



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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VIA ELECTRONIC MAIL

October 1, 2010

Michael T. Scanlon, Esq.
Barnes & Thornburg, LLP
11 South Meridian Street
Indianapolis, Indiana 46204-3535
c/o ESI Environmental Inc.
5232 West 79th Street
Indianapolis, IN, 46268

Re: Tank 51 Restoration Workplan Approval
ESI Environmental Inc.
EPA ID #: INR000022335
Indianapolis, Marion County

Dear Mr. Scanlon:

This letter is in response to the "Tank 51 Restoration Workplan" (Plan), submitted by WSP Environmental and Energy Inc. (WSP) on behalf of ESI Environmental Inc. (ESI) and Chartis Insurance (Chartis). This Plan was received by IDEM via electronic mail on July 8, 2010. Additionally, on September 29, 2010, the IDEM received, via email, your letter indicating ESI's request to utilize this Plan for the decontamination of its Tank 51, at the 4910 W. 86th Street, Indianapolis, Indiana facility, that WSP would be performing this work, and that Chartis would be paying for these decontamination activities.

The Plan included discussions regarding the decontamination of the tank side walls and decontamination of the top layer of the sludge materials at the bottom of the tank. Specifically it described decontamination procedures as follows:

A. Decontamination of Tank 51

1. Remove ridges on the top of the sludges: The existing manway will be used to access the top of the sludge at the bottom of the tank. A high pressure sprayer equipped with a camera and lights will be inserted in the existing manway and then will be used to smooth out the high spots to allow oil to flow towards the manway. Contractor personnel will not enter the tank, unless absolutely necessary to smooth out the high spots.
2. Triple Rinse the interior surfaces of Tank 51: The exposed surfaces in the tank will be triple rinsed with a hydrocarbon-based solvent, such as diesel fuel, using a nozzle powerful enough to reach the other side of the tank from the existing manway. Contractor personnel will spray from the manway using the remote sprayer. The triple rinse will consist of spraying the tank walls, any components, and the surface of the sludge with the rinse solvent. The rinse volume will be 15,000 gallons, which is less

than 10 percent of the tank volume (846,000 gallons). Therefore, each rinse will consist of reuse of the 15,000 gallons 6 times.

3. Collect and test the rinse material: The rinse material will be pumped out of Tank 51 using the pumping system used to remove the oil from the tank into a mixing frac tank for reuse. After the 15,000 gallons have been used 6 times, a representative sample will be collected for testing. A representative sample will be collected by running the mixers in the mix tank for 30 minutes and then collecting a sample from the mixing liquid through the manway in the middle of the mixing tank at a depth of one-foot below the liquid surface. The sample will be tested for percent solids using American Society for Testing and Materials (ASTM) method D1798; if the solvent-oil mixture is greater than 0.5 percent solids (by weight), then the solid and liquid sample phases will be separated in accordance with §761.269 and tested for PCBs in accordance with §761.272. If the results of the sample of the liquids from the rinse material are greater than or equal to 50 ppm PCBs, the rinse material will be disposed of as described below and new rinse material will be used. If the liquids from the rinse material are less than 50 ppm, it will be reused in the second rinse.
4. Rinses 2 and 3: The second rinse will be conducted in a manner similar to the first rinse. After the second rinse is completed, the rinse material will be collected and tested as described in step 3. If the results from testing the second rinse indicate a PCB concentration greater than or equal to 2 ppm, the rinse material will be disposed of as described below and new rinse material will be used. If the results from testing the second rinse indicate a PCB concentration less than 2 ppm, it will be reused in the third rinse. The third rinse will be conducted in a manner similar to the other two rinses. After the third rinse is completed, the rinse material will be collected and tested as described in step 3. If the results from testing the third rinse indicate a PCB concentration less than 2 ppm, the triple rinse will be considered complete. If the results from testing the third rinse indicate a PCB concentration greater than or equal to 2 ppm, the rinse material will be disposed of as described below, and another rinse will be completed. Additional rinses and testing will be completed until the rinse material after a completed rinse cycle is less than 2 ppm PCBs.
5. Collect sludge samples: Samples will be collected from the surface of the sludge at the bottom of the tank. Five samples will be collected from each of the four tank quadrants using threaded PVC piping angled to collect the sample. The sampler will be "pushed" by mechanical means if necessary to collect a sample from 6 to 8 inches. Samples will be collected randomly within the quadrant. Each sample will be collected using dedicated piping and sampler. The samples will be analyzed for PCBs in accordance with §761.272. If the surface samples detect PCBs above or equal to 1 ppm, then another rinse removing 6 to 8 inches of material in the area above the cleanup standard using new rinse material will be completed, and sludge samples will be collected as described above. If the rinsing process can not remove 6 to 8 inches of sludge, then other methods to remove the sludge will be employed. If the testing detects PCBs above or equal to 1 ppm, then the process of rinsing and sampling (or material removal by other means) will be repeated until all samples are 1 ppm or below.

