

given notice of the issuance of this Order as required by Section 106(a) of CERCLA, 42 U.S.C. Section §9606(a). This Administrative Order requires the Respondents to undertake remedial design and remedial action activities at the Big D Campground Superfund site located in Kingsville, Ohio, in response to an imminent and substantial endangerment to public health or welfare or the environment arising from the release or threat of a release of hazardous substances present at the Facility. This Order neither limits nor compromises the U.S. EPA's ability to issue subsequent Orders, or take other actions, to address any additional response action required at the Big D Campground Facility. The actions required by this Order are to implement response actions, as defined under Sections 101(25) and 104 of CERCLA, 42 U.S.C. §9601(25) and §9604, identified in U.S. EPA's Record of Decision dated September 29, 1989.

II.

PARTIES BOUND

2. This Administrative Order applies to and is binding upon the Respondents and their successors and assigns and their respective directors, officers, employees, agents, representatives, consultants, contractors, and for all persons, firms or corporations that act in concert or privity with the Respondents, their employees, successors and assigns with respect to actions taken to remedy the contamination at the Big D Campground Facility. Respondents shall provide a copy of this

Administrative Order to any architect, engineer or contractor hired to perform the work required by this Administrative Order. Respondents shall also require that such architect, engineer or contractor provide a copy of this Order to any subcontractor retained to perform any part of the work required by this Administrative Order.

III.

DEFINITIONS

3. Whenever the following terms are used in this Administrative Order or the Appendices attached hereto, the definitions specified in this Section shall apply:

A. "Architect" or "Engineer" means the company or companies retained by the Respondents to prepare the construction plans and specifications necessary to accomplish the performance standards and remedial action described in this Order and the Big D Campground Record of Decision (ROD) and the Scope of Work (SOW). The ROD and SOW are attached to this Administrative Order as Appendices A and B, respectively, and incorporated herein.

B. The Big D Campground Superfund site ("Facility") is a "facility" as that term is defined by Section 101(9) of CERCLA, 42 U.S.C. Section §9601(9). The Facility is located in the City of Kingsville, Ashtabula County, Ohio (see Figure 1 of the ROD, Appendix A) and includes the landfill (source area) and any area where hazardous substances have been deposited, stored, or disposed of, or otherwise come to be located as a result of

hazardous substances being placed in the landfill.

C. "CERCLA" means the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499.

D. "Cleanup and Performance Standards" refers to the treatment and performance/design standards which the Remedial Design/Remedial Action must achieve at the Big D Campground Facility. The cleanup and performance standards are identified in Section VI of this Administrative Order and in the ROD, and referenced in the SOW.

E. "Contractor" means the company or companies retained by the Respondent to undertake and complete the work required by this Administrative Order. Each contractor and subcontractor shall be qualified to do those portions of the work for which it is retained. Each contractor and subcontractor shall be deemed to be related by contract to the Respondents within the meaning of 42 U.S.C. Section 9607(b).

F. "Hazardous substance" shall have the meaning provided in Section 101(14) of CERCLA, 42 U.S.C. §9601(14).

G. "National Contingency Plan" ("NCP") shall have the meaning provided in Section 101(31) of CERCLA, 42 U.S.C. §9601(31).

H. "OEPA" means the Ohio Environmental Protection Agency.

I. "Oversight Costs" mean any costs incurred by U.S. EPA not inconsistent with the NCP in monitoring the compliance of the

Respondents with this Administrative Order and the effectiveness of the remedial action. These costs include, but are not limited to, direct payroll costs, sampling and laboratory costs, indirect or overhead costs, travel costs, contractor costs, and the costs of periodic review described in Section VI below.

J. "Parties" means the U.S. Environmental Protection Agency and the Respondents.

K. "Record of Decision" or "ROD" means the Record of Decision issued by U.S. EPA on September 29, 1989, attached hereto and incorporated herein as Appendix A. The Record of Decision is the decision document representing the selected remedial action for the Big D Campground Facility.

L. "Respondents" mean Olin Corporation and Andrew Dreslinski.

M. "Response Costs" means any costs incurred by U.S. EPA pursuant to 42 U.S.C. Section 9601 et. seq.

N. "ROD Record" means the Administrative Record which includes all documents considered or relied upon by the Regional Administrator in selecting the remedy described in the ROD as set forth in Appendix A.

O. "Section 106 Administrative Record" means the Administrative Record which includes all documents considered or relied upon by U.S. EPA in preparation of this Administrative Order and includes, but is not limited to, the ROD Administrative Record. The Section 106 Administrative Record Index is a listing of all documents included in the Section 106 Record, as set forth

in Appendix C.

P. "State" means the State of Ohio.

Q. "Scope of Work" or "SOW" means the scope of work for implementation of the remedial design, remedial action, and operation and maintenance of the remedial action at the Big D Campground Facility, as set forth and incorporated herein as Appendix B.

R. "United States" means the United States of America.

S. "U.S. EPA" or "the Agency" means the United States Environmental Protection Agency.

T. "Waste Material" means any hazardous substance as defined by Section 101(14) of CERCLA, 42 U.S.C. §9601(14), and any associated "pollutant" or "contaminant" material, as defined by Section 101(33) of CERCLA, 42 U.S.C. §9601(33).

U. "Work" means the activities to be undertaken by Respondents in accordance with this Administrative Order and appendices hereto.

IV.

FINDINGS OF FACT

4. The Big D Campground Facility is located in the City of Kingsville, Ashtabula County, Ohio, approximately 2.5 miles south of Lake Erie and 50 miles northeast of Cleveland. The Facility is located south of Creek Road in Kingsville, north of Conneaut Creek and west of "Big D Kampground", a campground operated on property adjacent to the Facility.

5. The Facility includes a former sand and gravel quarry which was used as a landfill for the disposal of hazardous and non-hazardous materials from 1964-1976 (source area). Hazardous substances were deposited, placed, and located at the Facility. In particular, non-halogenated and halogenated solvents, caustics and oily substances contained in drums, and bulk toluene diisocyanate (TDI) were disposed of at the Facility. Other wastes believed to have been disposed of at the Facility include: spent vacuum pump oil (possibly contaminated with TDI or phosgene), TDI residue contaminated with monochlorobenzene (MCB) and carbon tetrachloride, soil contaminated with diaminotoluene (TDA) and TDI, fly ash, trash, monoethanolamine (MEA), off-specification TDI, and TDI and TDA in sample cans and bottles. An estimated 2,500 to 5,000 drums are buried in the Facility landfill with an estimated 25,000 to 30,000 cubic yards of contaminated materials in the Facility landfill.

