



State of Ohio Environmental Protection Agency

Northwest District Office

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Certified Mail

August 12, 2008

Mr. G. Michael Darr
Environmental Business Manager
BP Products North America Inc.
4850 East 49th Street
Cuyahoga Heights, Ohio 44125

**Re: Hazardous Waste Permit Modification
Class 1A Approval
BP Products North America
Lima Refining Company
U.S. EPA ID# OHD 005051826/ Ohio Permit # 03-02-0390**

Dear Mr. Darr:

On May 19, 2008, Ohio EPA received a request for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification (tracking number - 080519-1A-1) from BP Products North America, Inc., and Lima Refining Company. 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 June 20, 2003, Ohio Hazardous Waste Facility Installation and Operation Permit. Also, the records of Ohio EPA have been changed accordingly:

This modification removes the requirement for the Lima Refinery to complete semi-annual Performance Based Groundwater Monitoring (PBGWM) and also removes all references to the PBGWM Plan from the permit. Lima Refinery has completed the required PBGWM at five units as part of its Corrective Measures Implementation.

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OHIO EPA
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DIV. OF HAZARDOUS
WASTE MGT.

In accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), BP Products North America and Lima Refining Company 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 Jeremy Carroll at (614) 644-2830, or by e-mail at jeremy.carroll@epa.state.oh.us.

If you have any questions concerning this action, please contact Don North at the Ohio EPA Northwest District Office, 419-373-3074.

Sincerely,



Shannon Nabors, District Chief
Northwest District Office

/lb

pc: Jeremy Carroll, Supervisor, Engineering Unit, DHWM, CO
Don North, DHWM, Northwest District Office
DHWM, NWDO, Lima Refining Company Permit File
7006 0100 0003 7708 6371

ec: Dave Sholtis, Asst. Chief, DHWM CO
Gary Deutschman, DHWM, NWDO
John Pasquarette, DHWM, NWDO

Table 3 – MCSs for Ground Water	
COC	MCS (milligram per liter)
Beryllium	0.004
Cadmium	0.005
Chromium (total)	0.1
Cobalt	2.2
Cyanide	0.2
Lead	0.015
Mercury	0.002
Nickel	0.73
Selenium	0.05
Silver	0.18
Thallium ^b	0.002
Vanadium	0.26
Zinc	11.0

Notes: ^a COC for SWMU 63 only
^b COC for SWMUs 62 and 63 only

ii) Points of Compliance (POC)

A POC is a location at which an MCS must be met. For soil, the POC is the lateral extent of the boundary of the SWMU, SWMU Group, Area of Concern, or SWMU Group Area and vertical extent where COCs are present at concentrations equal to or exceeding the MCSs or where post-remedial risk evaluations show that COCs pose a significant risk above Ohio EPA's acceptable risk goal of 10^{-5} or a total hazard index greater than 1.0.

- 2) After implementing corrective measures for soils, samples will be collected to determine if Constituents of Concern (COCs) are present at levels above the MCSs. If COCs are present at levels above the MCSs, a post-remedial risk evaluation will be conducted. If the post-remedial risk evaluation shows that the COCs that are present at levels above the MCSs do not pose a significant risk above Ohio EPA's acceptable risk level of 10^{-5} or Hazard Index of less than 1, then no further corrective measures will be implemented. However, if the post-remedial risk evaluation shows that the COCs that are present at levels above the MCSs do pose a significant risk above Ohio EPA's acceptable risk level of 10^{-5} or Hazard Index greater than 1, then further corrective measures will be implemented.

b) Selected Remedies

Based on the results of the completed RFI and the establishment of facility-wide institutional controls, Ohio EPA has determined that the SWMUs and SWMU Groups listed below do not pose a threat to human health and the environment. Therefore, these SWMUs and SWMU Groups do not require further action.

