



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NORTHWEST REGIONAL OFFICE

October 25, 2011

Mr. Joe Williams
[REDACTED]

Dear Mr. Williams:

The Department's response to your correspondence regarding the tires-to-energy facility proposed in Greenwood Township, Crawford County is as follows:

Question 1 and 2: Is the incinerator facility being built on a Brown Field site? If a Brown Fields site, what standard was met for the relief of liability under Act 2.

Response 1 and 2: No, the tires-to-energy facility is not being built on a Brownfield site. The Department has no information indicating a release of regulated substances at the property being proposed for use by CRE. Actual manufacturing or disposal activities from the Keystone Ordnance Works occurred elsewhere.

Question 3: Are any of the 17 water wells in the Keystone Ordinance/Keystone Industrial Park in Brown Fields areas?

Response 3: There are two test wells located on the property proposed for the tires to energy facility. As indicated above, the property is not in a "Brownfield" area. The Department of Defense and its contractors have identified areas of concern within the former Keystone Ordnance Works facility. Water wells within these areas are identified in the reports submitted to the Department and contained in the Department's public records. These records can be reviewed upon request.

Question 4: How many total formerly used defense ("FUD") sites were originally identified by the Department of Defense ("DOD") at Keystone Ordnance facility? What contaminants were/are being investigated/remediated?

Response 4: One Formerly Used Defense Site ("FUDS") site is identified on the former Keystone Ordnance Works ("KOW") facility. In In 2005, the Pennsylvania DEP has addressed mercury contamination at the wastewater treatment plant. In 1997, the U.S. Army Corps of Engineers ("USACE") contracted for the removal and disposal of transformers and storage tanks at the site from the former TNT manufacturing portion of the KOW property. In a 2005 investigation of the former TNT manufacturing plant, the USACE has identified several areas of soil contamination above Pennsylvania's Statewide Health Standards including elevated levels of TNT and lead in soils around the former TNT production lines along with lead and PAHs in soil in the Acid/Power and Oleum production areas. No contamination of groundwater by TNT,

TNT production by-products, TNT breakdown products, or other contaminants associated with the former manufacturing area has been identified. The areas of TNT, lead or PAH contamination do not impact the property proposed for the CRE facility.

No question 5.

Question 6: Will the Department of Environmental Protection ("DEP") have to approve the DOD's environmental investigation plan on the three remaining FUD sites?

Response 6: Although the Department is not sure which three FUD sites you are referring to, the Department of Environmental Protection has reviewed and commented on work done to date by DOD/USACE and expects to be able to review and comment on future work performed at the site.

Question 7. Based on environmental investigation results, to whose standards does DOD have to remediate? Does DOD get Act II relief? If not, does any future land owner/developer have to apply for Act II relief?

Response 7: With respect to the former TNT manufacturing portion of the former KOW site, any remediator, including the USACE, would have the same options as any other entity in pursuing relief of liability pursuant to Act 2. To receive relief of liability under Act 2, a remediator must demonstrate attainment of any one of the remediation standards identified in Act 2. Any relief of liability obtained pursuant to Act 2 transfers to future property owners. Act 2 is a voluntary remediation program and does not contain any specific obligations on future property owners/developers to remediate a site. However, current and future property owners are/may be subject to liability for contamination under other statutory programs such as the Clean Streams Law, Solid Waste Management Act or the Hazardous Sites Cleanup Act if contaminated properties are not remediated pursuant to Act 2.

Question 8: Are there any monitoring wells down gradient from the proposed incinerator site?

Response 8: The Department does not have knowledge of monitoring wells immediately downgradient of the property proposed for the CRE facility.

Question 9: Since there are still three DOD FUD sites unremediated, has there been any testing of the well water to be used by the incinerator facility, specifically for trinitrotoluene ("TNT"), its degradation compounds or other compounds used in TNT production?

Response 9: The 2005 USACE site investigation of the KOW site did not detect any levels of TNT, its degradation compounds or production by-products in any of its groundwater sampling.

