DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA725)
Current Human Exposures Under Control

Facility Name:	EKCO Housewares, Inc.
Facility Address:	359 State Ave., Ext. N.W., Massillon, OH 44648-0560
Facility EPA ID #:	OHD 045 205 424

1. Has **all** available relevant/significant information on known and reasonably suspected releases to soil, groundwater, surface water/sediments, and air, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?

X If yes - check here and continue with #2 below.

____ If no - re-evaluate existing data, or

____ if data are not available skip to #6 and enter"IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Current Human Exposures Under Control" EI

A positive "Current Human Exposures Under Control" EI determination ("YE" status code) indicates that there are no "unacceptable" human exposures to "contamination" (i.e., contaminants in concentrations in excess of appropriate risk-based levels) that can be reasonably expected under current land- and groundwater-use conditions (for all "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Current Human Exposures Under Control" EI are for reasonably expected human exposures under current land- and groundwater-use conditions ONLY, and do not consider potential future land- or groundwater-use conditions or ecological receptors. The RCRA Corrective Action program's overall mission to protect human health and the environment requires that Final remedies address these issues (i.e., potential future human exposure scenarios, future land and groundwater uses, and ecological receptors).

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

2. Are groundwater, soil, surface water, sediments, or air **media** known or reasonably suspected to be **"contaminated"** [1] above appropriately protective risk-based "levels" (applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action (from SWMUs, RUs or AOCs)?

	Yes	No	?	Rationale / Key Contaminants
Groundwater	X			TCE, 1,1-DCE, 1,2-DCE, 1,1,1-TCA, and VC above Federal MCLs
Air (indoors) [2]		X		Periodic monitoring shows no exceedances of OSHA PELs
Surface Soil (e.g., <2ft)	X			TCE above Industrial PRG
Surface Water		X		Site investigation found no contaminants
Sediment		X		Site Investigation found no contaminants
Subsurf. Soil (e.g., >2ft)	X			TCE and 1,1-DCE above Industrial PRG
Air (outdoors)		X		Air monitoring during site investigation found no detectable VOCs

___ If no (for all media) - skip to #6, and enter "YE," status code after providing or citing appropriate "levels," and referencing sufficient supporting documentation demonstrating that these "levels" are not exceeded.

_X_ If yes (for any media) - continue after identifying key contaminants in each "contaminated" medium, citing appropriate "levels" (or provide an explanation for the determination that the medium could pose an unacceptable risk), and referencing supporting documentation.

___ If unknown (for any media) - skip to #6 and enter "IN" status code.

Rationale and Reference(s):

- Groundwater under the Facility is contaminated with trichloroethylene (TCE), 1,1-dichloroethylene (1,1-DCE), 1,2-dichloroethylene (1,2-DCE), 1,1,1-trichlororethane (1,1,1-TCA), and vinyl chloride (VC) in concentrations that exceed their respective MCL.
- Site-specific risk-based groundwater screening levels for TCE, 1,1-DCE, 1,2-DCE, and 1,1,1-TCA in soil are exceeded under the manufacturing building. The groundwater screening level for TCE in soil is also exceeded along the west side and just east of the manufacturing building.
- Historical data (1988 and 1991) for surface soil shows TCE concentrations exceed the industrial soil

[1] "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriately protective risk-based "levels" (for the media, that identify risks within the acceptable risk range).

[2] Recent evidence (from the Colorado Dept. of Public Health and Environment, and others) suggest that unacceptable indoor air concentrations are more common in structures above groundwater with volatile contaminants than previously believed. This is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration necessary to be reasonably certain that indoor air (in structures located above (and adjacent to) groundwater with volatile contaminants) does not present unacceptable risks.

PRG (6,100 ppb) along the west side of the manufacturing building. Recent September 2000 sampling,, using the new VOCs in soils sampling method, found TCE concentrations that exceed the industrial soil PRG in surface soil under the north end of the manufacturing building and just east of the building.

- September 2000 sampling found subsurface soil along the west side of the manufacturing building, under the building, and just east of the building that exceeds the industrial soil PRG of 6,100 ppb for TCE. Subsurface soil under the building also exceeds the industrial soil PRG of 120 ppb for 1,1-DCE.

