



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Road  
Twinsburg, OH 44087-1924

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

Bob Taft, Governor  
Bruce Johnson, Lieutenant Governor  
Joseph P. Koncelik, Director

November 14, 2005

RE: HAZARDOUS WASTE PERMIT  
MODIFICATION  
CLASS 1A APPROVAL  
CHEMTRON CORPORATION  
OHD 066 060 609 / 02 47 0431

Mr. Ronald J. Guenther  
Chemtron Corporation  
35850 Schneider Ct.  
Avon, OH 44011

Dear Mr. Guenther:

On September 21, 2005, Ohio EPA received a request for a Class 1A hazardous waste permit modification (PITS tracking number 050926-1A-1) from Chemtron Corporation. With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51.

The following modification has been made to your December 31, 2003, Ohio Hazardous Waste Facility Installation and Operation Permit. Also, the records of Ohio EPA have been changed accordingly:

1. Revision of Terms and Conditions to the site Interim Measures and Corrective Action after recently discovered contamination was determined to be from the facility. Attached is a copy of the revised Terms & Conditions in Section E.

In accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), Chemtron Corporation shall send a notice within 90 days of an approved Class 1A Modification to all persons on the Agency mailing list. An updated mailing list can be obtained by contacting Pamela Allen at (614) 644-2980, or by e-mail at [pamela.allen@epa.state.oh.us](mailto:pamela.allen@epa.state.oh.us).

If you have any questions concerning this action, please contact Edward D'Amato at the Ohio EPA Northeast District Office at (330) 963-1170.

Sincerely,

William T. Skowronski  
District Chief  
Northeast District Office

WTS/ED:ddw  
Enclosure

cc: Pamela Allen, Manager, RIS, DHWM, CO  
Jeremy Carroll, Supervisor, Engineering Unit, DHWM, CO  
ec: Edward D'Amato, DHWM, NEDO  
Frank Popotnik, DHWM, NEDO

RECEIVED  
OHIO EPA

NOV 17 2005

DIV. OF HAZARDOUS  
WASTE MGT.

## **E. CORRECTIVE ACTION REQUIREMENTS**

On February 27, 1987, U.S. EPA determined that a RCRA Facility Investigation was not necessary and consequently, no Corrective Actions were needed based on a completed RCRA Facility Assessment. Additionally, on March 31, 1992, U.S. EPA characterized the site as Low Corrective Action Priority. In an initial site investigation report (RCRA Facility Investigation (RFI)) completed on June 21, 2005, Chemtron identified organic constituents present in subsurface soils at the facility that will be addressed. The Permittee shall provide to Ohio EPA copies of all documentation pertaining to the investigation, mitigation and remediation of this release.

However, in the event the Facility or Ohio EPA identifies a WMU on site, the Permittee must comply with Permit Condition E.10 below.

### **E.1 Corrective Action at the Facility** OAC Rules 3745-50-10 & 3745-55-011

In accordance with OAC Rule 3745-50-10 “waste management unit” means any discernible unit at which solid waste, hazardous waste, infectious waste (as those terms are defined in ORC Chapter 3734), constructions and demolition debris (as defined in ORC Chapter 3714) industrial waste, or other waste (as those terms are defined in ORC Chapter 6111), has been placed at any time, irrespective of whether the unit was intended for the management of waste or hazardous waste. Such units include any area of a facility at which waste have been routinely and systematically released. For the purpose of Corrective Action, facility is defined as all contiguous property under the control of the owner or operator seeking the permit under Subtitle C or RCRA. The terms Interim Measure (IM), RCRA Facility Investigation (RFI), Corrective Measures Study (CMS) and Corrective Measure Implementation (CMI) are defined in U.S. EPA’s Corrective Action Plan (CAP) (OSWER Directive 9902.3-2A, May 1994).

The Permittee must institute Corrective Action as necessary to protect human health and the environment for all releases of hazardous wastes or hazardous constituents from any waste management units (WMUs) at the Facility, regardless of the time at which waste was placed in such units.

### **E.2 Corrective Action Beyond the Facility Boundary** OAC Rule 3745-55-011

The Permittee must implement Corrective Action beyond the Facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Ohio EPA that, despite the Permittee’s best efforts, the Permittee was unable to obtain the necessary

Permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the Facility boundary where off-site access is denied. On-site measures to address such releases will be addressed under the RFI, CMS, and CMI phases, as determined to be necessary on a case-by-case basis.

E.3 Identification of Releases  
OAC Rules 3745-50-44(D) and 3745-55-011

In an initial site investigation report (RCRA Facility Investigation (RFI)) completed on June 21, 2005, Chemtron identified organic constituents present in subsurface soils at the facility that will be addressed. The Permittee shall provide to Ohio EPA copies of all documentation pertaining to the investigation, mitigation and remediation of this release.

E.4 Reserved  
OAC Rule 3745-55-011

E.5 RCRA Facility Investigation (RFI)

OAC Rule 3745-55-011

The Permittee shall conduct an RFI to thoroughly evaluate the nature and extent of the release of hazardous waste(s) and hazardous constituent(s) from all applicable WMUs identified in Permit Condition E.10. The major tasks and required submittal dates are shown below. The scope of work for each of the tasks is found in U.S. EPA's CAP.

(a) RFI Workplan

For any newly discovered waste management unit, the Permittee shall submit a written RFI Workplan to Ohio EPA on a timeframe established by Ohio EPA.

- (1) Within 45 days of receipt of any Ohio EPA's comment on the RFI Workplan, the Permittee must submit either an amended or new RFI Workplan that incorporates Ohio EPA's comments.
- (2) Ohio EPA will approve or modify and approve, in writing, the amended or new RFI Workplan. The RFI Workplan, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved RFI Workplan must be authorized by Ohio EPA.