



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

January 21, 2016

**CERTIFIED MAIL**

Mr. Carl Rhodes, P.G.  
Operations Manager  
Tetra Tech  
250 West Court Street  
Suite 200W  
Cincinnati, Ohio 45202

**Re: Mansfield Stamping Plt  
Covenant  
Correspondence  
Voluntary Action Program  
Richland County  
370002817008**

And

Ms. Pamela Barnett  
RACER  
500 Woodward Avenue  
Suite 2650  
Detroit, Michigan 48226

**Subject: Ohio EPA's Review of the Voluntary Action Program (VAP) No  
Further Action (NFA) Letter for Former GM Mansfield/Ontario  
Stamping Plant (15NFA643); Initial Notice of Deficiency and Reviewer  
Comments**

Dear Mr. Rhodes:

On December 24, 2015, Ohio EPA-Northwest District Office received the NFA letter for the property located at 2525 West Fourth Street, Ontario, Richland County (the "Property"). You submitted the NFA letter on behalf of Revitalizing Auto Communities Environmental Response (RACER) Trust (the "Volunteer") with an accompanying request for a covenant not to sue under the Voluntary Action Program, Ohio Revised Code (ORC) Chapter 3746 and Ohio Administrative Code (OAC) Chapter 3745-300. The comments developed by Ohio EPA personnel in a collective review of the NFA letter are presented below.

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**Issue A: OAC Rule 3745-300-13 (E)(7)(a) – NFA Letter Form**

**Comment 1: Section I NFA Letter Form: Administrative Information**

Section 1.e, no response or information provided concerning the Tax Parcel number(s)/Taxing District. Based on information obtained from the Richland County auditor's website, the Tax Parcel numbers associated with the NFA Property are: 0386015206000; 0386015205000; 0386015204000; 0386015203000; 0386015202000; 0386015201000. Please confirm the above Tax Parcel numbers are correct and complete.

**Issue B: OAC 3745-300-07 - Phase II Property Assessment**

**Comment 1: Ground water exposure pathways during construction and excavation activities**

In a letter to Ohio EPA dated October 20, 2015, Tetra Tech stated that documents would be revised to reflect the fact that the ground-water direct contact pathway during construction/excavation activities is incomplete. But according to the NFA Letter, IA-5 exceeds applicable standards for this pathway. It is not appropriate to choose the most recent round of ground water samples that meets applicable standards over a round collected two months prior that exceeds applicable standards. Data must be representative of temporal variability per OAC 3745-300-07(E)(5). If the ground water direct-contact pathway during construction/excavation pathways is complete, a remedy is necessary in IA-5 per OAC 3745-300-07(I)(4). If this pathway is incomplete, please revise pages 9, 12, 16, 20-21, and the Site Conceptual Model in the NFA Letter.

**Comment 2: Complete and incomplete sediment exposure pathways**

The pass through provision and compliance with applicable standards do not render pathways incomplete per OAC 3745-300-07(F)(1) and (10).

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Therefore, pages 11-12 and Figure 11 should be revised to clarify that the Phase II determined that on-property human pathways are incomplete per OAC 3745-300-08(H)(1)(a), on-property ecological pathways are complete (and a qualitative demonstration is made), and off-property human and ecological pathways are potentially complete but the volunteer is not responsible for compliance with applicable standards off-property in accordance with OAC 3745-300-07(F)(10).

### **Issue C: OAC 3745-300-08 – Generic Standards**

#### **Comment 1: Hazard calculations for sediment exposure pathways**

As discussed previously in Comment 2 of Issue B, (a) on-property direct-contact to humans is incomplete, (b) a qualitative demonstration is made for on-property to biota, and (c) the pass-through provision is used for off-property to humans and biota, hazards should not be calculated for these pathways in accordance with OAC 3745-300-08. (In addition, multiple chemical adjustments should not be performed for the ecological pathway if using SRVs or TECs – this was acknowledged by Tetra Tech in a letter dated October 20, 2015, but the NFA Letter reports a “total HI” on page 17.) Please revise Section 3.4 of the NFA Letter.

#### **Comment 2: VISL and indoor air standards**

Section 3.3 (page 16) incorrectly states that ground water contains VOCs at concentrations greater than vapor intrusion screening levels (generated by U.S. EPA’s VISL Calculator) and that there are no generic numerical standards for the vapor intrusion pathway. A TCE concentration of 11 µg/L results in a risk  $7.3E-07$  and a hazard of 0.25 using commercial/industrial exposure parameters and a ground water temperature 11°C. See OAC 3745-300-08 Appendix A Table IV and V for generic numerical standards for the vapor intrusion pathway. Please revise the NFA Letter accordingly.

