

Ground water



State of Ohio Environmental Protection Agency

**Northwest District Office**

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Ted Strickland, Governor  
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September 18, 2007

Mr. Kenneth Humphrey  
Environmental Director  
Envirosafe Services of Ohio, Inc.  
876 Otter Creek Road  
Oregon, Ohio 43616-1200

**Subject: Preliminary Report of Ground Water Quality – April 2007 Event  
Notice of Violation  
OHD 045 243 706 / 03-48-0092  
RCRA Hazardous Waste / Lucas County**

Dear Mr. Humphrey:

On July 2, 2007, Ohio EPA received from Envirosafe Services of Ohio, Inc. (ESOI) the document entitled *Preliminary Report of Groundwater Quality – April 2007 Sampling Event*. Ohio EPA's Division of Drinking and Ground Waters (DDAGW) reviewed the document for compliance with ground water monitoring requirements of Ohio Administrative Code (OAC) Chapter 3745-54 and ESOI's Permit Number 03-48-0092. In addition, on April 20, 2007 and May 8, 2007, Ohio EPA received from Kemron Environmental Services Laboratory split sample results for ESOI's April 2007 sampling event. The report numbers are L0703693, dated April 20, 2007 and L0704499, dated May 7, 2007, respectively. Ohio EPA DDAGW reviewed the split sample results, comparing them to ESOI's analytical results. Below are the DDAGW's findings from the referenced reviews.

**Violations**

ESOI failed to submit a permit modification request or alternate source demonstration for naturally occurring constituents.

1. **Permit Condition K.6(e)(iii):** Permit Condition K.6(e)(iii) requires the permittee to determine if naturally occurring constituents are elevated by developing comparisons standards in accordance with the requirements of Permit Condition K.2(b)(ii).
2. **Permit Condition K.2(b)(ii):** In the case that ESOI determines in accordance with K.2(b)(ii)(a) that the concentration of a constituent at a well has not been affected by past or current operations at the facility, then Permit Condition K.2(b)(ii)(c) requires the Permittee to develop comparison standards using intrawell comparison standards.

3. **Permit Condition K.8 and OAC Rule 3745-54-98(G)(4):** Permit Condition K.8 and OAC Rule 3745-54-98(G)(4) require ESOI to submit a permit modification to add elevated constituents to the elevated constituent list in the Integrated Ground Water Monitoring Program (IGWMP) or in accordance with 3745-54-98(G)(6)(b), submit an alternate source demonstration and a permit modification providing comparison standards for the detected constituents.
4. **OAC Rule 3745-54-98(G)(6)(b):** OAC Rule 3745-54-98(G)(6)(b) requires ESOI to submit, within 90 days of identifying a statistically significant increase, a report to the director which demonstrates that a source other than a regulated unit caused the contamination or that the contamination resulted from error in sampling, analysis, or evaluation.

Appendix 98 sampling and analysis was conducted at monitoring wells R-21, G-6, H-4, M-2D, I-5SA, MR-4D and SW-3S in April 2006 as a result of confirming exceedances of indicator parameters during the October 2005 sampling event. The exceedances were reported to Ohio EPA within ESOI's *Final Report of Groundwater Quality October Sampling Event*, dated February 28, 2006. ESOI had ninety days (May 30, 2006) to submit either a permit modification to add elevated constituents to the elevated constituent list in the IGWMP in accordance with OAC Rule 3745-54-98(G)(4), or to submit an alternate source demonstration and a permit modification, in accordance with OAC Rule 3745-54-98(G)(6)(b). Since there were less than 8 historical data points for background, in accordance with permit condition K.2(b)(ii)(c), the due date to collect background data for the detected constituents was extended one year, making the permit modification for revising the elevated constituent list or for providing comparison standards for detected Appendix 98 constituents at monitoring wells R-21, G-6, H-4, M-2D, I-5SA, MR-4D and SW-3S due May 30, 2007.