Applicable references are the November 1993 Final CMS, the U.S. EPA Region 5, September 1996 Statement of Basis, the November 2000 Soil Investigation Report, and the May 2001 Second Addendum to the CMS.

3. Are there **complete pathways** between "contamination" and human receptors such that exposures can be reasonably expected under the current (land- and groundwater-use) conditions?

Summary Exposure Pathway Evaluation Table

Potential **Human Receptors** (Under Current Conditions)

"Contaminated" Media	Residents	Workers	Day-Care	Construction	Trespassers	Recreation	Food[3]
Groundwater	NO	NO	NO	NO			NO
Soil (surface, e.g., <2 ft)	NO	YES	NO	YES	YES	NO	NO
Soil (subsurface e.g., >2 ft)				YES			NO

Instructions for Summary Exposure Pathway Evaluation Table:

1. Strike-out specific Media including Human Receptors' spaces for Media which are not "contaminated" as identified in #2 above.

2. enter "yes" or "no" for potential "completeness" under each "Contaminated" Media -- Human Receptor combination (Pathway).

Note: In order to focus the evaluation to the most probable combinations some potential "Contaminated" Media - Human Receptor combinations (Pathways) do not have check spaces ("___"). While these combinations may not be probable in most situations they may be possible in some settings and should be added as necessary.

____ If no (pathways are not complete for any contaminated media-receptor combination) - skip to #6, and enter "YE" status code, after explaining and/or referencing condition(s) in-place, whether natural or man-made, preventing a complete exposure pathway from each contaminated medium (e.g., use optional Pathway Evaluation Work Sheet to analyze major pathways).

__X__

[3] Indirect Pathway/Receptor (e.g., vegetables, fruits, crops, meat and dairy products, fish, shellfish, etc.)

If yes (pathways are complete for any "Contaminated" Media - Human Receptor combination) - continue after providing supporting explanation.

___ If unknown (for any "Contaminated" Media - Human Receptor combination) - skip to #6 and enter "IN" status code.

Rationale and Reference(s):

Since 1985, two industrial wells (W-1 and W-10) at the Facility have removed contaminated groundwater that is immediately treated on-site by air stripping. The majority of treated groundwater is discharged to Newman Creek; a smaller portion of the treated groundwater is used on-site in the manufacturing process. There is an incomplete pathway since there is no human exposure to the groundwater contaminants (VOCs) which are removed before the water is used. There is no current or reasonably anticipated use of groundwater for drinking purposes. No other water wells are located in the area of contaminated groundwater. The continuous pumping of the two industrial wells has created a cone of depression that captures on-site groundwater and effectively prevents off-site migration of VOCs.

There are potentially complete pathways for surface and subsurface soil at certain locations at the Facility where TCE and 1,1-DCE exceed the industrial soil PRGs.

Applicable references are the November 1993 Final CMS, the U.S. EPA Region 5, September 1996 Statement of Basis, the March 2000 Groundwater Monitoring Report for 1999, and the May 2001 Second Addendum to the CMS.

4. Can the **exposures** from any of the complete pathways identified in #3 be reasonably expected to be **"significant"**[4] (i.e., potentially "unacceptable" because exposures can be reasonably expected to be: 1) greater in magnitude (intensity, frequency and/or duration) than assumed in the derivation of the acceptable "levels" (used to identify the "contamination"); or 2) the combination of exposure magnitude (perhaps even though low) and contaminant concentrations (which may be substantially above the acceptable "levels") could result in greater than acceptable risks)?

X If no (exposures can not be reasonably expected to be significant (i.e., potentially "unacceptable") for any complete exposure pathway) - skip to #6 and enter "YE" status code after explaining and/or referencing documentation justifying why the exposures (from each of the complete pathways) to "contamination" (identified in #3) are not expected to be "significant."

___ If yes (exposures could be reasonably expected to be "significant" (i.e., potentially "unacceptable") for any complete exposure pathway) - continue after providing a description (of each potentially "unacceptable" exposure pathway) and explaining and/or referencing documentation justifying why the exposures (from each of the remaining complete pathways) to "contamination" (identified in #3) are not expected to be

[4] If there is any question on whether the identified exposures are "significant" (i.e., potentially "unacceptable") consult a human health Risk Assessment specialist with appropriate education, training and experience.

"significant."