Two wells will be used for production water by CRE. These wells are owned by the Economic Progress Alliance and have been extensively tested by Moody and Associates. The wells are located several thousand feet away from the former TNT manufacturing facility at the KOW site. Although there are no current plans to use them as a source of potable water, new source sampling was conducted on both wells in 2008 as part of Moody's study. This new source sampling did not reveal any contamination. The only parameter that was measured above a primary MCL was arsenic. These levels of arsenic are known in the area and are naturally occurring. There is not an established MCL for Trinitrotoluene, therefore no analysis was conducted.

Question 10: Is the sewage treatment plant, NPDES PA0030031, intending to receive any industrial waste, contact or non-contact cooling water, in addition to the sanitary waste? Have the sewage treatment plant owners applied for a modification of the Water Quality Management, Part II, Permit. Why does their Discharge Monitoring Report not list a flow limit, just a REPORT notation.

Response 10: The Department has been informed that CRE intends to direct its sanitary and industrial wastewater to the wastewater treatment plant owned and operated by the Keystone Utilities Group, Inc., ("KUGI"). However, KUGI has not yet submitted any requests or applications to amend any of their wastewater permits. It is the Department's practice to not include flow limitations in NPDES Permits or on DMRs.

Question 11: Is the current hydraulic capacity of the treatment plant sufficient given the age of the plant? If groundwater to be used is contaminated how will that impact the treatment plant? If the groundwater is contaminated and does go to the treatment plant either by sanitary use or cooling water, how would DEP model a discharge limit going into an unnamed tributary of the Conneaut outlet that discharges to Geneva Marsh?

Response 11: See response to Question 10. The KUGI wastewater treatment plant is currently operating well within its design flow. As indicated in the response to Question 9, above, the Department has no information indicating the groundwater CRE proposes to use is contaminated. Without a permit application from KUGI, the Department cannot speculate as to what, if any, modification will be made to KUGI's NPDES permit.

Question 12: What is the designation of the receiving stream, again, an UNT to the Conneaut outlet; Warm Water Fishery, Cold Water Fishery, High Quality, etc.?

Response 12: According to 25 Pa. Code §93, the unnamed tributary of Conneaut Outlet, to which the KUGI sewage treatment plant discharges into, is designated as a Warm Water Fishes stream.

Question 13: In the late 1980's or early 90's, one of this sewage treatment plant's trickling filter bearing seals broke releasing mercury onto the filter medium and into the plants discharge to the unnamed tributary. Has a final cleanup report on the mercury spill been submitted to DEP?

Response 13: Yes. The final cleanup report is available for public review in the Northwest Regional Office.

Question 14: If the cooling water at the incinerator is recycled, will there be any "blow down" directed to the sewage treatment plant? If so, will the NPDES permit be modified to have limits for algaecides or rust inhibitors or temperature? Will there be headwall values for any industrial waste including temperature? How would any of those wastes impact the biomass in trickling filters?

Response 14: See Responses to Questions 10 and 11.

Question 15: Will the incinerator facility have any non-permitted point or non-point source discharges from the site? What happens to the storm water runoff, downspout water and water used during the shredding of the tires? Will this facility have any "first flush" storm water capacity? Will any of these sources be analyzed for contaminants? If there is a first flush system how would the water be disposed?

Response 15: CRE submitted a Notice of Intent for coverage under Pennsylvania's General Permit for Stormwater Discharges from Industrial Activities. As part of that submittal, CRE developed a stormwater management plan for the site that includes one sedimentation basin with a stream discharge. The stormwater management plan also describes the site specific Best Management Practices to be implemented to reduce the potential for contaminated stormwater runoff. A facility under this SIC code is eligible to perform annual site inspections in lieu of actual stormwater analytical sampling. CRE's Notice of Intent Package and Stormwater Management Plan paperwork is on file for public review at the Northwest Regional Office.

Question 16: Will the incinerator facility be required to have a Pollution Prevention Control Plan?

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Response 16: CRE was required to develop a Pollution Prevention and Contingency Plan, which is on file at the Northwest Regional Office for public review.

Thank you for your interest in the proposed tire-to-energy facility.

Sincerely,

A handwritten signature in cursive script that reads "Staci Gustafson".

Staci Gustafson
Assistant Regional Director

SG:ll