



RCRA Corrective Action Statement of Basis & Public Comment Period

October 2020

Facility Name: Midwest Klor Kleen Facility

U.S. EPA I.D.: OHD980821862

Location:

3118 Spring Grove Avenue
Cincinnati, Ohio 45225

Activity:

RCRA corrective action statement of basis for the remedies selected.

Comment Period:

November 7, 2020 to December 22, 2020

Submit Comments to:

Submit written comments by email to Publiccomment@epa.ohio.gov and indicate the comments concern the Midwest Klor Kleen, Statement of Basis.

Midwest Klor Kleen Facility



What does the facility do?

The Midwest Klor Kleen facility receives hazardous waste for the treatment and storage under a RCRA Part B permit prior to off-site treatment and disposal at another permitted facility.

What is the Statement of Basis?

The Statement of Basis is the document which describes the process Ohio Environmental Protection Agency (Ohio EPA) uses under the Resource Conservation and Recovery Act (RCRA) to select measures for containing or cleaning up a hazardous waste management facility. This statement of basis will be public noticed and will allow the community to review and provide comments to Ohio EPA if warranted. If any public comments are received, they will be addressed by Ohio EPA. A Decision Document will then be issued by the Director.

What is the history of corrective action at the facility?

Midwest Klor Kleen moved operations to its current location in January 1984. At that time, the facility recycled spent 1,1,1-trichloroethane (TCA), trichloroethene (TCE), perchloroethene (PCE), methylene chloride, and Freon compounds. Other permitted operations included acceptance and storage of certain hazardous wastes prior to off-site treatment and disposal at a permitted facility.

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Ohio EPA performed a Preliminary Review/Visual (PR/VSI) on January 17, 1991 to verify the location of all solid waste management units (SWMUs) and to document the units' condition. Based on the information acquired during the PR/VSI, a total of 19 SWMU were identified; however, only four SWMUs were identified for requiring further investigation. The four SWMU were the Storage Area and the Short Floor Drain, Long Floor Drain, and Sump within the Plant Process Area. Subsequently, the facility began investigating their potential environmental impacts of the identified SWMUs.

In 1993, the chlorinated solvent recycling stills were closed, and operations were modified to only be a distributor of recycled chlorinated solvents, a processor of non-hazardous waste, and a RCRA hazardous waste storage facility.

A release assessment was conducted in July of 1998 for the four identified SWMUs from the PR/VSI but also added the Pad for the Vehicle Entrance and Backhoe Storage Area and the Hazardous Waste Storage Area Pad for assessment. During the release assessment, the floor drain system in processing areas of the plant were tested and found to be leaking. Subsequent sampling in the vicinity of these floor drains and sumps indicated the presence of chlorinated solvent in subsurface soil. The source of the leak in the drain system was found and repaired by the facility. Since the floor drain system connected the three Plant Process Area SWMUs, these SWMUs were combined into an Area of Concern (AOC). The Release Assessment Report was submitted to U.S. EPA Region 5 on October 22, 1998 confirming contamination existed and further investigation was necessary for the Pad for the Vehicle Entrance and Backhoe Storage Area, the Hazardous Waste Storage Area Pad, and the identified AOC.

On December 23, 1996, Ohio was delegated authority for implementing the Corrective Action program through permits. Therefore,

when Ohio EPA issued a renewal of the Ohio Hazardous Waste Installation and Operation permit on December 22, 2000, Ohio had authorization for implementing the Permittee's Corrective Action. On December 14, 2005, Ohio EPA approved the RCRA Facility Investigation (RFI) Work Plan.

A Draft RFI Report was submitted to Ohio EPA in October 2006. Field activities focused on the collection of soil samples near identified SWMUs and AOC and the installation of six ground water monitoring wells to assess site-wide ground water quality. All samples were analyzed for volatile organic compounds (VOCs). Soil samples in the vicinity of the Hazardous Waste Storage Area Pad were also analyzed for RCRA metals and cyanide due to past practices in the area.

A Supplemental RFI Report was submitted in March 2009 indicated environmental impacts are limited to soil, soil vapor, and ground water at the facility and provided a site-specific risk assessment.

In March 2014, Ohio EPA requested Midwest Klor Kleen proceed with the Corrective Measures Study (CMS) to identify potential remedies to mitigate risks associated with the contamination. A Limited CMS combined the previously identified SWMU and AOC into the AOC – Soil and AOC Ground Water for the entire facility and was approved by Ohio EPA in December 2017. The following remedies were identified for potential implementation:

- The entire Site will be limited to commercial/industrial use only via an environmental covenant as an institutional control.
- The covenant will prohibit the permanent removal of the existing building slab without approval of the Ohio EPA.
- The covenant will limit ground water use on the Site to monitoring and remediation wells, as approved and permitted by the Ohio EPA.

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- A Site Management Plan will be prepared specifically for the facility as an administrative control.
- The existing building slab will serve as a suitable cap as an engineering control.
- A limited ground water monitoring program for the on-site and offsite ground water contamination will be developed and submitted to Ohio EPA for approval.

What would the Statement of Basis allow the facility to do?

This Statement of Basis concludes that no further corrective action should be required at the facility besides the building slab remaining as a cap, an environmental covenant, a site management plan and a ground water monitoring program. The environmental covenant will restrict land use to commercial/industrial use only, prohibit potable use of ground water, and will require reevaluation of the onsite vapor intrusion pathway if the concrete slab is excavated for utility work in the future.

What is the regulatory basis to support this Statement of Basis?

The regulatory basis is part of the Corrective Action obligations under OAC-3745-54-101. Accordingly, Ohio EPA is issuing a draft action indicating the Director's intention with respect to the issuance of a Final Decision Document to Klor kleen for the implementation of the remedies summarized.

Who can I contact for more information?

For additional information, please contact Brian Marlatt at brian.marlatt@epa.ohio.gov or (937) 285-6083.

What is the history of the hazardous waste program?

RCRA, an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include: to protect human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated, and to ensure that waste produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent was for the states to assume primary responsibility for implementing the hazardous waste regulations with oversight from the U.S. EPA. U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state program is at least equivalent to and consistent with federal laws, provides adequate enforcement authority and provides availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of their hazardous waste program.

How can I become more involved?

The comment period begins on November 7, 2020 and ends on December 22, 2020. The statement of basis is available for review by the public online on Ohio EPA's website under the "What's New" tab at:

<https://www.epa.ohio.gov/derr/>

The statement of basis is also available via Ohio EPA's eDocument portal:

<http://edocpub.epa.ohio.gov/publicportal/edoc/home.aspx>

Using the search function, search under the document type of "Remediation Response" and then refine the search using the facility's RCRA ID number Secondary ID which is OHD980821862. Select from the list of documents, the document dated October 2020.

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After the close of the public comment period, Ohio EPA will review all comments received and decide whether to issue the RCRA Corrective Action Decision Document based on the Statement of Basis. If there is significant interest in a public meeting, an announcement will be made on Ohio EPA's website (<https://www.epa.ohio.gov/derr/>) giving direction on how to attend a virtual public meeting. The final Decision Document will include a notification to those who submitted written comments during the official comment period. Ohio EPA will also prepare and send to all responders a document answering significant comments. Within 30 days of a final decision, any person who submitted written comments may petition Ohio EPA's Environmental Review Appeals Commission Board to review the decision.