6. The Facility landfill is approximately 1.2 acres in size and approximately 20 feet deep. The Facility landfill is located on a relatively level surface which gently slopes north towards Lake Erie (northern area). Approximately 50 feet south of the southern edge of the Facility landfill the land slopes sharply towards Conneaut Creek (southern area).

7. The Facility is bordered by Conneaut Creek to the south, a

campground to the southeast, open land to the west, residences with small acreage to the north and a swamp approximately 1/2 mile north.

8. The United States Environmental Protection Agency ("U.S. EPA"), pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. Section §9605, placed the Big D Campground Facility in Kingsville, Ohio on the National Priorities List, which is set forth at 40 CFR Part 300, Appendix B, by publication in the Federal Register on September 8, 1983, Fed. Reg. 46017 - (1983).

9. Notice letters and CERCLA Section 104(e) information request letters were sent to three Potentially Responsible Parties (PRPs) in April, 1985; Olin Corporation (generator) Brenkus Construction Co. (operator) and Andrew Dreslinski (owner). Olin's response to the information request indicated that they were a substantial contributor of hazardous substances to the Facility. In December, 1985 negotiations to conduct the RI/FS began with Olin, the only PRP to respond positively to EPA's notice letter. No agreement was reached and EPA ended negotiations on or about February 15, 1986. U.S. EPA began the fund financed RI/FS in late 1986.

10. The RI and FS reports were completed June 1989. The reports

concluded the following in regard to the Facility (this information is presented in further detail in the ROD, located in Appendix A):

A. Nature and Extent of Contamination

1. Source Area

A geophysical survey was performed which indicated a rectangular trench in the northern area of the Facility (approximate size 1.2 acres). Based on the geophysical survey two test pits were excavated. These pits verified the presence of buried drums (intact and either partially crushed or ruptured), bulk waste and contaminated soil in the Facility landfill (source area).

Analytical results revealed that the same organic compounds found in the ground water and subsurface soil samples outside the Facility landfill are also present in the source area.

2. Soils (outside the source area)

Surface and subsurface soil samples were collected from nine locations surrounding the source area. Inorganic compounds were detected in isolated areas.

Organic compounds were detected in the soils. Chlorobenzene was the organic compound detected most frequently and at the highest concentrations.

3. Ground Water

Two rounds of ground water sampling were conducted at Facility

wells around the source area, Facility wells located south of the source area near the creek and six residential wells. Shallow Facility wells and Facility wells near the creek showed concentrations of inorganic contaminants above background levels. Deep Facility wells also have concentrations of some inorganic constituents above background levels.

Organic indicator compounds were detected in shallow Facility wells and wells near the creek. The indicator chemicals detected include chlorobenzene, 1,2- and 1,4-dichlorobenzene, trans-1,2-dichlorobenzene, diaminotoluene, tetrachloroethene and vinyl chloride. Deep Facility wells detected organic compounds at low concentrations. This indicates the possibility of vertical contaminant migration through the aquitard at localized areas.

B. Fate and Transport

Thirteen of the twenty-five contaminants identified in the source area, soils, ground water and surface water were identified as indicator chemicals. Indicator chemicals were chosen based on factors such as the number of times a chemical was detected, the maximum concentration, and persistence and toxicity to human health and the environment. The indicator chemicals at the Big D Campground Facility are listed below:

Inorganic

barium
beryllium
chromium
lead
nickel

Organic

chlorobenzene
1,2-dichlorobenzene
1,4-dichlorobenzene
trans-1,2-dichloroethene
diaminotoluene
trichloroethene
tetrachloroethene
vinyl chloride

Fate and transport of organic and inorganic contaminants at the Facility, the exposure assessment and toxicity assessment of the indicator chemicals identified at the Facility are discussed in detail in the ROD, Appendix A.

C. Risk Characteristics

The actual or potential risks to human health or the environment associated with contaminants at or released from the Facility were assessed. Risk levels were calculated by using estimated exposure doses and risk factors established by U.S. EPA.

To determine the non-carcinogenic risks, a hazard index (HI) was calculated for each contaminant of concern for which an allowable chronic intake (ACI) has been established by the U.S. EPA. The HI is the ratio between the estimated exposure dose for each contaminant and the acceptable exposure level for that same contaminant. In all cases, the ACI was used to represent each contaminant's acceptable exposure.

Carcinogenic risks were evaluated in terms of upperbound excess lifetime cancer risks to children who ingest soils from the

upper or lower portions of the Facility under probable case and worst case conditions. These risks were calculated using the following equation:

Upperbound Excess

$$\text{Lifetime Cancer Risk} = (\text{Average Lifetime Dose}) \times (\text{Carcinogenic Potency Factor})$$

Recent U.S. EPA guidance indicates that the target carcinogenic risks resulting from exposures at a Superfund site may range from between 10^{-4} to 10^{-7} . U.S. EPA Region V has a risk policy that cancer risks greater than 10^{-6} are generally considered unacceptable. Thus, the selected remedy should be able to reduce total potential carcinogenic risks to levels of 10^{-6} or less. Table 3 in the ROD (Appendix A) presents a summary of the potential risks associated with the various scenarios evaluated. Potentially significant risks are defined as those with a Hazard Index of greater than 1.0 or a cancer risk of greater than 10^{-6} .

Ingestion of ground water identified total cancer risks as high as 1×10^{-2} under worst case conditions from all three aquifers. The contaminants associated with these risks are 2,4-diaminotoluene, tetrachloroethene, trichloroethene and vinyl chloride. Trichloroethene contamination levels identified in ground water were up to 1500 times in excess of federal standards for drinking water. Non-carcinogenic risks, based on worst case exposure doses, were also identified for all three aquifers. The primary contaminants associated with these risks are

chlorobenzene and tetrachloroethene. Chlorobenzene contamination levels identified in ground water were up to 750 times in excess of federal standards for drinking water. Residents within 1/2 mile of the Facility, north of Conneaut Creek, use ground water for drinking.

11. On July 28, 1989, U.S. EPA, pursuant to Section 117 of CERCLA, 42 U.S.C. Section §9617, published notice of the completion of the RI/FS and of the Proposed Plan for remedial action and provided opportunity for public comment to be submitted in writing to U.S. EPA by August 26, 1989, or orally at a public meeting held in the City of Kingsville, Ohio, on August 8, 1989.

