

**Environmental
Protection Agency**

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

June 6, 2011

**COSHOCTON COUNTY
(IN GROUP COMPANIES, LLC)
DHWM-SEDO
OHR000014183**

Mr. Matthew Markee
CEO
In Group Companies, LLC
8730 Stony Point Parkway, Suite 100
Richmond, VA 23235

Dear Mr. Markee:

On May 3, 2011, Donna Goodman and I inspected the former Intrinergy facility (wholly-owned by In Group Companies) in Coshocton, Ohio to determine compliance with Ohio's hazardous waste laws and rules as found in Chapter 3734. of the Ohio Revised Code (ORC) and the regulations promulgated thereunder, Chapter 3745. of the Ohio Administrative Code (OAC).

Based on this inspection, Ohio EPA had issued a notice of violation letter to you on May 5, 2011. I received your response on June 3, 2011 which stated that additional time will be required to properly evaluate decontamination wastes when they are generated from cleaning and dismantling on-site equipment. This is acceptable. I would like to be kept up-to-date as work at the site progresses; please provide this office five days' notice for any major work to be performed at the site. Your response also included waste evaluations for wastes removed from the site in 2010 and 2011 as requested.

Therefore, please provide the documentation requested below within thirty days of generating wastes at this site:

(1) Hazardous waste determination, OAC rule 3745-52-11:

Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste using the following method: (A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code. (B) He must then determine if the waste is listed as a hazardous waste in rules. (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

Mr. Markee
In Group Companies, LLC
June 6, 2011
Page 2

Several drums labeled "caustic soda" and six drums of activated carbon were observed at the site. Additionally, I understand that residuals may still remain in the process tanks and lines and work to disassemble and decontaminate this equipment is to be scheduled. When this work begins, you must determine if these materials are waste and if so, provide documentation indicating that adequate waste evaluations have been performed for them.

I appreciate your attention to these matters. More information regarding Ohio's hazardous waste rules can be found at www.epa.ohio.gov. Should you have any questions, please feel free to contact me at (740) 380-5278.

Sincerely,



Rich Stewart
Environmental Specialist
Division of Materials and Waste Management

RS/mlm

cc: Heather Klesch, Clow Water Systems

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.