Subject: Closure Plan Approval
RISK ASSESSMENT

Dear Mr. Metcalf:

On June 2, 2016, R.J. Corman Railroad Company/Western Ohio Line (R.J. Corman) submitted to the Ohio Environmental Protection Agency (Ohio EPA) a closure plan for several signal battery storage vaults (units) located between Mile Posts 95.5 and 119.8 from Celina to Fort Recovery, Ohio. The closure plan was submitted pursuant to the April 27, 2016 Director's Final Findings and Orders in order to demonstrate that R.J. Corman's 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 a review of R.J. Corman's submittal and follow-up communications, I conclude that the closure plan for the hazardous waste units between Mile Posts 95.5 and 119.8, as modified herein, meets the performance standard contained in OAC rule 3745-55-11 and complies with the pertinent parts of OAC rule 3745-55-12.

The closure plan submitted to Ohio EPA on June 2, 2016, by R.J. Corman is hereby approved with the following modifications:

Sec. 1.4.1 Impacted

1. The first paragraph in this section of the closure plan references two unit locations (MP 102.5B and 117.5A2) that were temporarily listed as "Impacted" until it can be determined if any hazardous material is at the bottom of these large vaults. One additional "Impacted" large vault should be listed, MP 111.6B2.
The third sentence under section 1.4.1 of the closure plan is hereby modified to reflect the addition of MP 111.6B2 to the sentence that lists the locations of where it is still unclear if batteries and/or rectifiers are in the unit.

Sec. 2.1.2.2 Structures on Soil *not the signal house closure steps

2. **Item 6.** The closure plan states that for the large vaults, soil samples will be obtained from below the unit by “drilling at the location with the greatest potential for failure as observed in the inspection.” One shallow soil sample will be collected and a deeper soil sample will be collected.

If a large crack or opening is found at the bottom or side of the unit, or if there are multiple deep cracks on the unit, then additional soil samples should be collected from the area. If it is unclear where the greatest potential for a release could have occurred because the size of the structural failure (crack) is large or if there are multiple deep cracks, then additional borings should be made along the failure(s). These decisions can be discussed with Ohio EPA for concurrence.

Item 6 under section 2.1.2.2 of the closure plan is hereby changed to the following:

Samples from small cylinders and signal boxes will be obtained by advancement of hand auger borings adjacent to the structure near where the crack or potential failure point was observed. Samples for large vaults will be obtained by drilling at the location(s) with the greatest potential for failure as observed in the inspection. One sample of the soil from 0-1 foot beneath a sample location, and a second sample from 1-2 feet below a sampling location will be collected. The shallow sample will be submitted for Pb, Hg, and selenium (Se) analyses. The 1-2 foot depth sample will be held pending analysis of the 0-1 foot sample.

3. **Item 8.** The second sentence of item 8 states: "If the 0-1 foot soil sample analytical results exceed a site-specific background level in item #7 above, then a release is indicated. The 1-2 foot sample will be analyzed for the exceeded analyte(s), and if the result is below background levels then the nature and extent will have been defined."

The 1-2 foot sample should be analyzed for all of the constituents of concern (COCs) (lead, mercury and possibly selenium), not just for the constituent that exceeded. All constituents must be found to be below the risk standard to adequately define the nature and extent of contamination.

The closure plan is hereby modified to say “The 1-2 foot sample will be analyzed for all of the constituents of concern, and if the results are below background levels, then the nature and extent will have been defined.”
Table 1 Structure Description and Closure Requirements

4. **MP 105.5** Under the Rectifiers column, the cell for MP 105.5 should state at least one rectifier. The General Observations and Waste Classification columns mention a rectifier or rectifier components in this unit. The Rectifiers column of Table 1 of the closure plan is hereby modified to state that at least one rectifier was identified at MP 105.5.

5. **MP 109.6** Under the Rectifiers column, the cell for MP 109.6 should state at least one rectifier. The General Observations and Waste Classification columns mention a rectifier or rectifier components in this unit. The Rectifiers column of Table 1 of the closure plan is hereby modified to state that one rectifier was identified at MP 109.6.

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 plan. Please be advised that approval of this closure plan does not release R.J. Corman 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 30 days after notice of the director's action. The appeal must be accompanied by a filing fee of $70.00 (made payable to "Ohio Treasurer of State") 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 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  
77 South High Street, 17th Floor  
Columbus, Ohio 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:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Erik Hagen, Manager, ERAS

A copy should also be sent to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Northwest District Office,
347 North Dunbridge Road, Bowling Green, Ohio 43402.
Attn: Michael Terpinski, Supervisor

If you have any questions about implementing this closure plan, please contact Dawn Pleiman at (419) 373-3148.

Sincerely,

Craig W. Butler
Director

ec: Erik Hagen, Manager, ERAS, DERR, CO
    Michael Terpinski, Supervisor, DERR, NWDO
    Mitch Mathews, Manager, DERR, CO
    Colleen Weaver, Manager, DERR, NWDO
    Don North, DERR, NWDO
    Don Vogel, DERR, CO
    Dawn Pleiman, DERR, NWDO
    RCRAInfo Data Entry