12. U.S. EPA, pursuant to Section 117 of CERCLA, 42 U.S.C. Section §9617, has kept a transcript of the public meeting and has made this transcript available to the public as part of the ROD Administrative Record located at the Kingsville Township Public Library, 6006 Academy Avenue, Kingsville, Ohio, 44048 and U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois.

13. By letter dated November 20, 1989, U.S. EPA, pursuant to Section 122 of CERCLA, 42 U.S.C. Section §9622, notified Olin Corporation, Brenkus Excavating and Andrew Dreslinski that the U.S. EPA determined them to be potentially responsible parties ("PRPs") regarding the proposed remedial action at the Facility.

At that time U.S. EPA notified the PRPs of the beginning of the 60-day negotiating moratorium required by Section 122(e)(2)(A) of CERCLA, 42 U.S.C. §9622(e)(2)(A).

14. In accordance with Section 121(f)(1)(F) of CERCLA, 42 U.S.C. Section §9621(f)(1)(F), U.S. EPA notified the State of Ohio of impending negotiations by sending it a copy of the November 20, 1989 letter sent to the PRPs regarding the scope of the remedial design and remedial action for the Facility. U.S. EPA has provided the State with an opportunity to participate in such negotiations and be a party to any settlement.

15. Pursuant to Section 122(j) of CERCLA, 42 U.S.C. Section §9622(j), U.S. EPA notified the Federal natural resource trustee of impending negotiations with the PRPs on the subject of addressing the release or threatened release of hazardous substances at the Facility, and U.S. EPA has encouraged the participation of the Federal natural resource trustee in such negotiations.

16. Certain persons have provided comments on U.S. EPA's Proposed Plan for remedial action, and to such comments U.S. EPA provided a summary of responses.

17. Considering the Proposed Plan for remedial action and the

public comments received, U.S. EPA reached a decision on a final remedy.

18. U.S. EPA's decision on the final remedy is embodied in a document called a Record of Decision ("ROD"), to which the State has given its concurrence, and which includes a discussion of U.S. EPA's reasoning in choosing the final remedy, a response to each of the significant comments, criticisms and new data submitted during the public comment period for the proposed plan and feasibility study, and a discussion of the fact that no significant changes in the proposed remedial action plan and the ROD were made as a result of the public comment period.

19. U.S. EPA, pursuant to Section 117(b) of CERCLA, 42 U.S.C. Section §9617(b), provided notice of adoption of the final remedy embodied in the form of the ROD, including notice of the ROD's availability to the public for review at U.S. EPA's office and the local community repository specified above. Pursuant to Section 117(d) of CERCLA, 42 U.S.C. Section §9617(d), the notice was published on or about October 19, 1989, in a major local newspaper of general circulation.

V. DETERMINATIONS

Based on the ROD, the 106 Administrative Record, and the Findings of Fact herein, the U.S. EPA has determined the following:

20. From 1964-1976 "hazardous substances" were deposited, stored, disposed of, placed, or located at the Facility.

21. The past, present and/or future migration of hazardous substances from the Facility constitute an actual, and/or threatened "release" into the environment as defined in Section 101(22) of CERCLA, 42 U.S.C. Section 9601(22), and may present an imminent and substantial endangerment to the public health or welfare or the environment.

22. During the time period when hazardous substances were disposed of at the Facility, Andrew Dreslinski and was an "owner" and/or "operator" of the Facility within the meaning of Section 107(a)(2) of CERCLA, 42 U.S.C. Section 9607(a)(2).

23. During the time period when hazardous substances were disposed of at the Facility, Olin Corporation, by contract, agreement, or otherwise, arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by such person, by any other party or entity, at any Facility, within the meaning of Section 107(a)(3) of CERCLA, 42 U.S.C. Section 9607(a)(3).

24. Each of the Respondents is a "person" as that term is defined in Section 101(21) of CERCLA, 42 U.S.C. §9601(21). U.S. EPA has determined that the Respondents may, pursuant to Section 107 of CERCLA, 42 U.S.C. §9607, be liable for all costs incurred by the Government for the remedial design/remedial action (RD/RA) activities required by this Administrative Order, should the Respondents fail to perform the remedial action in accordance with this Order, the ROD, the SOW and the performance standards contained therein and the Government undertake the action itself.

25. Pursuant to Section 121(d)(1), the final remedy adopted by U.S. EPA, and concurred with by Ohio EPA, will attain a degree of cleanup of hazardous substances released into the environment and a degree of control of further release which, at a minimum, assures protection of human health and the environment at the Facility.

26. The final remedy adopted by U.S. EPA in the ROD, and concurred on by OEPA, will provide a level or standard of control for such hazardous substances which at least attains legally applicable or relevant and appropriate standards, requirements, criteria, or limitations under Federal environmental law or State environmental or Facility siting law in accordance with Section 121(d)(2) of CERCLA, 42 U.S.C. Section §9621(d)(2); and the final remedy is in accordance with Section 121 of CERCLA, 42 U.S.C.

Section §9621, and with the National Contingency Plan ("NCP"), 40 CFR Part 300.

27. The final remedy adopted by U.S. EPA for the Facility is protective of human health and the environment; is cost-effective and satisfies the statutory preference for remedies that employ treatment, reduces toxicity, mobility, or volume as a principal element and utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable; and is necessary, and consistent with the NCP.

28. U.S. EPA has complied with the moratorium required by Section 122(e) of CERCLA 42 U.S.C. §9622(e), prohibiting U.S. EPA from commencing action under Section 104(a) or taking actions under Section 106 for 60 days after PRP receipt of the November 20, 1989 Notice Letter.

VI.

ORDER

Based upon the foregoing Determination and Findings of Fact, and pursuant to Section 106(a) of CERCLA, 42 U.S.C. §9606(a), it is hereby Ordered that Respondents perform the following activities described below:

29. Work to be Performed

A. Within sixty (60) calendar days of the effective date of this Administrative Order, the Respondents shall submit a work

plan to the U.S. EPA and the OEPA for the remedial design and remedial action (RD/RA Work Plan) at the Big D Campground Facility. The RD/RA Work Plan shall describe all activities to be conducted as part of the Big D Campground Facility remedial design and remedial action, as set forth in the ROD (Appendix A) and the SOW (Appendix B), including all tasks for preparation, submission, and/or implementation of any plans, reports, data, or other documents, required during the Big D Campground Facility remedial design and remedial action. The RD/RA Work Plan shall be developed in conformance with the ROD, the SOW, U.S. EPA Superfund Remedial Design and Remedial Action Guidance and any additional guidance documents provided to Respondents by U.S. EPA.

