



State of Ohio Environmental Protection Agency

OHIO E.P.A.

AUG 22 2008

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ENTERED DIRECTOR'S JOURNAL P.O. Box 1049  
Columbus, OH 43216-1049

**CERTIFIED MAIL**

August 22, 2008

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.

Mr. William Poston  
9965 Meldon Drive  
Streetsboro, OH 44241

By: Y.A. Shapiro Date: 8/22/08

**RE: CLOSURE PLAN APPROVAL FOR CLEAN CLOSURE: EXCAVATION TO RESIDENTIAL STANDARDS, PORTAGE PLATING, OHD 981 001 217**

Dear Mr. Poston:

On March 25, 2008, HzW Environmental Consultants, LLC (HzW), on your behalf, submitted to Ohio EPA a closure plan for the Portage Plating facility located at 9596 State Route 43, Streetsboro, Ohio. Revisions to the closure plan were received on July 14, 2008. The closure plan was submitted pursuant to the consent order filed on July 3, 2006 (State of Ohio v. William Poston, Case No. CV00765) in order to demonstrate that Portage Plating's proposal for closure complies with the substantive requirements of OAC rules 3745-55-11 and 3745-55-12.

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

Based upon review of Portage Plating's submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 9596 State Route 43, Streetsboro, Ohio, as modified herein, meets the performance standard contained in OAC rule 3745-55-11, and complies with the pertinent parts of OAC rule 3745-66-12.

The closure plan submitted to Ohio EPA on March 25, 2008, and revised on July 14, 2008, by HzW for Portage Plating is hereby approved with the following modifications:

1. Section 5.2, Additional Proposed Soil Sampling Activities.
  - A. The table on Page 15 is hereby modified to include the 0-1 and 1-2 feet sampling intervals at the proposed boring location, P-B70.
  - B. The last paragraph on Page 15 is hereby modified to be removed. The vertical extent of soil contamination will be determined in accordance with Appendix G of the July 14, 2008 Closure Plan.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

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- C. The first paragraph on Page 16 is hereby modified to clarify that the vertical extent of contamination still needs to be determined at soil boring locations B34 and B37 in accordance with Appendix G of the July 14, 2008 Closure Plan. Depending on the depth of excavations, samples should be collected at the bottom of the excavation floor and deeper, where necessary, to determine the vertical extent. At a minimum, soil boring locations B34 and B37 should be sampled from the 10-11 and 11-12 feet sample intervals to determine the vertical extent of contamination.
2. Appendix A, Figure 6, Proposed Excavation Areas and Depths. This figure is hereby modified to state that the grid containing soil boring B37 will be excavated to a depth of ten feet based on the most recent sampling result exhibiting an elevated nickel concentration above the remediation standard.
  3. Appendix H, Table titled MCA Calculations 8-9 feet and deeper is hereby modified to include the recent analytical result of 1680 mg/kg at HzWB34 from the 9-10 feet interval. This sample result is also modified to be highlighted since it will be excavated.

Compliance with the approved closure plan, 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 closure plan does not release Portage Plating 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, OH 43215

When closure is completed, OAC rule 3745-55-15 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:

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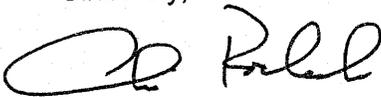
Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Attn: Dave Sholtis, Assistant Chief  
Regulatory and Information Services Section  
P.O. Box 1049  
Columbus, Ohio 43216-1049.

A copy should also be sent to:

Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Attn: Shannon Ryan  
Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087

Ohio EPA's 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. For assistance in identifying and implementing pollution prevention options, contact Shannon Ryan at (330) 963-1141.

Sincerely,



Chris Korleski  
Director

CK/SR:ddw

cc: Dave Sholtis, DHWM, CO  
Ed Lim, Manager, DHWM, CO  
Dale Meyer, USEPA, Region V  
Natalie Oryshkewych, DHWM, NEDO  
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