____ If unknown (for any complete pathway) - skip to #6 and enter "IN" status code

Rationale and Reference(s):

The most significant area of contaminated surface and subsurface soil is located under a concrete floor slab in the storage area of the manufacturing building. Exposure is insignificant because of the concrete slab. Any sampling performed in the area is conducted under an appropriate health and safety plan. A health and safety plan will also be in effect during the construction of a soil vapor extraction (SVE) system. The SVE system will remediate contaminated soil to meet industrial soil and soil-to-groundwater leaching PRGs. Appropriate notification will be made to all workers prior to conducting any remediation activities in this area.

Contaminated subsurface soil is located in two areas along the west side of the manufacturing building which is adjacent to an elevated railroad track bed and bluff. Exposure to contaminants is not reasonably expected to be significant because of difficult access, the depth of the contaminated soil (6' to 10'), and the area being overlain by thick gravel. Worker or construction activity has not occurred in the area except during interim remedial activities conducted in the early-1990s and recent environmental sampling. No construction is planned or anticipated other than an SVE system to remediate soil. The SVE system will be installed under an appropriate health and safety plan. Appropriate notification will be made to all workers prior to conducting any remediation activities in the area.

There is a small area located approximately 150' east of the northeast corner of the manufacturing building where the industrial soil PRG for TCE is exceeded in surface and subsurface soil. The soil contamination is located in a grassy area near a flood protection levee along Newman Creek and a truck turn-around. Around-the-clock security is used to prevent trespassing on facility property. No landscaping/maintenance activities are currently conducted in this area nor are any anticipated. If in the future such activities should occur, institutional controls such as fencing, posting, or other health and safety measures will be utilized to prevent significant exposures to workers and trespassers. No construction activities are planned or anticipated in this area other than an SVE system to remediate soil. The SVE system will be installed under an appropriate health and safety plan. Appropriate notification will be made to all workers prior to conducting any remediation activities in the area. This is an isolated area of soil contamination that would represent an insignificant exposure to trespassers and workers.

Applicable references are the November 1993 Final CMS, the U.S. EPA Region 5, September 1996 Statement of Basis, the November 2000 Soil Investigation Report, the January 30, 2001 Response to Comments on the Soil Investigation Report, and the May 2001 Second Addendum to the CMS.

5. Can the "significant" **exposures** (identified in #4) be shown to be within **acceptable** limits?

____ If yes (all "significant" exposures have been shown to be within acceptable limits) - continue and enter "YE" after summarizing and referencing documentation justifying why all "significant" exposures to "contamination" are within acceptable limits (e.g., a site-specific Human Health Risk Assessment).

____ If no (there are current exposures that can be reasonably expected to be "unacceptable")-

continue and enter “NO” status code after providing a description of each potentially “unacceptable” exposure.

_____ If unknown (for any potentially “unacceptable” exposure) - continue and enter “IN” status code

Rationale and Reference(s):

6. Check the appropriate RCRIS status codes for the Current Human Exposures Under Control EI event code (CA725), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (and attach appropriate supporting documentation as well as a map of the facility):

X YE - Yes, "Current Human Exposures Under Control" has been verified. Based on a review of the information contained in this EI Determination, "Current Human Exposures" are expected to be "Under Control" at the EKCO Housewares, Inc. facility, EPA ID # OHD 045 205 424, located at Massillon, Ohio under current and reasonably expected conditions. This determination will be re-evaluated when the Agency/State becomes aware of significant changes at the facility.

____ NO - "Current Human Exposures" are NOT "Under Control."

____ IN - More information is needed to make a determination.

Completed by (signature) _____ Date 7/6/01

(print) Kenneth S. Bardo

(title) Environmental Scientist

Supervisor (signature) _____ Date _____

(print) George Hamper

(title) Section Chief

(EPA Region or State) Region 5

Locations where References may be found:

RCRA 7th Floor File Room - Administrative Record for RCRA 3008(h) Consent Order.

Contact telephone and e-mail numbers

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FINAL NOTE: THE HUMAN EXPOSURES EI IS A QUALITATIVE SCREENING OF EXPOSURES AND THE DETERMINATIONS WITHIN THIS DOCUMENT SHOULD NOT BE USED AS THE SOLE BASIS FOR RESTRICTING THE SCOPE OF MORE DETAILED (E.G., SITE-SPECIFIC) ASSESSMENTS OF RISK.