ESOI failed to submit a permit modification request or alternate source demonstration by May 30, 2007. The *Preliminary Report of Groundwater Quality April 2007 Sampling Event*, dated July 2, 2007, states:

Total metals were detected above PQLs in four monitoring wells for which the development of background comparison standards are pending. These wells include:

- I-05SA – copper and zinc;
- M-20S – nickel;
- MR-4D – arsenic, cobalt, copper, nickel, vanadium, and zinc; and,
- SW-03S – nickel.

In all cases, the analytical results for these wells and constituents do not exceed the pending comparison standard.

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A permit modification request containing comparison standards for the referenced wells and constituents was received at Ohio EPA's Northwest District Office on August 8, 2007. My review of this documentation reveals that ESOI has not adequately demonstrated abatement of the K.6(e)(ii), K.2(b)(ii), and K.8, and OAC Rules 3745-54-98(G)(4) and (6). Because Ohio EPA determined that the modification request was incomplete and would be denied, ESOI chose to withdraw the modification request in a letter dated August 29, 2007 and received by Ohio EPA on August 31, 2007. Please submit a complete permit modification request demonstrating abatement of the above outstanding violations to this office no later than **September 28, 2007**.

### Comments

1. Compliance with Permit Conditions K.4(c)(i) and K.4(h) cannot be determined at this time. Appendix C.2, Attachment D, Organic Data Validation Report Memorandum, Page 17, states, "Standard TIC analyses were not present." ESOI must either provide the standard TIC analytical results to Ohio EPA or explain why Standard TIC analyses were not present in the laboratory report.

Permit conditions K.4(c)(i) and K.4(h) require sampling and analysis to be conducted in accordance with procedures in Appendix E.9 and E.12 of the permit application. On Page E.9-45 of the permit application ESOI states, "All laboratory analyses shall be performed in accordance with the most current acceptable SW-846 or USEPA methodologies." On Page E.12-30 of the permit application ESOI states, "For each sample (including method, trip, field, and storage blank samples), the laboratory must conduct a mass spectral search of the NIST library and report the possible identity for the 10 largest volatile peaks which are not SMC/surrogate, internal standard, or target compounds, but which have an area or height greater than 10 percent of the area or height of the nearest internal standard ... The TIC results for each sample are reported on a separate Sample Data Summary Form."

Ohio EPA requests that ESOI explain why tentatively identified compounds were not reported on a separate sample data summary form.

2. In Appendix D, Well Maintenance Documentation, ESOI states that at monitoring well T-42S the weep hole was cleaned out and gravel was added up to the weep hole level.

Ohio EPA recommends that wells be designed to prevent the collection of water between the inner casing and the outer protective casing. Gravel will allow water to collect between the casings below the weep hole. A bentonite grout can swell and plug the weep hole allowing water to collect above the weep hole. Ohio EPA recommends that the space between the inner and outer casings be filled with cement up to the base of the weep hole.

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3. Ohio EPA split samples with ESOI during the April 2006 sampling event for volatile organic compounds at monitoring wells M-19D, M-19S, R-6, R-8, R-23 and R-24 and for cyanide at monitoring wells M-19D, M-19S and R-6. Ohio EPA's and ESOI's analytical results were all non-detect except for ESOI's estimated detection (below the practical quantification limit) 0.23J µg/L for 1,1-dichloroethene.
4. In Section 2.0 of the report ESOI states, "Field data sheets for the April 2007 Sampling Event are being provided to the Ohio EPA under separate cover." Ohio EPA anticipates receiving the field data sheets with the final data report for the April 2007 sampling event. This information is necessary for Ohio EPA to evaluate sample analytical results.

Please respond to this letter by submitting the required permit modification request and any other written comments no later than **September 28, 2007**.

If you have any questions, please contact me at (419)373-4113. Any written correspondence should be sent to me at Ohio EPA, Northwest District Office, Division of Hazardous Waste Management, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,



Lynn Ackerson  
Environmental Specialist II  
Division of Hazardous Waste Management

/cs

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<p><b>NOTICE:</b> 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.</p>
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