

Tremont City Barrel Fill (TCBF) – Choices, Decisions, and Moving Forward!

Prepared by People for Safe Water This information was shared by TCBF Project Manager Jim Saric at a meeting with local leaders on March 23rd. Ohio EPA was represented by Mike Proffitt and Bonnie Buthker.

US EPA REGION 5'S POSITION: To move forward with the cleanup process by year's end —or not!

- No further modifications to current plan 9a, now known as Modified 9a
- To include permanent removal of approx. 997 barrels containing still bottoms *if* community accepts Modified 9a

TO MOVE FORWARD:

- A) Clark County would agree to move forward with modified 9a
- B) Governor Kasich must concur with the proposed remedy, "Modified 9a"

If both A) and B), EPA would proceed in one of the following two ways:

- Gov. Kasich would also concur with proposing the site to the **National Priorities List (NPL)**, which must happen in September, *OR*
- Region 5 would negotiate a "consent decree" with the **responsible corporations (PRPs)**, to be signed by them and Region 5, to implement Modified 9a.

TO NOT MOVE FORWARD:

If Clark County will not agree to move forward with Modified 9a, *and/or*

If Gov. Kasich does not concur with Modified 9a,

Then, EPA *could* give the site back to Ohio EPA, to negotiate directly with the PRPs for a new remedy, with Ohio assuming all implementation responsibilities.

OHIO EPA'S POSITION: To await "community acceptance" of Modified 9a

According to Bonnie Buthker, our OEPA District Chief, the stronger our acceptance, the easier will be the Governor's decision whether to concur with the Plan and to support its listing on the NPL.

They DO NOT want the site to be their responsibility. They do not have funds to undertake the long and tedious process of negotiating with the PRPs and beginning the process over again (which could take another 5-10 years before cleanup begins).

PEOPLE FOR SAFE WATER'S POSITION:

Given that our primary goal is to protect our water source with the best possible cleanup of the TCBF, and that Region 5 says "Take it [modified 9a] or we'll walk away from it," we strongly support moving forward with Modified 9a and Gov. Kasich's concurrence to propose the site to the NPL.

Why support the Governor's concurrence to propose the site to the National Priorities List?

- "Being on the NPL is an insurance policy," according to Jim Saric. It ensures the site will be cleaned up, even if the PRPs go bankrupt or balk at some point of implementation.
- EPA's enforcement authority is stronger when listed. Again, Jim Saric: "Our attorneys would prefer it to be on the NPL."
- Given the consistent track record of resistance to cleaning up the site by the primary corporate payer, the site will be the national priority that Superfund recognizes it to be.