B. The RD/RA Work Plan submittal shall include, but not be limited to, a schedule for submission of the following project plans: (1) Pre-design Investigation work plan and supporting documents as described in the SOW or required by the U.S. EPA; (2) Design and Bid Specification Documents as outlined in the SOW; (3) Remedial Action Supporting Documents as described in the SOW including, sampling and analysis plan(s), a health and safety plan(s), an emergency and contingency plan(s), quality assurance project plan(s), equipment and personnel decontamination plan(s), permits and approvals plan, construction oversight and start-up plan, and an operations and maintenance plan and any other plans specified in the SOW. The RD/RA Work Plan shall also include a schedule for implementation of discrete or individual RD/RA tasks

including pre-design investigations, design, start-up, operation, maintenance and monitoring and submittal of RD/RA reports. Upon approval or modification by the U.S. EPA Remedial Project Manager (RPM), these plans shall be deemed incorporated into the RD/RA Work Plan and made an enforceable part of this Administrative Order.

C. The RD/RA Work Plan and all other subsequent documents and reports (herein referred to as "documents") specified in the SOW and the approved RD/RA Work Plan, shall be subject to review, modification and approval by the U.S. EPA Remedial Project Manager (RPM) in consultation with the State.

D. The U.S. EPA RPM shall notify the Respondents in writing, of approval or disapproval of the document, or any part thereof. In the event of any disapproval, U.S. EPA shall specify, in writing, any deficiencies and required modifications to the document. The Respondents may not commence with any work until they receive U.S. EPA's approval or modifications to any documents required to plan and implement the work.

E. Within thirty (30) calendar days of receipt of a first notice of any deficiency, required modification or document disapproval, the Respondents shall submit a final document to U.S. EPA and OEPA which rectifies the deficiencies specified by U.S. EPA and incorporates the U.S. EPA's required modifications. The U.S. EPA RPM shall review the final draft document and shall either notify Respondents, in writing, of approval, disapproval or modification of the document or any part thereof, or shall

modify the document itself. If U.S. EPA modifies the final document itself, the Respondents shall implement the work required by the document within the schedule specified in the document or this Administrative Order.

F. Respondents shall proceed to implement the work detailed in the fully approved or modified RD/RA Work Plan within five (5) calendar days of notification of such approval or modification. Unless otherwise directed by U.S. EPA and as mandated by Section 122(e)(6) of CERCLA, the Respondents shall not commence remedial action until written approval by U.S. EPA of the RD/RA Work Plan. The fully approved or modified RD/RA Work Plan and all documents generated under its direction shall be deemed incorporated into and made an enforceable part of this Administrative Order. All Work shall be conducted in accordance with the National Contingency Plan, the U.S. EPA Superfund Remedial Design and Remedial Action Guidance and the requirements of this Administrative Order, including the cleanup and performance standards, specifications and schedules contained in this Administrative Order, the ROD, the SOW, and the RD/RA Work Plan. Failure of the Respondents to properly implement all aspects of the RD/RA Work Plan shall be deemed to be a violation of the terms of this Order.

30. Respondents' Contractor and Provisions for Performance of the Work

A. All remedial design and remedial action work to be performed by the Respondents pursuant to this Administrative

Order shall be under the direction and supervision of a qualified registered professional architect or engineer. Prior to the initiation of remedial design or remedial action work for the Big D Campground Facility, the Respondents shall notify U.S. EPA and the OEPA, in writing, of the name, title, and qualifications of any engineer or architect proposed to be used in carrying out the remedial design and remedial action work to be performed pursuant to this Administrative Order. Selection of any such architect or engineer shall be subject to approval by U.S. EPA. In the event U.S. EPA disapproves of a specific architect or engineer, Respondents shall retain a different architect or engineer, subject to approval of U.S. EPA, to perform the work within seven (7) days of receipt of U.S. EPA's disapproval.

B. All remedial design and remedial action work shall be completed in accordance with all requirements of this Administrative Order and its Appendices (ROD and SOW), including the standards, specifications and time periods set forth in this Administrative Order, the RD/RA Work Plan and any plans prepared, submitted and approved or modified in accordance with the SOW.

C. All activities undertaken by the Respondents pursuant to this Administrative Order shall be undertaken in accordance with the requirements of all applicable local, state and federal laws, regulations and permits. Failure to do so is a violation of this Order.

D. Pursuant to Section 121(e)(1) of CERCLA, the United States has determined that no federal, state, or local permits or

approvals are required for any of the work described in the ROD and the SOW which is conducted entirely on the Facility. The Respondents shall obtain all permits or approvals necessary for work conducted not entirely on the Facility, under federal, state or local laws, and shall submit timely applications and requests for any such permits and approvals.

E. The Respondents shall include in all contracts or subcontracts entered into for work required under this Administrative Order provisions stating such contractors or subcontractors, including their agents and employees, shall perform all activities required by such contracts or subcontractors in compliance with all applicable laws or regulations and the applicable provisions of this Administrative Order and its Appendices. This Administrative Order is not, nor shall it act as, nor is it intended by the United States to be, a permit issued pursuant to any federal or state statute or regulation.

F. Neither the SOW nor the RD/RA Work Plan constitute a warranty or representation of any kind by the United States that the SOW or RD/RA Work Plan will achieve the cleanup and performance standards set forth in the ROD and this Administrative Order.

31. Conveyance of the Facility

A. Within thirty days of the effective date of this Administrative Order, Andrew Dreslinski, as the property owner

of the Facility landfill shall record a copy of this Administrative Order with the Recorder's Office, Ashtabula County, State of Ohio for that portion of the Facility which is under his control at the time of the effective date.

B. At least sixty days prior to the date of alienation of the Facility, Respondent Dreslinski shall notify U.S. EPA and OEPA of such proposed alienation, the name of the grantee, and a description of Respondent Dreslinski's obligations, if any, to be performed by such grantee. In the event of such alienation, all of Respondent Dreslinski's obligations pursuant to this Administrative Order shall continue to be met by Respondent Dreslinski.

C. Any deed, title or other instrument of conveyance regarding the Facility shall contain a notice that the Big D Campground Facility is the subject of this Administrative Order, setting forth the docket number.

32. Land Restrictions and Other Land Use Requirements

A. The Respondents shall install a security fence or other security device to surround and limit access to the Facility landfill (source area), drum staging area, on-site incinerator, and the ground water treatment plant. The type, location, and timing of installation of the security system shall be detailed in the Design and Remedial Action Supporting Documents.

