OhioEPA
State of Ohio Environmental Protection Agency

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OHIO E.P.A.
JUN 30 2009
ENTERED DIRECTOR'S JOURNAL

CERTIFIED MAIL 7008 0500 0002 0748 6504

June 30, 2009

Mr. Thomas Kellogg
Seneca Wire & Manufacturing Co.
319 South Vine Street
Fostoria, Ohio 44830

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: [signature] Date: 6-30-09

Re: Closure Plan Approval
RISK ASSESSMENT
Seneca Wire & Manufacturing Co.
EPA ID No.: OHD 004 177 374

Dear Mr. Kellogg:

On November 14, 2008, Seneca Wire & Manufacturing Co submitted to Ohio EPA a closure plan for the former firebrick hazardous waste storage piles located at 319 South Vine Street, Ohio. Revisions to the closure plan were received on March 4, 2009. The closure plan was submitted pursuant the June 29, 2009 Director's Final Findings and Orders in order to demonstrate that Seneca Wire & Manufacturing Co. proposal for closure complies with the substantive requirements of Ohio Administrative Code (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 Seneca Wire & Manufacturing Co submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 319 South Vine Street, Fostoria, 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 November 14, 2008, and revised on March 4, 2009, by Seneca Wire & Manufacturing Co. is hereby approved with the following modifications:

1. Pages 4 and 5, Section 8.0, last paragraph, language in the last sentence needs to be modified and a new sentence needs to be added to the paragraph: **The environmental report ~~will~~ MAY include the certification of closure required in accordance with OAC 3745-55-15. Otherwise, the certification of closure will**

be provided to Ohio EPA as a separate submittal within 60 days after completion of closure activities in accordance with OAC 3745-55-15.

2. Page 7, Section 12.0, third paragraph, language in the referenced paragraph and the fourth paragraph, which described where samples would have been collected, was removed from the closure plan. Additional language needs to be included to describe where soil samples will be collected. The following language should be added to the end of the third paragraph: **Sample locations for soil sampling will be selected based on visual inspection of the concrete surface and consultation with Ohio EPA staff. Soil samples will be collected underneath areas of the concrete where there are significant cracks or deterioration.**
3. Page 8, Section 12.0, fourth paragraph, the EQL/PQL for TCLP lead, which was added to the closure plan, needs to be removed and replaced with the EQL/PQL for the analysis of total lead in soil (i.e., value in mg/kg): ...WHICH FOR ~~TCLP LEAD IS 0.1 MG/L~~ **total lead in soil by USEPA Method 6010A is 2.0 mg/kg.**
4. Page 8, Section 12.0, fifth paragraph, the last sentence needs to be modified to remove the language about comparison of concrete test results to the lead TCLP standard: **Upon receipt of the laboratory analytical report,** ~~**concrete sample analytical results will be compared to the TCPL lead standard of 5.0 mg/L, while**~~ **soil lead analytical results will be compared to the AMS of 37 mg/kg.**
5. Page 10, Section 21.0, the following paragraph needs to be modified to add the regulatory requirements for financial assurance: ...WILL BE PREPARED AND ADDRESSED UNDER **OAC rules 3745-55-42 through 3745-55-47 and** THE DIRECTOR'S FINDINGS AND ORDERS ~~CURRENTLY UNDER NEGOTIATION~~.
6. Page 10, Section 22.0, Certification of Closure, the first sentence needs to be revised to state that the certification of closure will either be included within the environmental report discussed at the end of Section 12.0 or included in a separate report submitted to Ohio EPA after completion of closure activities. The first sentence of Section 22.0 needs to be replaced with the following language: **The certification of closure will either be included in a section within the environmental report described at the end of Section 12.0 or will be provided to Ohio EPA as a separate submittal within 60 days after completion of closure activities in accordance with OAC 3745-55-15.**

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 Seneca Wire & Manufacturing Co. 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:

Jeremy A. Carroll, P.E., 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:

Dawn Pleiman
Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402

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. 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. For assistance in identifying and implementing pollution prevention options, contact Amber Hicks at (419) 373-3082.

Sincerely,

Chris Korleski
Director

cc: Jeremy Carroll, Manager, RISS, DHWM, CO, Central File
Ed Lim, Manager, ERAS, DHWM, CO
Dawn Pleiman, DHWM, NWDO
Mike Allen, Supervisor, ERAS, DHWM, CO
John Schierberl, Supervisor, EU, DHWM, CO

ec: Amber Hicks, DHWM, NWDO