



State of Ohio Environmental Protection Agency

Southwest District Office

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Ted Strickland, Governor
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Eval 031
enf 020

Camp

Certified Mail

October 19, 2009

Re: Former EPS Facility
EPA ID# OHD000608588
Montgomery County
Notice of Violation

Mr. Gregory Edwards
Manager, Remediation Services
PermaFix Environmental Services
575 Oak Ridge Turnpike, Suite 200
Oak Ridge, Tennessee 37830

Dear Mr. Edwards:

On July 13, 2009, Ohio EPA Southwest District Office received the First Quarter 2009 Groundwater Monitoring Report for the Former Environmental Processing Services, Inc. (EPS) facility, located at 614 Leo Street in Dayton, Ohio. The report contains results from the quarterly groundwater monitoring event performed in March 2009 in accordance with the Groundwater Sampling and Analysis Plan (SAP). The SAP was revised in March 2008. The EPS facility is subject to Ohio Administrative Code Rule (OAC) 3745-66-11 (Closure Performance Standards).

Ohio EPA Division of Hazardous Waste Management (DHWM) and Ohio EPA Division of Drinking and Ground Waters (DDAGW) have reviewed the First Quarter 2009 Groundwater Monitoring Report and as a result the following violation and general concerns were found. This letter will explain what you need to do to correct the violation, and what you need to do to respond to our general concerns.

Notice of Violation

1. An equipment blank in accordance with the Quality Control Section 2.7 of the SAP which states; one equipment blank will be analyzed to assess the effectiveness of the decontamination procedures between sampling locations.

The First Quarter 2009 Groundwater Monitoring Report indicated equipment blanks were collected (Appendix B). However, the chain of custody did not include any of these equipment blanks, nor did the laboratory receive or analyze any equipment blanks. PermaFix is in violation of OAC 3745-66-11, for failing to follow the Groundwater Sampling and Analysis Plan, Former Environmental Processing Services, Inc. Facility (SAP) dated March 2008.

Mr. Gregory Edwards
Manager, Remediation Services
PermaFix Environmental Services
October 19, 2009
Page 2

To return to compliance PermaFix is reminded to review and follow the Quality Control protocol in the SAP, and accurately document the sampling event and/or deviations from protocol in the quarterly reports.

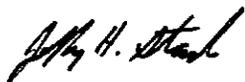
General Concerns

1. Compliance with OAC Rule 3745-66-11 cannot be determined as PermaFix does not appear to be following the SAP sampling procedures in regards to determining parameter stabilization. Turbidity in general, was not being utilized as a stabilization parameter in contrast to the SAP, Sampling Procedures Section 2.5. Turbidity is considered stabilized when there is less than $\pm 10\%$ variation between three consecutive measurements for values greater than 10 NTUs. Following this criteria, turbidity did not stabilize in wells; OW-9, OW-10, OW-13, OW-15, OW-16, OW-30S and OW-31S during the First Quarter 2009 sampling event. The facility needs to provide an explanation as to why turbidity was not used to determine stabilization in these wells, and any effects they may have on the interpretation of the analytical results.
2. In December 2008, Ohio EPA reminded PermaFix to review the quality control protocol employed during the quarterly sampling events. The detection of 3 ug/L tetrachloroethane in the June 2008 equipment rinsate blank combined with poor precision for a duplicate collected at MW-15S indicated a need to review quality control protocol and decontamination procedures. To prevent these problems from re-occurring in future quarterly events these concerns were communicated via email to the facility in December 2008, three months prior to the March 2009 sampling event.
3. The ground water sampling crew and field sample forms were different than those specified in the March 2008 SAP and previous sampling event. Changes to the SAP including modifications to the well sampling network, field forms, and sampling crew should be submitted as an addendum or revision to the SAP.
4. The SAP states a minimum of three casing volumes will be purged prior to sampling. The SAP (Sampling Procedures, Section 2.5) states that casing volumes will be calculated for each well and provided on the sampling form. This information was missing. The facility needs to place on the sampling form the value for one well casing volume and/or calculated volume based on the water column and well radius.

Mr. Gregory Edwards
Manager, Remediation Services
PermaFix Environmental Services
October 19, 2009
Page 3

Please note that any deviations from those protocols and methodologies contained within the approved SAP may result in erroneous data which incorrectly assesses the current conditions at the site. With the formulation of a newly devised closure plan in progress, it is imperative that PermaFix adhere to the SAP. If you have any questions, please call me at (937) 285-6456.

Sincerely,



Jeffery H. Stark
District Representative
Division of Hazardous Waste Management

cc: Sam Marquis, Cameron-Cole
: DHWM Data Entry/Facility File

JHS/plh

