



State of Ohio Environmental Protection Agency

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October 25, 2010

Mr. Geoff Jones
Clean Harbors Environmental Services, Inc.
400 Arbor Lake Drive, Suite B-900
Columbia, SC 29223

**Re: Hazardous Waste Permit Modification
Class 1A Approval
Clean Harbors Recycling Services of Ohio, LLC
Hebron Recycle Center
U.S. EPA ID#: OHD980587364 / Ohio Permit #: 01-45-0518**

RECEIVED
OHIO EPA

OCT 28 2010

DIV. OF HAZARDOUS
WASTE MGT.

Dear Mr. Jones:

On October 5, 2010, Ohio EPA received a request, dated September 9, 2010, for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification (tracking number – OHD980587364-101005-1A-1) from Clean Harbors Recycling Services of Ohio, LLC. 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 17, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit:

Non appendix change for adjustment of the interim dates in the Work Plan compliance schedule, revision to the methodology for calculation of background concentrations in ground water, and resolution of inconsistencies in the Permit.

The records of Ohio EPA have been changed accordingly. Attached is a copy of the permit revisions. This has been included to ensure that all involved parties have written confirmation of the changes*.

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

Clean Harbors Recycling Services of Ohio, LLC
HW Class 1A Approval
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If you have any questions concerning this action, please contact Melissa Storch at the Ohio EPA Central District Office at (614) 728-3887.

Sincerely,



Isaac A. Robinson III
Chief
Central District Office

*Also, in accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), the Permittee must 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 A. Carroll, P.E., Manager, Regulatory and Information Services Section at (614) 644-2917, or by e-mail at jeremy.carroll@epa.state.oh.us.

c: Susan Sevy, Clean Harbors Recycling Services of Ohio, LLC,
Jeremy Carroll, Manager, RISS, DHWM, CO
Supervisor, Engineering Unit, DHWM, CO
Melissa Storch, DHWM, CDO
Randy Sheldon, DHWM, CDO
Jason Reed, DDAGW, CDO

for all VOCs, SVOCs, and metals in the appendix to OAC Rule 3745-54-98.

- (a) The modification must state that in the event that new constituents are detected and confirmed at any well, the Permittee will add these constituents to the monitoring list (Section 4.0 of Appendix 5-1 of the permit application) and will establish ground water containment standards for those constituents in Table 5-2 of Section 5.
 - (b) The presence or absence of new appendix to OAC Rule 3745-54-98 constituents may require confirmation using appropriate detection monitoring statistical procedures. Also, background values for any newly detected constituents will need to be established. The modification must include methodology for establishing necessary background values.
 - (c) The modification must state that if the Permittee determines that any ground water containment standard or concentration limit is being exceeded at any monitoring well identified in the permit; the Permittee must evaluate its remediation systems to determine if they are capable of satisfactorily addressing the newly-discovered contaminants. A permit modification request, pursuant to OAC Rule 3745-50-51, must be submitted to request revision of the corrective action implementation section of the Part B permit (Permit Condition E.9) to reflect necessary changes to the remediation system.
- (ii) The Permittee must establish revised risk-based cleanup levels for the soil and ground water at the facility outlined in Permit Condition E.9(a)(v) in accordance with the following schedule:
- (a) The Permittee must submit, within ninety (90) days after installation of the additional ground water monitoring wells approved pursuant to the permit modification required by Permit Condition A.27(a)(i), a risk assessment work plan that outlines the Permittee's proposed approach to developing risk-based cleanup levels for soil and groundwater at the facility.
 - (b) The Permittee must submit, within ninety (90) days following the receipt of the laboratory analyses for the samples collected in accordance with the approved risk assessment work plan, a risk assessment report.

- (c) The Permittee must submit within sixty (60) days of the Ohio EPA approval of the risk assessment report required by Permit Condition A.27(a)(ii)(b), a Class 3 modification request, pursuant to OAC Rule 3745-50-51, to revise the risk-based cleanup levels established for soil and ground water in the permit.

- (iii) The Permittee must submit, within sixty (60) days of Ohio EPA approval of the risk assessment report required by Permit Condition A.27(a)(ii)(b), a Class 3 permit modification request to Ohio EPA in accordance with OAC Rule 3745-50-51. This modification must integrate the ground water monitoring requirements for the UST post closure care and site-wide corrective action at the facility. The modification must establish a ground water corrective action monitoring program that is effective in determining compliance with the ground water containment standards at the point of compliance, and must include the following elements:
 - (a) The program must define the extent of contamination;
 - (b) The program must establish ground water containment standards;
 - (c) The program must establish objective criteria or measures by which the effectiveness of the corrective action program will be regularly assessed;
 - (d) The program must identify the monitoring wells to be sampled and the parameters to be analyzed for during each ground water sampling event; and
 - (e) The program must include updates to the Operation and Maintenance Plans (O & M plans) referenced in Permit Conditions E.9(a)(i) and (ii), Corrective Measures Implementation. The O&M plans must be revised to include (1) contingency procedures to address system breakdowns and operational problems; (2) alternate procedures to be implemented if the corrective measures suffers complete failure

the procedures in Chapter 13 of Ohio EPA's Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring, February 1995. The Permittee must either establish background concentrations using a minimum of eight (8) samples collected quarterly from monitoring wells H-1S and H-1DD or through an inter-well statistical method, providing the Permittee collects at least eight independent data points over at least a one-year period that are representative of background conditions, consistent with Permit Condition G.6(c).