B. Disposal of Rinsate

The following methods of disposal of the rinsate are prescribed at §761.79(g):

1. Hydrocarbon solvent used or reused for decontamination that contains less than 50 ppm PCB may be burned and marketed in accordance with the requirements for used oil in 761.20(e), or decontaminated pursuant to 761.79.
2. If the rinse material contains less than 2 ppm PCBs, it may be considered to have met the decontamination standard for organic liquids at §761.79(b)(2) and, therefore, not regulated for disposal.
3. If the rinse material contains above or equal to 50 ppm PCBs, the rinse material must be disposed of at a facility with an approval issued under §761.60(a) or (e).

This Plan was reviewed in accordance with the Indiana regulations entitled "Regulations of Waste Containing PCBs" found at 329 IAC 4.1. These regulations incorporate specific language found within the Federal PCB regulations found at 40 CFR 761. Staff have determined that although this Plan is similar to the requirements found at 40 CFR 761.79(c), differences were noted that require authorization pursuant to 40 CFR 761.79(h). Staff have determined that the use of this Plan will not pose an unreasonable risk of injury to health or the environment, provided that the "mixing tank" utilized to manage the decontamination solvents is decontaminated in accordance with §761.79(c)(1).

Furthermore, since this Plan was created to allow the continued use of Tank 51, the IDEM has determined that when the use of this tank ceases, the sludge and the tank walls at and below the sludge level, if determined to be contaminated by wipe sample results, must be addressed in the following manner:

A. Disposal of Sludge at the Bottom of Tank 51

1. If the sludge at the bottom of Tank 51 contains less than 50 ppm PCB, it may be disposed of in accordance with §761.61(a)(5)(i)(B)(2)(ii), in a facility permitted, licensed, or registered by a State to manage municipal solid waste subject to 40 CFR Part 258, or in a facility permitted licensed or registered by a State to manage non-municipal non-hazardous waste subject to 40 CFR §§ 257.5 through 257.30.
2. If the sludge at the bottom of Tank 51 contains greater than or equal to 50 ppm PCBs, it may be disposed of in accordance with §761.61(a)(5)(i)(B)(2)(iii) in a TSCA landfill or a hazardous waste landfill permitted by EPA under section 3004 of RCRA or by a State authorized under section 3006 of RCRA.

B. Decontamination of Tank 51 Below the Sludge

1. When the sludge at the bottom of Tank 51 is removed, the interior surfaces of Tank 51 below the top surface of the sludge may be decontaminated in accordance with

§761.79(c)(1), or steps 1 through 4, above, adjusting the volume of rinse material used based on the capacity of the tank to the top surface of the sludge.

Therefore, provided all of the above steps are utilized, IDEM approves the use of this Plan. IDEM requests that prior to the start of the decontamination of Tank 51, that WSP provide a timetable for this work. This information can be submitted by either a phone conversation or electronic mail. It is the intentions of IDEM staff to conduct site visits during this decontamination process to evaluate progress and compliance of this approval for this decontamination process.

If you have questions regarding this approval, or the above mention notification request, please contact Mr. George Ritchotte of my section at 317-727-6907 or via email at gritchot@idem.in.gov.

Sincerely,



Theresa Bordenkecher, Chief
Industrial Waste Section 1
Compliance & Response Branch
Office of Land Quality

cc: Marion County Health Department
Ms. Verneta Simon: U.S. EPA Region V
Mr. John A. Simon: WSP Environment & Energy
Mr. Davis S. McLay: WSP Environment & Energy
Mr. Christopher Ferragamo, Esq.: Jackson & Campbell, P.C.
Mr. Al Nesheiwat: Chartis Specialty Lines Insurance Company
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