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA750)

Migration of Contaminated Groundwater Under Control

Facility Name:	EKCO Housewares, Inc.
Facility Address:	359 State Ave., Ext. N.W., Massillon, OH 44648-0560
Facility EPA ID #:	OHD 045 205 424

1. Has **all** available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?

X If yes - check here and continue with #2 below.

____ If no - re-evaluate existing data, or

____ if data are not available skip to #6 and enter"IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Migration of Contaminated Groundwater Under Control" EI

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

2. Is **groundwater** known or reasonably suspected to be **"contaminated"** [5] above appropriately protective "levels" (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?

X If yes - continue after identifying key contaminants, citing appropriate "levels," and referencing supporting documentation.

____ If no - skip to #8 and enter "YE" status code, after citing appropriate "levels," and referencing supporting documentation to demonstrate that groundwater is not "contaminated."

____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

Groundwater in unconsolidated sand and gravel deposits and sandstone bedrock beneath the facility is predominantly contaminated with trichloroethylene (TCE), 1,1,1-trichloroethane (1,1,1-TCA), and their breakdown products, 1,1-dichloroethane (1,1-DCA), 1,1-dichloroethylene (1,1-DCE), 1,2-dichloroethylene (1,2-DCE), and vinyl chloride. See March 2000, Groundwater Monitoring Report for 1999.

Maximum concentrations of contaminants and their respective MCL for eight wells currently monitored at the facility are:

Contaminant	MCL	Maximum Concentration
TCE	5 ppb	130 ppb
1,1,1-TCA	200 ppb	630 ppb
1,1-DCE	7 ppb	22 ppb
1,2-DCE	70 ppb	170 ppb
vinyl chloride	2 ppb	38 ppb
1,1-DCA	-	63 ppb

[5] "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate "levels" (appropriate for the protection of the groundwater resource and its beneficial uses).

3. Has the **migration** of contaminated groundwater **stabilized** (such that contaminated groundwater is expected to remain within "existing area of contaminated groundwater"[6] as defined by the monitoring locations designated at the time of this determination)?

X If yes - continue, after presenting or referencing the physical evidence (e.g., groundwater sampling/measurement/migration barrier data) and rationale why contaminated groundwater is expected to remain within the (horizontal or vertical) dimensions of the "existing area of groundwater contamination"[2]).

____ If no (contaminated groundwater is observed or expected to migrate beyond the designated locations defining the "existing area of groundwater contamination"[2]) - skip to #8 and enter "NO" status code, after providing an explanation.

____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

Two on-site production wells (W-1 and W-10) have been used since February 1986 as recovery wells to contain and collect the contaminant plume. Both wells are pumped at an average rate of 500 gpm. At least one well is pumping at all times in order to maintain control of the on-site groundwater contaminant plume. Groundwater contour maps of the water-bearing units show that groundwater is flowing inward toward the production wells. The captured groundwater is routed to an on-site air stripper system. The majority of treated groundwater is discharged to Newman Creek under an NPDES Permit and a lesser portion is used on-site in the manufacturing process. No VOC-contaminated groundwater is migrating off-site (see March 2000, Groundwater Monitoring Report for 1999).

[6] "existing area of contaminated groundwater" is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of "contamination" that can and will be sampled/tested in the future to physically verify that all "contaminated" groundwater remains within this area, and that the further migration of "contaminated" groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

4. Does "contaminated" groundwater **discharge** into **surface water** bodies?

____ If yes - continue after identifying potentially affected surface water bodies.

__X__ If no - skip to #7 (and enter a "YE" status code in #8, if #7 = yes) after providing an explanation and/or referencing documentation supporting that groundwater "contamination" does not enter surface water bodies.

____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

Pumping the two recovery wells creates a hydraulic gradient that prevents contaminated groundwater from discharging to Newman Creek. Shallow groundwater at the facility boundary near Newman Creek flows toward the pumping production wells (see attached Figure 4-2). Geological cross-sections also show that the shallow water table lies in the sand and gravel deposits below the Newman Creek bed (see attached Figure 4-21).