- (c) Request modification of the Part B permit to add any confirmed, non-background constituents to Section 4.0 of Appendix 5.1 of the Permittee's Part B permit application and implement any changes to current remedial measures necessary to effectively address the newly identified constituents.

(b) Permit Modification

Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51, to require implementation of any additional corrective measure(s) required for newly identified units or releases from existing units as necessary.

The Permittee shall not implement the corrective measure until the permit is modified pursuant to OAC Rule 3745-50-51.

(c) Financial Assurance

OAC Rule 3745-54-101

The Permittee must provide financial assurance in the amount specified in Section 9 of the permit application as necessary to implement the selected remedy described in condition E.9.(a) of this permit, including current and future operation and maintenance costs.

As part of any future modification of this permit to incorporate additional corrective measures, the Permittee must provide financial assurance in the amount determined by the Director as necessary to implement the additional corrective measures as required by OAC Rule 3745-55-011(B) and (C).

MODULE G – GROUND WATER MONITORING

G. GROUND WATER MONITORING

The Permittee is currently maintaining two (2) ground water monitoring systems: 1) the site-wide system installed under the 1989 Administrative Order on Consent between the Permittee and U.S. EPA to monitor corrective action effectiveness, and 2) the system used to monitor the UST area during the post-closure care period. Site-wide corrective action was required to address releases to soil and ground water resulting from a November 1985 fire at the facility. In addition, during closure of the UST area (former location of tank #s 18, 19, 20, and 21), in accordance with the closure/post-closure for the unit approved by Ohio EPA on September 30, 1992, residual contamination was found in the soil and ground water that necessitated closure of the unit as a landfill. The post-closure care period for the unit began on March 29, 1993, the date that the Permittee completed closure of the unit.

A schedule of compliance for the Permittee's submittal of a Class 3 permit modification to designate a more appropriate corrective action program is included in this permit as Permit Condition A.27(a). Pursuant to Permit Condition A.27(a), the Permittee is required, within sixty (60) days of Ohio EPA approval of the risk assessment report required by Permit Condition A.27(a)(ii)(b), to submit a permit modification request to integrate the programs to monitor post-closure care of the UST unit (Module G) and site-wide RCRA corrective action (Module E).

G.1 Applicability

OAC Rules 3745-50-44(B), 3745-54-90 and 3745-54-91

- (a) The Permittee must comply with the applicable requirements in OAC Rules 3745-54-90 through 3745-54-100 for the purpose of detecting and characterizing releases to the uppermost aquifer, and evaluating the effectiveness of the corrective action program for the UST area (former location of tank #s 18, 19, 20, and 21). This unit is under post-closure care as a landfill and has been monitored under OAC Rule 3745-54-100 since issuance of a permit to the Permittee on June 30, 1998. This monitoring is based on and shall be as effective as the program for compliance monitoring under OAC Rules 3745-54-97 and 3745-54-99.
- (b) OAC Rules 3745-54-90 through 3745-54-100 apply during the active life, which includes the closure period, of the above-mentioned regulated unit. After closure of the regulated unit, OAC Rules 3745-54-90 through 3745-54-100:

Hazardous Constituents	Concentration Limits (ug/l)
Bromoform	5
trans-1,3-Dichloropropene	5
2-Hexanone	20
4-Methyl-2-pentanone	20
1,1,2,2-Tetrachloroethane	5
Tetrachloroethene	5
Chlorobenzene	5
Toluene	1000
Styrene	100
Ethylbenzene	700
Xylene	10,000

In addition to the hazardous constituents listed above, the Permittee must monitor the following parameters:

- (i) Field Parameters: Temperature, specific conductance, and pH
- (ii) Additional Constituents (VOCs):

Hazardous Constituents	Detection Limits (ug/l)
Acetonitrile	100
Acrylonitrile	100
Allyl chloride	5
Benzyl chloride	25
Bromobenzene	5
Bromochloromethane	10
Bromodichloromethane	5

G.6. Sampling Frequency
OAC Rule 3745-54-97(G)

Data on each hazardous constituent specified in Permit Condition G.2(a) will be collected from background wells and wells downgradient of the compliance point. The sampling procedure and interval for each constituent is described in Section 2.3 of Appendix 5-1 of the permit application.

- (a) The number and kinds of samples collected to establish background must be appropriate for the form of statistical test employed, following generally accepted statistical principles.
- (b) The sample size must be as large as necessary to ensure with reasonable confidence that a contaminant release to ground water from a facility will be detected.
- (c) Background values shall be established in the permit through the permit modification process set forth in OAC Rule 3745-50-51. The established background values and the computations necessary to determine background values must be included in the operating record and must be submitted to Ohio EPA in accordance with the schedule of compliance in Permit Condition A.27(a)(vii). Background data may be updated as necessary to provide an accurate representation of background ground water quality in accordance with the following.
 - (i) The sampling procedure must be one of the following:
 - (1) A minimum of eight independent samples, collected at evenly-spaced intervals over a one-year period, from each background well to determine background ground water quality for each parameter and/or constituent. Additional sampling for the establishment of background ground water quality beyond the two year period will be allowed if adequately justified and approved by Ohio EPA; or
 - (2) If an intra-well statistical method is to be used, the Permittee must collect at least eight data points over at least a one year period from each well (background and compliance wells); or
 - (3) If an inter-well statistical method is to be used, the Permittee must collect at least eight independent data points over at least a one-year period that are representative of background conditions.

- (ii) The Permittee shall, if necessary, establish background within one year of confirming the presence of a new hazardous waste constituent in the ground water.