, P.E., Environmental Consultant
Fred G. Krikau & Associates, Inc.
1056 Killarney Drive
Dyer, Indiana 46311

**Re: Globe Metallurgical Landfill, Washington County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Krikau:

On October 1, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southeast District Office (SEDO) received a request titled GKN, Beverly, Ohio Landfill, Mining Project Work Plan and Background Data (Work Plan) from Fred G. Krikau & Associates, Inc., on behalf of GKN, Inc., pursuant to OAC Rule 3745-27-13, to engage in filling, grading, excavating, building, drilling, or mining activities at the closed Globe Metallurgical Landfill (Facility) located in Washington County. Specifically, GKN, Inc., in a joint venture with Rollock, Inc., requested to mine materials from the Facility for the purpose of recovering metallics.

Ohio EPA, SEDO met with representatives of GKN, Inc. and Rollock, Inc. on November 30, 2004, to discuss the proposed Work Plan. Subsequently, SEDO received revisions to the Work Plan on March 7, 2005, which contained additional information and amended the original October 1, 2004, request to only include the removal of approximately 150 tons of industrial solid waste from the Facility for use in a pilot recycling process at a site operated by Rollock, Inc. in Johnstown, Pennsylvania. The pilot project is intended to determine how much metallic material is recoverable and what type of waste will be generated. Any proposed mining of metallics from the Facility will require a separate authorization, pursuant to OAC Rule 3745-27-13, pending the outcome of the pilot project sampling.

OAC Rule 3745-27-13 requires authorization from the Director of Ohio EPA (Director) before engaging in filling, grading, excavating, building, drilling, or mining on land where a solid waste facility was operated. Specifically, GKN, Inc. requested authorization for the following: to excavate no more than 150 tons of representative industrial solid waste

from three (3) test trenches; to temporarily store cap soils; to load industrial solid waste into trucks; and to remove material from the site for metallic removal processing. Any waste from the pilot process will be analyzed with the Toxicity Characteristic Leaching Procedure (TCLP), the test trenches will be backfilled with clean fill, and cap soils will be restored to their

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

original contour. A vegetative cover will also be re-established.

Based upon a review of the revised request, I have determined, pursuant to OAC Rule 3745-27-13, that the proposed activities will not result in a violation of applicable laws or regulations, will not create a nuisance, and are unlikely to adversely affect the public safety or health or the environment. Therefore, GKN, Inc. is hereby authorized to perform the activities outlined in this letter in accordance with submitted and approved plans, specifications, and information.

As part of this authorization, GKN, Inc. is subject to the following conditions:

CONDITIONS

1. This approval grants authorization to perform activities at the Facility in accordance with the revised document titled GKN, Beverly, Ohio Landfill, Mining Project Work Plan and Background Data, received on March 7, 2005. All activities shall be conducted in strict accordance with the plans, specifications, and other information submitted as part of this request. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities at the Facility may require additional Ohio EPA approval.
2. All activities undertaken shall not create a nuisance and shall not adversely affect the public safety or health or the environment.
3. All on-site activities shall be accomplished in compliance with all applicable state and federal laws and regulations pertaining to environmental protection, including, but not limited to, the control of air pollution, leachate, surface water run-on and run-off, and protection of ground water.
4. Not later than seven (7) days prior to the start of the activities associated with this authorization, GKN, Inc. shall submit written notification, which specifies the anticipated date of work commencement, to Ohio EPA, SEDO and the Washington County Board of Health.
5. Not later than sixty (60) days after completing the activities authorized by this approval, GKN, Inc. shall submit to Ohio EPA, SEDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
6. The excavated industrial solid waste shall be directly loaded, covered, and then transported to the recycling facility, operated by Rollock, Inc., in Johnstown, Pennsylvania, for processing to remove metals. The industrial solid waste shall not be staged or stockpiled prior to loading. A minimum of one (1) grab sample shall be taken from each of the test trenches. A minimum of three (3) grab samples shall be taken from the process waste.

All samples shall be analyzed for toxicity characteristic metals using the TCLP (Method 1311) in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," U.S. EPA Publication SW-846 and OAC Rule 3745-51-24. Additional samples may be required based on the consistency of the material, as determined by Ohio EPA. None of the process waste or residuals shall be transported back to the Globe Metallurgical Landfill (Facility) for disposal. All waste shall be disposed of in accordance with all applicable state and federal laws and regulations pertaining to environmental protection.

7. TCLP data shall be submitted to Ohio EPA and shall meet Ohio EPA's Tier 1 data validation guidelines. The data package shall contain the results of the data validation review, including: report completeness; chain of custody; sample receipt form; signed statement of validity; technical holding time review; data qualifiers including their definitions; dilutions; blank data; spikes; spike recovery %; surrogate recovery; and explanations of any rejected results consistent with the U.S. EPA and Ohio EPA guidelines for data review.
8. All liquids, semi-solids, industrial wastes, and other wastes regulated by Ohio Revised Code (ORC) Chapter 6111 that are removed during intrusive activities shall be containerized and securely stored until these materials are properly characterized and disposed in accordance with ORC Chapter 6111 and regulations promulgated thereunder.
9. If, during excavation, drums or other unusual materials are discovered, the materials shall be containerized and securely stored until they are properly characterized and disposed in accordance with ORC Chapters 6111 or 3734 and regulations promulgated thereunder.
10. GKN, Inc. shall excavate and backfill each test trench within the same working day. The trenches shall not be left open overnight. The excavating, loading, backfilling, and cap reconstruction shall not occur during inclement weather.
11. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if GKN, Inc. has not begun the activities authorized herein.
12. 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 GKN, Inc. from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery 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.
13. The director may revoke this authorization if GKN, Inc. violates, or is likely to violate, any applicable law or if continued implementation of the approved plans causes a threat to human health or safety or the environment.

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You are hereby notified that this action of the Director of Ohio EPA (Director) 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 regarding this authorization, please contact Pete Thompson of Ohio EPA, SEDO at (740) 380-5219.

Sincerely,

Joseph P. Koncelik
Director

JPK/MM/sw

cc: Richard Fox, DSIWM-SEDO
Scott Hester, DSIWM-CO
Kathleen Mecksroth, Washington County Board of Health
Daniel M. Talsma, GKN North American Services, Inc.
Tony Kordell, Rollock, Inc.