B. Respondents shall submit to U.S. EPA, the Ohio EPA, and the local zoning authority or the authority with jurisdiction

over local land use a survey plat. This survey plat shall be submitted not later than the time when Respondents certify start-up of the ground water treatment operations. The survey plat must be prepared by a professional land surveyor. The survey plat must indicate, at a minimum, permanent benchmarks, all deed and use restrictions on the property and the location and dimension of: 1) the disposal area, 2) the collection trenches and extraction wells and 3) the ground water treatment system.

C. Thirty (30) days after the effective date of this Administrative Order, Respondents shall restrict use and access to the Big D Campground Facility property that Respondents own in such a manner that:

1. There shall be no consumptive or other use of the ground water underlying the property that could cause exposure of humans or animals to the ground water.
2. There shall be no use of the land overlying the existing Big D Campground Facility landfill and the ground water contaminant plume. Prohibited uses include, but are not limited to, the construction, installation or use of any structures or buildings other than for the purpose of implementing the remedial actions required by this Administrative Order, except as approved by the U.S. EPA as being consistent with the Order. The estimated extent of the ground water plume is

delineated in Figure 4 of the ROD, Appendix A.

The actual extent of the plume will be delineated during the predesign ground water study (detailed in the ROD, Appendix A and the SOW, Appendix B).

3. There shall be no use of the property that would allow the continued presence of humans and/or animals at the area presently over the existing Big D Campground Facility landfill other than any presence necessary for implementation of the remedial actions under this Administrative Order.

D. Respondents shall maintain and operate the following systems or controls until such time that U.S. EPA approves of their discontinuance:

1. The security fence and other access restrictions at the Big D Campground Facility;
2. Excavation and incineration of contaminated soils and drums within the source area.
3. Ground water collection, on-site treatment, and discharge.
4. Ground water and surface water monitoring.

E. Respondents shall record the use restrictions and property obligations described in Paragraph 32 C and D above on the Big D Campground Facility property by the earlier of the following dates: (1) 60 days prior to the date the Respondents transfer possession of the property to another person or entity or (2) the date the survey plat in Paragraph 32 B above is filed

with the local zoning authority.

F. Sixty (60) calendar days before the start of any remedial construction activity, Respondents shall obtain and submit to U.S. EPA and the Ohio EPA any additional easements, access agreements, deed restrictions, land use limitations or other enforceable instruments restricting use of the Facility property or any other property over the Facility landfill and contaminant plume as outlined in the map in the ROD, Figure 4, to enable implementation of or prevent interference with the remedial action for the Big D Campground Facility.

33. Cleanup and Performance Standards

The Work performed under this Order shall meet the Cleanup and Performance Standards set forth below, in the ROD (Appendix A) and the SOW (Appendix B):

A. Cleanup Standards.

1. Off-Site Discharge of Treated Ground Water

Ground water collected pursuant to the ordered remedial action must be treated prior to off-site discharge to meet the requirements of the Federal Water Pollution Control Act (FWPCA), 42 U.S.C. Section 1251, et seq. The Respondents are required to obtain and comply with an Ohio National Pollution Discharge Enforcement System (NPDES) permit issued pursuant to the FWPCA.

2. Ground Water and Source Area Treatment

a. Standards. The Respondents shall remove source area materials and continuously operate the ground water

collection and treatment system until they have demonstrated that:

(1) the concentration of contaminants remaining in ground water at each sampling point specified in the RD/RA Work Plan does not exceed any Maximum Contaminant Level (MCL) established by the U.S. EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300f et seq.; and

(2) the Global Carcinogenic Risk (as defined below) for children or for adults from contaminants remaining in the ground water and source area does not exceed 10^{-6} for either media; and the Global Non-Carcinogenic Risk (as defined below) for children or for adults for such contaminants does not exceed a Hazard Index of 1.0 for either media.

b. Determination of Global Carcinogenic and Global Non-Carcinogenic Risk Levels.

(1) After the groundwater extraction system has been operated and maintained for a minimum of five (5) years, the Respondents can request that a Final Risk Calculation be made as part of the Notification of Completion Process in Paragraph 63 (below). At the time of such request, U.S. EPA shall specify a set of hazardous substances ("Contaminants") representing the highest risk potential to human health and the environment at or around the Facility. The RD/RA Work Plan shall identify representative sampling points (the "Sampling Points") for ground water and the source area and the sampling parameters and protocols for those samples.

(2) The Final Risk Calculation shall be made as follows:

The levels of each Contaminant shall be measured at each Sampling Point. U.S. EPA will then identify the maximum level of contamination of each Contaminant found in the ground water and the source area.

For the identified maximum levels of contamination for each Contaminant in the ground water and source area, the carcinogenic risks and non-carcinogenic risks shall then be determined (Carcinogenic and Non-Carcinogenic Maximum Risk Levels). Carcinogenic and Non-Carcinogenic Maximum Risk Levels shall be calculated according to the Risk Assessment Guidance for Superfund, or a successor document in effect at the time calculations are performed, and other U.S. EPA guidance provided to the Respondents. All calculated Carcinogenic and Non-Carcinogenic Maximum Risk Levels shall be based on the same exposure scenarios evaluated in the U.S. EPA's Feasibility Study Baseline Risk Assessment.

The Carcinogenic and Non-Carcinogenic Maximum Risk Levels for each Contaminant within each exposure scenario in the ground water and source area media shall then be added to provide the total Carcinogenic and Non-Carcinogenic Maximum Risk Levels. Finally, the total Carcinogenic and Non-Carcinogenic Maximum Risk Levels for the exposure scenarios identified in each media (ground water and source area) shall be added to establish the Global Carcinogenic Risk Level and the Global Non-Carcinogenic

Risk Level for each media.