SWMU 41 – Miscellaneous Sump
SWMU 64 – Old Fire Training Area
SWMU 68 – Former Lube Plant
SWMU 69 – Aromatics Closed Drain System
SWMU 70 – Tank 214
SWMU 71 – Tank 207
SWMU 72 – Tank 209
Partial SWMU Group G – SWMU 49 - D-Pond; SWMU 50 - A-Pond; SWMU 51 - B-Pond.

c) Specific Remedies

Specific remedies for individual SWMUs, SWMU groups, and areas at the facility are described below. These remedies shall be implemented in accordance with the CMICWP approved by U.S. EPA and the Terms and Conditions of this Permit.

- 1) Reserved
- 2) SWMU 7 – L-5 Landfill
 - i) Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.
- 3) SWMU 8 – L-6 Landfill
Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.
- 4) SWMU 46 – Old Primary Pond
 - i) Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.
- 5) SWMU 52 – South Plant Sewer System and SWMU 53 – North Plant Sewer System

- ii) Implement the plan to determine if contaminated ground water has migrated beyond the property boundary.
 - iii) If ground water contaminated above unrestricted use standards has migrated beyond the Facility property boundary, implement Corrective Action(s) in accordance with Condition E.2.
 - iv) Implement corrective measures for SWMU 62 in accordance with the CMICWP approved by U.S. EPA.
- 10) SWMU 63 – Buckeye Road Landfill
- i) Within one hundred sixty (160) days of the effective date of the permit, submit to Ohio EPA a plan and schedule to determine if ground water contaminated above unrestricted use standards has migrated beyond the Facility property boundary.
 - ii) Implement the plan to determine if contaminated ground water has migrated beyond the property boundary.
 - iii) If ground water contaminated above unrestricted use standards has migrated beyond the Facility property boundary, implement Corrective Action(s) in accordance with Condition E.2.
- 11) SWMU 67 – Former Coke Pile
- Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.

- 12) SWMU Group A – Old Drum Storage Area (SWMU 3) and L-3 Waste Pile (SWMU 5)
Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.
- 13) Area 3 – SWMU Groups B, E, and F
- SWMU Group B consists of:
Old Container Storage Area (SWMU 12)
South Container Drying Pit (SWMU 32)
North Container Drying Pit (SWMU 34)
North Impounding Pond (SWMU 45)
- SWMU Group E consists of:
Tank 77 (SWMU 30)
Tank 77A (SWMU 31)
Tank 78 (SWMU 35)
Tank 79 (SWMU 36)
- SWMU Group F consists of:
AFU Pond (SWMU 42)
Oily Sludge Pond (SWMU 43)
Sludge Drying Pit (SWMU 60)
- i) Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.
- ii) Reassess the technical impracticability of light non-aqueous phase liquid (LNAPL) remediation at five-year intervals to determine if advances in technology would allow removal of LNAPL, and report the reassessment results to Ohio EPA. The first report shall be submitted by October 30, 2007.
- iii) Reserved
- iv) If ground water monitoring indicates that the LNAPL is migrating or that COCs at concentrations posing unacceptable risk are present, implement remediation at the downgradient perimeter of the LNAPL as recommended in the October 2002 report titled "Technical Impracticability Area 3 LNAPL."
- 14) Ottawa River Area of Concern
- i) Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.

- ii) Implement deed restriction on the Permittee's property restricting the use of the Ottawa River from Permittee's property.

15) Zurmehly Creek Area of Concern

- i) Implement corrective measures in accordance with the CMICWP approved by U.S. EPA.
- ii) Implement deed restriction on the Permittee's property restricting the use of Zurmehly Creek from Permittee's property.

d) Ground Water Monitoring

Reserved

e) Progress Reports

The Permittee shall submit monthly progress reports to Ohio EPA by the 12th of the month.

f) Corrective Measures Completion Report

Within forty-five (45) days of completion of corrective measures implementation, the Permittee shall submit to Ohio EPA a Corrective Measures (CM) Completion Report and Operation and Maintenance (O&M) Plan.

- 1) If necessary, Ohio EPA shall provide written comments on the CM Completion Report and O&M Plan to the Permittee.
- 2) Within forty-five (45) days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new CM Completion Report and O&M Plan.
- 3) Ohio EPA shall approve or modify and approve, in writing, the amended or new CM Completion Report and O&M Plan. The CM Completion Report and O&M Plan, as approved or as modified and