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State of Ohio Environmental Protection Agency

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OHIO E.P.A.
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I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Dorothy Lassater Date: 1-15-09

Maria Tetteris
Praxair, Inc.
435 Donner Avenue, Suite 430
Monessen, PA 15062

Re: Amended Closure Plan Approval
AMKO Service Company
OHD 017 998 022

Dear Ms. Tetteris:

On July 31, 2008, AMKO Service Company submitted to Ohio EPA an amended closure plan for the hazardous waste underground storage tank located at 3470 Davis Road, Dover, Ohio. Revisions to the amended closure plan were received on November 28, 2008. The amended closure plan was submitted pursuant to rules 3745-66-12 of the Ohio Administrative Code (OAC) in order to demonstrate that AMKO Service Company's proposal for amended closure complies with the substantive requirements of OAC rules 3745-66-11 and 3745-66-12.

The owner or operator and the public were given the opportunity to submit written comments regarding the amended closure plan in accordance with the hazardous waste rule requirements. No public comments were received by Ohio EPA.

Based upon review of AMKO Service Company's submittal and subsequent revisions, I conclude that the amended closure plan for the hazardous waste facility at 3470 Davis Road, Dover, as modified herein, meets the performance standard contained in OAC rule 3745-66-11 and complies with the pertinent parts of OAC rule 3745-66-12.

The amended closure plan submitted to Ohio EPA on July 31, 2008, and revised on November 28, 2008 by AMKO Service Company is hereby approved with the following modifications:

1. **Section 3.1, page 3-2** - The closure plan indicates that each soil boring will be sampled to the point of soil saturation (i.e., the water table) which is expected to be encountered approximately 15 feet below grade. However, after review of recent annual reports for ground water monitoring, Ohio EPA has determined that the water table typically ranges from 8 to 12 feet below grade, and rarely exceeds 13 feet below the land surface. The closure plan should be revised to reflect the typical depth to water at the AMKO facility.

2. **Sections 3.1 and 3.3.1** - The closure plan indicates that both soil sampling and excavation will not occur below the water table. As indicated above, the water table fluctuates seasonally between 8 to 12 feet below the surface. Typically, a high water table occurs in the winter and spring and low water table in the late summer and fall. If soil delineation activities and/or soil excavation occurs during the time period of a high water table (approximately 8 feet below grade), the samples and excavation will not extend very deep into the soil and will likely miss significant contaminants. This is supported by the residual source area investigation which detected the highest concentration of 1,1,1-TCA at a depth of 11.5 to 12 feet below grade at soil boring SB-7.

   AMKO should closely follow trends in water table elevations during 2009 to determine the most appropriate time to sample and begin excavation activities. Ohio EPA recommends that the soil delineation and subsequent excavation occur during a period of relatively low water table elevations (approximately 867 feet MSL to 868 feet MSL). This may delay the delineation and excavation activities until late summer/fall of 2009. Ohio EPA is willing to discuss this issue with AMKO in further detail.

3. **Section 3.1, page 3-2** –The closure plan states that well abandonment will occur in accordance with the "State of Ohio Technical Guidance for Sealing Unused Wells", 1996. In addition, acceptable procedures are outlined in Chapter 9 – "Sealing Abandoned Monitoring Wells and Boreholes" in Ohio EPA's Technical Guidance for Ground Water Investigations. A link to this chapter may be found on the Ohio EPA internet page at: http://www.epa.state.oh.us/ddagw/Documents/TGM-9.pdf.

   Whichever guidance is used, the closure plan needs to document the specific well abandonment procedures to be used by AMKO.

4. **Section 3.2, page 3-2** – The plan states that following the completion of soil delineation activities, risk-based numbers will be developed. Once AMKO develops these generic cleanup numbers (GCN), Ohio EPA must review and approve these GCN's prior to exaction activities. In the GCN submittal, AMKO must also submit QA/QC information with the actual laboratory results for Ohio EPA review.

Please revise this section and the closure plan schedule to allow for Ohio EPA's review of AMKO's GCN and data package.

Compliance with the approved closure plan, especially including the modifications specified herein, is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action, pursuant to chapters 3734. and 6111. of the Ohio Revised Code, and other applicable law, to enforce such compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this approved closure plan. Please be advised that approval of this amended closure plan does not release AMKO Service Company from any responsibilities regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of $70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

When closure is completed, OAC rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of Ohio EPA, certification by the owner or operator and an independent, registered professional engineer, that the facility has been closed in accordance with the approved closure plan. The certification by the owner or operator shall include the statement found in OAC rule 3745-50-42(D). These certifications should be submitted to:

Ed Lim, Manager
Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Regulatory and Information Services Section
P.O. Box 1049
Columbus, Ohio 43216-1049

A copy should also be sent to:

Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Melody Stewart
Southeast District Office
2195 Front Street
Logan, Ohio 43138

Ohio EPA, Division of Hazardous Waste Management, strongly encourages you to consider pollution prevention options for any processes at your facility that generate waste. While implementation of pollution prevention options is not required by Ohio laws and regulations, the application of waste minimization practices may help reduce the expense of remedial activities. Additionally, implementation of pollution prevention options may prevent the creation of new units and, as a result, eliminate the requirement to submit a closure plan in the future.

Sincerely,

Chris Korleski
Director

CK/MS/mlm

cc: Ed Lim, Manager, ERAS, DHWM, CO
Melody Stewart, DHWM, SEDO