B. Performance Standards

Without limitation on the Work required in the SOW, the following is a list of the major performance standards for the remedial action:

1. Control access to the site by installing a fence as defined in the SOW. The fence will surround the source area, the drum staging area and the ground water treatment system.
2. Place deed restrictions on land parcels overlying the source area and contaminant plume as defined in the SOW.
3. All source area material, which consists of contaminated soils, bulk wastes and buried drums, will be removed until the bottom of the landfill or the water table is encountered. However, if drums or bulk wastes are located below the water table, they will be removed.
4. Source area materials shall be incinerated. If the materials are incinerated on the Facility, prior to startup, a test burn of representative samples must be performed to ensure that air pollution standards are met and to determine if the ash can be delisted. If materials are incinerated outside the Facility, the materials must be overpacked, sampled, and stored on the Facility awaiting transportation to the incinerator. Incineration of source area materials must comply with applicable regulations, including but not limited to, RCRA Subtitle C Section 3004, 40 CFR 264 and 265, RCRA Subtitle C Section 3003,

40 CFR 263 and 49 CFR 171 through 179, and OAC 3745-27-07, OAC 3745-15-07, OAC 3745-15-16, OAC 3745-17 (-02,-05,-07, and -09), OAC 3745-18 (-02,-04, and -06), OAC 3745-21 (-02,-03, and -05), and OAC 3745-21-07 (as identified in Table 4 of Appendix A).

5. If wastes are incinerated on the Facility, the Respondents shall dispose of treated, non-combustible material and ash resulting from incineration of source area materials. Any disposal of the material must be in compliance with applicable regulations, including but not limited to, RCRA Subtitle C Section 3004, 40 CFR 268, OAC 3745-27-05, OAC 3745-27-06, OAC 3745-27-08, OAC 3745-27-10, and OAC 3745-50 through 3745-69 (As identified in Table 4 of Appendix A). After disposal of the ash, the remaining volume of the excavated area will be filled with material similar to existing strata, with the top 2 feet consisting of top soil, which will be graded and seeded. If wastes are incinerated off the Facility, the non-combustibles and ash remaining after incineration will be managed by the incinerator facility.

6. The Respondents shall collect ground water of the water table aquifer via multiple interceptor trenches; one at the northern boundary of the site and one at the downgradient edge of the contaminant plume (see Figure 2 of the SOW). The exact placement of the trenches will be decided after completion of the predesign ground water study described in the ROD, Appendix A and the SOW, Appendix B. The interceptor trenches will be designed, operated and maintained with a hydraulic gradient greater than

natural gradient, and will completely penetrate the aquifer to allow collection of all contaminated groundwater flowing into the trenches. Ground water in the alluvial overbank aquifer and semi-confined and confined bedrock aquifers will be collected with extraction wells. The placement of the extraction wells is shown on Figure 4 of the ROD. Approximately 30 extraction wells 15-20 feet deep, spaced 25 feet apart, will be needed to collect the alluvial overbank and semi-confined bedrock aquifers. The maximum pumping rate for each well will vary depending on local conditions. It is estimated that the system will collect 15 gpm and have an average pumping rate of 0.5 gpm per well.

Approximately 3 extraction wells will be needed to collect contaminated ground water from the confined bedrock aquifer. Because of the aquifer's very low transmissivity, continuous pumping may not be possible. Each well will be designed to include a control method to pump the well intermittently.

7. Respondents shall treat collected ground water utilizing granular activated carbon (GAC). Pilot field tests or bench-scale laboratory tests will be performed to determine factors such as the absorbability of the organics and water quality parameters (i.e., pH, temperature, inorganic impurities, etc.). These tests will assist in determining the absorption capacity of the GAC to remove the organics of concern, and the necessary parameters, such as empty bed contact time and carbon mesh size for final design. Testing the system performance will also determine if pretreatment, such as sand filtration,

ozonation, or air stripping, will enhance the GAC performance. Ground water treatment must comply with all applicable regulations.

8. After on-site treatment, treated effluent, meeting all applicable requirements, will be discharged to Conneaut Creek. A 4-inch diameter pipe will be installed to transport effluent from the treatment system to an outfall on Conneaut Creek.

9. Monitoring wells will be installed north of each interceptor trench to monitor for contamination bypassing the trenches. The existing shallow and deep wells at the southern edge of the site will be used to monitor the effectiveness of the collection system upgradient of the Creek, in the alluvial overbank and semi-confined bedrock aquifers. The existing confined bedrock aquifer wells will be used to monitor the progress of the cleanup of the bedrock aquifer. Monitoring wells will be sampled quarterly. If evidence of contamination migration is detected, appropriate measures will be taken to immediately correct the problem. Surface water monitoring will be implemented in three locations; one upstream, one downstream and one adjacent to the site. One sample from each location will be collected and analyzed every six months.

VII.

U.S. EPA PERIODIC REVIEW TO
ASSURE PROTECTION OF HUMAN HEALTH
AND ENVIRONMENT

34. Pursuant to Section 121(c) of CERCLA, 42 U.S.C. §9621(c), and any applicable regulations, U.S. EPA shall review the remedial action at Big D Campground Facility no less often than every five (5) years or sooner after the issuance of this Administrative Order, to assure that human health and the environment are being protected by the remedial action being implemented. In accordance with the ROD, this review shall include a review of the ground water cleanup and performance standards and the degree to which the ground water performance standards are being achieved by the ground water collection and treatment system. Notwithstanding any other provision of this Administrative Order, if upon such review, U.S. EPA determines that further response action in accordance with Section 104, 106 or other applicable law is appropriate at Big D Campground Facility, then U.S. EPA may take or require such action.

35. Upon completion of its review pursuant to this Section, U.S. EPA shall notify Respondents of its determination regarding additional response actions determined to be necessary by such review and may order additional response action pursuant to Section 106 of CERCLA or applicable state law in order to assure adequate protection of human health and the environment.

Respondents shall be provided with an opportunity to confer with U.S. EPA and the State on any response action proposed as a result of U.S. EPA's continuing review and to submit written comments for the record. After the period for submission of written comments is closed, the Director of the Waste Management Division of U.S. EPA shall in writing either affirm, modify or rescind the Order for further response action.

VIII.

QUALITY ASSURANCE

36. Respondents shall use quality assurance, quality control, and chain of custody procedures in accordance with U.S. EPA's "Interim Guidelines and Specifications For Preparing Quality Assurance Project Plans," (QAM-005/80) and subsequent amendments to such guidelines. Prior to the commencement of any monitoring or sampling project under this Administrative Order, Respondents shall submit a Quality Assurance Project Plan (QAPP) to U.S. EPA and the State that is consistent with the SOW, the RD/RA Work Plan and applicable guidelines. Prior to the development and submittal of a QAPP, Respondents shall attend a pre-QAPP meeting sponsored by U.S. EPA to identify all monitoring and data quality objectives. U.S. EPA, after review of Respondents' QAPP, will notify Respondents of any required modifications, conditional approval, disapproval, or approval of the QAPP. Upon notification of disapproval or any need for modifications, Respondents shall make all required modifications in the QAPP

within thirty (30) calendar days of such notification.

