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By:  Date: \_\_\_\_\_

## DECLARATION

9/29/2020

### SITE NAME AND LOCATION

Former AJ Weigand, Inc. Facility  
8870 St. Peters Church Rd.  
Bolivar, Ohio  
Tuscarawas County, Ohio  
OHT400013082

### STATEMENT OF BASIS AND PURPOSE

This Decision Document presents the selected remedial actions for AJ Weigand in accordance with the policies of the Ohio Environmental Protection Agency, statutes and regulations of the State of Ohio. This Decision Document also represents Ohio EPA's approval of the Investigation Work Plan submitted by the facility.

### ASSESSMENT OF THE SITE

Weigand's primary business activity since 1973 specialized in liquid chemical transportation of organic hazardous and non-hazardous chemicals in the United States and Canada. From 1973 to 1983, a tank washing station was used to wash out the interior of the tank trucks. This wastewater included listed and characteristic hazardous wastes consisting of corrosives, anilines and volatile organic chemicals (VOCs), which were discharged into the surface impoundment to the southwest of the facility. Prior to 1985, releases of oil product to the truck parking lot occurred before the trailers were washed.

1. On September 21, 1983, Ohio EPA conducted an inspection of the truck Parking lot spill and issued a notice of violation (NOV). Weigand voluntarily excavated the contaminated soils of the parking lot and collected confirmation samples in 1984 and 1985 that verified the contaminated spoil was removed. On March 11, 1986, Ohio EPA acknowledged that Weigand had substantially remediated the contaminant sources from the truck parking lot and RCRA violations resolved.
2. In March 1984, Weigand agreed to close the surface impoundment under an Amended Consent Agreement and Final Order with U.S. EPA. On May 30, 1984, Weigand entered into a Consent Agreement and Final Order with the U.S. EPA that required Weigand to submit a closure plan to the U.S. EPA and Ohio EPA for the unpermitted (former strip mine) surface impoundment that was used to treat hazardous waste from the facility. Ohio EPA assumed oversight for RCRA closure after 1989. A closure plan was submitted on August 29, 1988 and approved after revisions, on October 23, 2000. The unit was verified as closed by Ohio EPA on March 2, 2001 and released from the RCRA closure requirement.

3. On January 24, 2007, Ohio EPA notified Weigand of outstanding corrective action (CA) site-wide requirements resulting from the establishment of a hazardous waste treatment and disposal facility at the property. On April 10, 2007, U.S. EPA notified Weigand that the facility was added to the RCRA 2020 CA universe. On August 3, 2017, requested that Weigand provide information regarding the required milestones and timelines to meet the RCRA 2020 goals.
4. Weigand met with Ohio EPA on November 3, 2017 and discussed the need to address the corrective action CA requirements for the identified 12 solid waste management units (SWMUs) at the Weigand facility. In 2019, Weigand's consultant (B&N) installed nine soil borings and one groundwater monitoring well during the field investigation of the site to determine what closure actions remained to facilitate completion of the CA requirements of the units. On June 3, 2020, Weigand issued a Risk Investigation Summary Report (RISR), which is analogous to the RCRA Facility Investigation (RFI), which is used to demonstrate that CA obligations have been completed. Ohio EPA reviewed the RISR and has determined that the voluntary remedial activities taken by Weigand have fulfilled the substantive requirements of closure and corrective actions at the identified SWMUs of the facility.
5. Ohio EPA developed a preliminary decision on remedy selection for public comments by issuing a Statement of Basis on August 5, 2020. The document was made available to the public for review. There were no comments on the Statement of Basis.
6. The remedies selected for Weigand is to enter into an Environmental Covenant (EC) with Ohio EPA to prohibit the facility from being used for residential, incarceration, education, or specific agricultural activities. Weigand will submit a survey plat and legal description with the EC, specifying a 9.22-acre area of the facility will be restricted to commercial/industrial use. A 0.2296-acre area will also have an AUL that will assure future occupants are protected against potential vapor intrusion issues.

Ohio EPA found that the implementation of the selected remedies will protect public health and the environment by permanently reducing risks to acceptable levels and that additional remedies are not needed.

#### DESCRIPTION OF THE SELECTED REMEDIES

Remediation activities at the site consisted of:

- Environmental Covenant – negotiate the covenant with Ohio EPA, sign, and file with the county recorder's office.
- Abandon the monitoring well remaining on the site.
- Assess and mitigate active waste management units as they are taken out of service.

STATUTORY DETERMINATIONS

Today's selection and required implementation of remedial actions is protective of human health and the environment, is in accordance to applicable State and federal laws and is responsive to public participation and input. The remedies utilize permanent solutions, to the maximum extent practicable, to reduce toxicity, mobility and volume of hazardous substances at AJ Weigand. The effectiveness of the remedies will be reviewed regularly.



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Laurie Stevenson

Director

9/29/2020

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Date