### **Issue D: OAC 3745-300-11 – Remediation**

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### **Comment 1: Building occupancy limitation**

The NFA Letter and environmental covenant propose a property-wide building occupancy limitation. However, page 12 states that “soil and groundwater contamination at the Property is not associated with any significant VI risks or hazards,” therefore it does not appear that a building occupancy limitation is necessary. Please confirm whether or not a building occupancy limitation is necessary in accordance with OAC 3745-300-11(C)(3). Please verify that the property meets applicable standards for the ground water and soil to indoor air vapor intrusion pathways, as stated in the NFA Letter. If a building occupancy limitation is not necessary in accordance with OAC 3745-300-11(C)(3), then it should be removed from the environmental covenant and the executive summary should be revised accordingly.

### **Issue E: OAC 3745-300-13 – NFA Letters**

#### **Comment 1: Tables**

The NFA Letter tables section includes exposure point concentrations for soil in IA-4 but is missing exposure point concentration tables for soil in IA-1, IA-2, IA-3, IA-5, IA-6, IA-13, and IA-14, as well as for groundwater (either by IA or property-wide). NFA Letters must be submitted in the template format prescribed by the agency per OAC 3745-300-13(I). Please add the missing tables to the NFA Letter. In addition, please add the other IAs to the table under the soil heading in Section 2.5 and Section 3.1.

#### **Comment 2: List of Documents Relied Upon**

Section 2.3 of the NFA Letter states that asbestos containing materials were removed from property. However, reference to an asbestos abatement report is not included in the list of documents relied upon in Section D of the NFA letter. Additionally, the Identified Area table in Section 2.1 of the Executive summary states that IA-2 contained a former UST farm that received a BUSTR NFA letter; however the NFA Letter is not listed in Section D. Please edit Section D to reference the asbestos abatement report and BUSTR NFA letter.

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### **Additional Comments**

**Comment 1:** The attached copy of the NFA Letter indicates which language, as discussed in the above comments, requires revision (or deletion, depending on the response to the comments). This text is bolded and in blue. The attached copy of the NFA Letter also indicates which language Ohio EPA recommends removing because the content is discussed elsewhere in the NFA Letter or is otherwise inappropriate for that particular section in accordance with the template. This text is underlined and in pink. Please make these suggested revisions to the NFA Letter.

### **Response Required**

The identified issues stated above must be addressed to the satisfaction of Ohio EPA no later than end of business on February 25, 2016, in order for the Director to issue a CNS for the Property. The NFA letter addendum will need to be prepared so that the NFA letter, as amended, meets the criteria of OAC 3745-300-13. Further, the addendum needs to be submitted under the certified professional affidavit provision of OAC 3745-300-13(O), and include any other affidavits (such as volunteer or certified laboratory affidavits). Please submit two copies of the addendum (one hard copy and one indexed electronic copy on a compact disc) to Ghassan Tafla at the following address no later than end of business on February 25, 2016.

Ohio EPA – Northwest District Office  
347 North Dunbridge Road  
Bowling Green, Ohio 43402

Please also send the original addendum and an indexed electronic copy of the addendum on a compact disc to the attention of Records Management Officer, DERR, Ohio EPA Central Office no later than end of business on February 25, 2016, at the following address:

Ohio EPA – Division of Environmental Response and Revitalization  
Assessment Cleanup & Reuse Section – Voluntary Action Program  
50 W. Town St., Suite 700  
Columbus, OH 43215

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If the outstanding issues are not addressed and the NFA Letter, as amended, does not meet the requirements of OAC Chapter 3745-300, or if a response is not received no later than end of business on February 25, 2016, Ohio EPA will issue a Final Notice of Deficiency.

The volunteer also has the option to submit a request to withdraw the pending NFA Letter and request for a CNS at any time prior to CNS issuance or denial. If, after the withdrawal, the volunteer wishes to continue under the VAP to seek a CNS, a new NFA Letter and request for a CNS can be submitted along with the appropriate fee.

This letter does not constitute an action of the Director and is not subject to appeal.

If you have any questions related to this review or would like to schedule a meeting or conference call, please feel free to contact me at (419) 373-3039.

Sincerely,



Ghassan Tafla, Site Coordinator  
Ohio EPA – Division of Environmental Response and Revitalization

/zss

Certified Mail Receipt Number: 7012 1640 0001 1613 3336

Certified Mail Receipt Number: 7012 1640 0001 1613 3343

ec: Kelly Kaletsky, Supervisor, VAP, DERR-CO  
Sydney Poole, VAP, DERR-CO  
Dan Tjoelker, VAP, DERR-CO  
Archie Lunsey, Manager, DERR- NWDO  
Erin LeGalley, Risk Assessor, DERR- CO  
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