37. Respondents shall ensure that U.S. EPA personnel or authorized representatives are allowed access to any laboratory utilized by Respondents in implementing this Administrative Order. In addition, Respondents shall ensure that any such laboratory will analyze samples submitted by U.S. EPA or the State for quality assurance monitoring.

IX.

FACILITY ACCESS, SAMPLING, DOCUMENT AVAILABILITY

38. To the extent that the Big D Campground Facility or other areas where Work is to be performed hereunder is presently owned by parties other than the Respondents, Respondents shall obtain all necessary agreements from the present owners sixty (60) calendar days before the Respondents' must conduct any activity on the property necessary to implement this Order. Such agreement shall provide access for the Respondents, U.S. EPA, the State, and authorized representatives of U.S. EPA, the State and the Respondents. If such access is not obtained within the time specified herein, Respondents shall immediately notify U.S. EPA in writing of their efforts to obtain access and submit copies of any correspondence they may have with the property owner(s) regarding access to the Facility.

39. Respondents shall provide access to the Facility to U.S. EPA

employees, contractors, agents and consultants, as well as OEPA representatives, at reasonable times, and shall permit such persons to be present and move freely in the area in order to conduct inspections, including taking photographs and videotapes of the Facility, to do cleanup/stabilization work, to take samples to monitor the Work under this Order, and to conduct other activities which the U.S. EPA determines to be necessary. Respondents shall ensure that U.S. EPA and OEPA personnel and authorized representatives are allowed to oversee all remedial activities, and are granted access to the laboratory(ies) and to the records of the laboratory(ies) utilized by the Respondents for analyses required under the Work Plan.

41. At the request of U.S. EPA or the OEPA, Respondents shall allow split or duplicate samples to be taken by U.S. EPA, the OEPA and/or their authorized representatives, of any samples collected by Respondents pursuant to the implementation of this Administrative Order. Respondents shall notify U.S. EPA and the OEPA not less than fourteen (14) business days in advance of any sample collection activity. In addition, U.S. EPA and the OEPA shall have the right to take any additional samples that U.S. EPA or the OEPA deem necessary.

X.

REPORTING REQUIREMENTS

42. Respondents shall provide, to U.S. EPA and the OEPA, written

monthly progress reports which: (1) describe the actions which have been taken toward achieving compliance with this Administrative Order during the previous month as well as such actions, data and plans which are scheduled for the next month; (2) include all plans and procedures completed under the RD/RA Work Plan during the previous month; (3) include all results of sampling and tests and other data received by the Respondents during the course of the work; and (4) include sections detailing: percentage completion, anticipated problems and recommended solutions, problems encountered/resolved, deliverables submitted, upcoming events and activities planned (including sampling), key personnel changes, and scheduling. These progress reports are to be submitted to U.S. EPA and OEPA by the tenth calendar day of every month following the effective date of this Administrative Order.

43. If the date for submission of any time or notification required by this Administrative Order falls upon a weekend or federal holiday, the time period for submission of that item or notification is extended to the next business day following the weekend or holiday.

44. Upon the occurrence of any event during performance of the Work which, pursuant to Section 103 of CERCLA, requires reporting to the National Response Center, Respondents shall promptly orally notify the U.S. EPA Project Manager ("RPM") and OEPA, or

in the event of the unavailability of the U.S. EPA RPM, the Emergency Response Branch, Region V, United States Environmental Protection Agency, in addition to the reporting required by Section 103. Within twenty (20) calendar days of the onset of such an event, Respondents shall furnish to U.S. EPA and the State a written report setting forth the events which occurred and the measures taken, and to be taken, in response thereto. Within thirty (30) calendar days of the conclusion of such an event, Respondents shall submit a report to U.S. EPA and the State setting forth all actions taken to respond thereto.

XI.

REMEDIAL PROJECT MANAGER/PROJECT COORDINATORS

45. U.S. EPA shall designate a Remedial Project Manager ("RPM") to observe and monitor the progress of any activity undertaken pursuant to this Administrative Order and to review, approve, modify or disapprove of all project plans, reports and documents required by this Administrative Order. The RPM shall have the authority lawfully vested in an RPM by the National Contingency Plan, 40 CFR Part 300, including the authority to stop work. Respondents shall also designate a Project Coordinator who shall have primary responsibility for implementation of the Work at the Facility. All instructions by the U.S. EPA RPM or the designated alternate, consistent with the terms of this Order and with the NCP, 40 CFR Part 300, shall be binding upon the Respondents.

46. To the maximum extent possible, except as specifically provided in this Administrative Order, communications between Respondent, and U.S. EPA concerning the implementation of this Administrative Order shall be made between the Project Coordinator and the RPM.

47. A. Within ten (10) calendar days of the effective date of this Administrative Order, Respondents shall notify U.S. EPA, in writing, of the name, address and telephone number of the designated PRP Project Coordinator. Janice Bartlett is the U.S. EPA RPM for this Administrative Order. Her telephone number and address are presented in paragraph 55. Daniel Markowitz is the Ohio EPA Project Coordinator. His telephone number and address are presented in paragraph 55.

B. The U.S. EPA, Ohio EPA, and the Respondents shall each have the right to change their respective designated RPM or Project Coordinator. Respondents shall notify U.S. EPA, as early as possible before such a change. Notification may initially be verbal, but shall promptly be reduced to writing.

XII.

RECORDS

48. During the pendency of the Administrative Order and for a period of ten (10) years after U.S. EPA issuance of the

Certificate of Completion, Respondents shall make available to U.S. EPA and the State and shall retain, all records and documents in their possession, custody, or control which relate to the performance of this Administrative Order, including, but not limited to, documents reflecting the results of any sampling, tests, or other data or information generated or acquired by any of them, or on their behalf. After the ten (10) year period of document retention, Respondents shall notify U.S. EPA and the State, ninety (90) calendar days prior to the destruction of any such documents.

49. Respondents may assert business confidentiality claims covering part or all of the information provided in connection with this Administrative Order in accordance with Section 104(e)(7)(F) of CERCLA, 42 U.S.C. §9604(e)(7), and pursuant to 40 CFR §2.203(b) and applicable State law.

50. Information determined to be confidential by U.S. EPA will be afforded the protection specified in 40 CFR Part 2, Subpart B and, if determined to be entitled to confidential treatment under State law, will be afforded protection by the State. If no such claim accompanies the information when it is submitted to the U.S. EPA and the State, the public may be given access to such information without further notice to Respondents.