Contaminated groundwater is treated in an on-site air stripper system and discharged to Newman Creek under an NPDES permit. Results of surface water and sediment samples from Newman Creek show that the discharge of treated groundwater has not resulted in an adverse environmental inpact to the creek. Monitoring of Outfall #001 shows that treated groundwater is meeting the permitted effluent limits (see March 2000, Groundwater Monitoring Report for 1999).

5. Is the **discharge** of "contaminated" groundwater into surface water likely to be **"insignificant"** (i.e., the maximum concentration[7] of each contaminant discharging into surface water is less than 10 times their appropriate groundwater "level," and there are no other conditions (e.g., the nature, and number, of discharging contaminants, or environmental setting), which significantly increase the potential for unacceptable impacts to surface water, sediments, or eco-systems at these concentrations)?

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____ If yes - skip to #7 (and enter "YE" status code in #8 if #7 = yes), after documenting: 1) the maximum known or reasonably suspected concentration[3] of <u>key</u> contaminants discharged above their groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) provide a statement of professional judgement/explanation (or reference documentation) supporting that the discharge of groundwater contaminants into the surface water is not anticipated to have unacceptable impacts to the receiving surface water, sediments, or eco-system.

____ If no - (the discharge of "contaminated" groundwater into surface water is potentially significant) - continue after documenting: 1) the maximum known or reasonably suspected concentration[3] of <u>each</u> contaminant discharged above its groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) for any contaminants discharging into surface water in concentrations[3] greater than 100 times their appropriate groundwater "levels," the estimated total amount (mass in kg/yr) of each of these contaminants that are being discharged (loaded) into the surface water body (at the time of the determination), and identify if there is evidence that the amount of discharging contaminants is increasing.

____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s):

[7] As measured in groundwater prior to entry to the groundwater-surface water/sediment interaction (e.g., hyporheic) zone.

6. Can the **discharge** of "contaminated" groundwater into surface water be shown to be "**currently acceptable**" (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented[8])?

____ If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site's surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR 2) providing or referencing an interim-assessment,[9] appropriate to the potential for impact, that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment "levels," as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.

____ If no - (the discharge of "contaminated" groundwater can not be shown to be "**currently acceptable**") - skip to #8 and enter "NO" status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.

____ If unknown - skip to 8 and enter "IN" status code.

Rationale and Reference(s):

[8] Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

[9] The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

7. Will groundwater **monitoring** / measurement data (and surface water/sediment/ecological data, as necessary) be collected in the future to verify that contaminated groundwater has remained within the horizontal (or vertical, as necessary) dimensions of the "existing area of contaminated groundwater?"

X If yes - continue after providing or citing documentation for planned activities or future sampling/measurement events. Specifically identify the well/measurement locations which will be tested in the future to verify the expectation (identified in #3) that groundwater contamination will not be migrating horizontally (or vertically, as necessary) beyond the "existing area of groundwater contamination."

____ If no - enter "NO" status code in #8.

____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s):

Groundwater is currently monitored monthly at the two recovery wells. Under a modified groundwater sampling program, semi-annual groundwater elevation measurements are made at all wells, four wells are sampled semi-annually, and two wells are sampled annually (see March 2000, Groundwater Monitoring Report for 1999).

Long-term groundwater monitoring is part of the final remedy to be published in EPA's Final Decision and Response to Comments due in 2001. A CMI Consent Order will be entered in 2001 to enforce the long-term groundwater monitoring requirements.

8. Check the appropriate RCRIS status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).

X YE - Yes, "Migration of Contaminated Groundwater Under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the EKCO Housewares, Inc. facility , EPA ID # OHD 045 205 424, located at Massillon, Ohio. Specifically, this determination indicates that the migration of "contaminated" groundwater is under control, and that monitoring will be conducted to confirm that contaminated groundwater remains within the "existing area of contaminated groundwater" This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.

____ NO - Unacceptable migration of contaminated groundwater is observed or expected.

____ IN - More information is needed to make a determination.

Completed by (signature) _____ Date 12/13/00

(print) Kenneth S. Bardo

(title) Environmental Scientist

Supervisor (signature) _____ Date _____

(print) George Hamper

(title) Section Chief

(EPA Region or State) Region 5

Locations where References may be found:

RCRA 7th Floor File room - Administrative Record for RCRA 3008(h) Consent Order.

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