



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

December 20, 2011

**GUERNSEY COUNTY
GENERAL FILE
(BI-CON SERVICES)
DMWM/SEDO
OHD987033347**

Mr. Brian Bookman
Bi-Con Services, Inc.
10901 Clay Pike Road
Derwent, Ohio 43733

Dear Mr. Bookman:

On October 12, 2011, I performed a follow-up compliance inspection of your facility to determine its compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on this inspection, Bi-Con Services was issued a notice of violation on October 14, 2011. I received your response on November 10, 2011. On November 18, 2011, a second NOV was issued to you and on December 15, I received sampling results for the excavated soil and confirmation samples. Based on the documentation you provided, Bi-Con Services has returned to compliance with the following hazardous waste regulation;

- i) Hazardous waste determination, OAC rule 3745-52-11.

Bi-Con Services has abated all violations cited from the October 12, 2011 inspection.

Based on the sample results, the excavated soil is not hazardous waste and can be disposed at a permitted, solid waste facility.

However, the sample identified as "compressor slide door" was reported as containing 9900 ug/kg of toluene. The generic cleanup level for toluene that is protective of groundwater is 400 ug/kg. Therefore, Bi-Con Services needs perform additional excavation in this area and dispose of this soil as noted above. To demonstrate compliance, please provide a photograph showing the additional soil excavation and a receipt for the disposal of the soil.

If you have any questions, please call me at (740) 380-5278.

Sincerely,

Richard Stewart
District Representative
Division of Materials and Waste Management

RS/cb