51. Information acquired or generated by Respondents in

this Order.

54. U.S. EPA is not to be construed a party to, and does not assume any liability for, any contract entered into by Respondents in carrying out the activities pursuant to this Administrative Order. The proper completion of the Work under this Administrative Order is solely the responsibility of the Respondents. This Order does not constitute any decision on preauthorization of funds under Section 111(a)(2) of CERCLA, 42 U.S.C. §9611(a)(2).

XV.

NOTICES

55. Whenever, under the terms of this Administrative Order, notice is required to be given, or a report or other document is required to be forwarded by one party to another, such correspondence shall be directed to the following individuals at the addresses specified below:

As to the U.S. EPA:

A. Richard Nagle
Assistant Regional Counsel
Attn: Big D Campground
(5CS-TUB-3)
U.S. Environmental Protection
Agency
230 South Dearborn Street
Chicago, Illinois 60604

As to the State of Ohio

Daniel Markowitz
Big D Campground Project
Coordinator
Ohio Environmental
Protection Agency
Northeast District Office
2110 E. Aurora Road
Twinsburg, Ohio 44087

the U.S. EPA reserves the right to undertake any remedial investigation/feasibility study work, and/or removal, remedial and/or response action relating to the Facility, and to seek recovery from the Respondents for any costs incurred in undertaking such actions pursuant to Section 107 of CERCLA, 42 U.S.C. Section 9607.

58. Nothing herein is intended to release, discharge, or in any way affect any claims, causes of action or demands in law or equity which U.S. EPA may have against any person, firm, partnership or corporation not a party to this Order for any liability it may have arising out of, or relating in any way to, the generation, storage, treatment, handling, transportation, or disposal of any hazardous substances, pollutants, contaminants, or hazardous wastes at, to, or from the Big D Campground Facility. U.S. EPA expressly reserves all rights, claims, demands, and causes of action it has against any and all other persons and entities who are not parties to this Order.

59. Nothing herein shall be construed to release the Respondents from any liability for failure of the Respondents to perform the work required hereunder in accordance with this Order and/or approved work plans. This Order and the successful completion of the Work required hereunder do not represent satisfaction, waiver, release, or covenant not to sue, of any claim of the United States against the Respondents relating to the Big D Campground Facility (including claims to require Respondents to undertake further response actions and claims to

seek reimbursement of responses costs pursuant to Section 107 of CERCLA).

XVIII.

RESPONSE AUTHORITY

59. Nothing in this Administrative Order shall be deemed to limit the response authority of the United States under 42 U.S.C. §9004, or to alter the applicable legal principles governing the judicial review of the Record of Decision.

XIX.

MODIFICATION

60. Except as provided for herein, there shall be no modification of this Administrative Order without written approval of U.S. EPA.

XX.

EFFECTIVE DATE AND CERTIFICATION OF COMPLETION

61. This Administrative Order shall be effective fourteen (14) calendar days following service of the Order as provided herein. If a conference is requested by one or more Respondents pursuant to Section XX, this Order shall be effective on the fourteenth (14) calendar day following the day of the conference, unless such effective date is modified by the U.S. EPA Region V, Waste Management Division Director. No extensions to the above time frames shall be granted without sufficient cause. All extensions

must be requested, in writing, and shall not be deemed accepted unless approved, in writing, by U.S. EPA.

62. On or before the effective date of this Order the Respondents shall provide notice to U.S. EPA stating their intention to comply with the terms of this Order. The Respondents must notify U.S. EPA either in writing or verbally, with written confirmation to follow promptly within ten (10) working days of any verbal confirmation. In the event any Respondent fails to provide such notice, that said Respondent shall be deemed not to have complied with the terms of this Administrative Order.

63. A. When the Respondents determine that they have completed the Work and have completed a Final Risk Calculation that meets the cleanup standard set in Paragraph 33, they shall submit to U.S. EPA and OEPA a Notification of Completion. Upon receipt of such Notification, U.S. EPA and OEPA shall schedule final inspections and close out activities as described in the June 1986 U.S. EPA Superfund Remedial Design and Remedial Action (RD/RA) Guidance. Such activities shall include, at a minimum, the following:

- 1) "Prefinal Construction Conference" by U.S. EPA, OEPA, and the Respondents;
- 2) "Prefinal Inspection" by U.S. EPA and OEPA;
- 3) Preparation of a "Prefinal Inspection Report" by

the Respondents.

- 4) "Final Inspection" by U.S. EPA, OEPA, and the Respondents;
- 5) Preparation of a Final Remedial Action Report by the Respondents.

B. The Final Remedial Action Report shall summarize the work performed, any modification to the RD/RA Work Plan, and the cleanup and performance levels achieved. The summary shall include or reference any supporting documentation.

C. Upon receipt of the Final Remedial Action Report, U.S. EPA and OEPA shall review the report and any other supporting documentation and conduct any appropriate inspection of the Facility. U.S. EPA shall issue a Certification of Completion upon its determination that the Respondents have satisfactorily completed the work and have achieved standards of performance required under this Administrative Order.

XXI.

ACCESS TO ADMINISTRATIVE RECORD

64. The ROD and Section 106 Administrative Record supporting the above Findings of Fact and Determinations is available for review on weekdays between the hours 8:00 a.m. and 5:00 p.m., at the U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604. Please contact Richard Nagle, Assistant Regional Counsel at (312) 353-8222 for review of the Section 106 Administrative

Record at this location. The ROD is also available for review at Kingsville Township Public Library, 6006 Academy Avenue Kingsville, Ohio 44048.

XXII.

OPPORTUNITY TO CONFER

65. With respect to the actions required above, within seven (7) calendar days after receipt of this Administrative Order, Respondents may request a conference with U.S. EPA and OEPA to discuss this Administrative Order. If Respondents desire such a conference, please contact Mr. Richard Nagle, Assistant Regional Counsel, (312) 353-8222.

66. Any such conference shall be held within seven (7) calendar days from the date of request or such other time approved by U.S. EPA. At any conference held pursuant to Respondents' request, Respondents may appear in person and/or by an attorney or other representative.

67. Any comments which Respondents may have regarding this Administrative Order, the corrections of any factual determinations upon which the Order is based, the appropriateness of any action which Respondents are ordered to undertake, or any other relevant and material issue must be reduced to writing and submitted to U.S. EPA within seven (7) calendar days following the conference or if no conference is held, within seven (7)