# STATEMENT OF BASIS

**Rosedale Landscape Depot**
**Maryland Department of Transportation**
**State Highway Administration**

**Rosedale, Maryland**
**EPA ID No. MDD 981041601**

## I. Introduction

This Statement of Basis is for the Maryland Department of Transportation, State Highway Administration, Rosedale Landscape Depot facility (Rosedale) located in Rosedale, Maryland. After reviewing the results of recent site inspections, past environmental practices, and historical investigations and remedial activities, the U.S. Environmental Protection Agency (EPA) believes that no further corrective action is necessary at the Rosedale facility at this time, with the exception of continued maintenance and annual inspection of the existing multilayer cap and deed notice documentation. The purpose of this document is to solicit public comment on this proposal.

The Rosedale facility is subject to the Corrective Action program under the Resource Conservation and Recovery Act (RCRA). (For more information on RCRA Corrective Action, please visit the Region III web site at www.epa.gov/reg3wcmd/correctiveaction.htm). The Corrective Action program is designed to ensure that facilities have investigated and cleaned up any releases of hazardous waste or constituents that may have occurred at their property. Region III is using the administrative procedures found in 40 CFR Part 270 to solicit public comment prior to making its final corrective action decision for the Rosedale facility.

## II. Facility Background

The Rosedale Landscape Depot site is located at 8355 Pulaski Highway (or U.S. Route 40), Rosedale, Maryland, 21237 in Baltimore County. The facility is currently owned and operated by Maryland Department of Transportation, State Highway Administration (SHA) as a maintenance depot. The site has a large paved area used to store equipment and supplies. The former Containment Building (described below) is currently used as a vehicle/equipment maintenance shop and storage area.

The Landscape Depot site is approximately 3.5 acres, while the previously contaminated area of interest (described below) occupies 1/3 acre of that space. The land use to the west of the facility is commercial and light industrial with a few residences. To the south of the facility, the land use is primarily agricultural.

## III. Release History and Follow-up Activities

During past activities at the facility, twenty-two drums of herbicide/pesticide residue were stored on the property. Over time, these drums deteriorated and, when discovered later in 1984, the partially buried drums had released dioxin contamination (specifically 2,3,7,8-tetrachlorodibenzo-p-dioxin or 2,3,7,8-TCDD) over approximately 1/3 of an acre. The dioxin contamination found in the soils was generated as an unwanted by-product during the herbicide manufacturing process.

Under the direction and oversight of EPA's CERCLA program (Comprehensive Environmental Response, Compensation, and Liability Act or also known as Superfund) and MDE, approximately 500 tons of contaminated soil and solid materials were removed. To ensure the cleanup efforts were effective in removing all dioxin contamination above CERCLA's action level of one ppb (part per billion or µg/kg) in soil, confirmation soil samples were taken in and around the excavated area. Based on the analytical results, it was determined that the majority of the contamination had been removed. However, some of the sampling results showed residual low levels of dioxin remained in the storage area slightly above the cleanup threshold of one ppb in soil. To prevent any future exposure from the small amount of residual contamination, a protective, multilayer cap was placed over the excavated area. The cap consists of 4 inches of subbase material (graded aggregate) siting on the original impacted subgrade, covered by 3 inches of bituminous concrete base, an impermeable membrane, followed by a 1 inch layer of bituminous concrete surface band material covered by 1.5 inches of bituminous concrete surface.

At the time of the excavation, there was no approved method for disposing of the dioxin contaminated materials. Therefore, the drums of waste needed to be stored on-site until an alternative could be found. From 1984 to 1988, the drums were stored in temporary containers. Based on recommendations from EPA and Maryland Department of the Environment (MDE), the State Highway Administration (SHA) determined that a more permanent storage facility was needed for the potential long-term storage of the drums. As a result, SHA constructed a 7,200 square foot storage building with secondary containment at the facility. SHA received a Maryland state permit to store the hazardous waste in the containment building and performed weekly inspections of the area to ensure no contaminants were being released to the environment.

In November 1994, an approved disposal facility for dioxin was located and all dioxin wastes were transported to the company for proper treatment and disposal. SHA proceeded with the clean-closure of the Hazardous Waste Storage building and received approval from MDE in 1995. The building is now used as a maintenance shop and for storage.

In 1998, EPA's RCRA Corrective Action Program contracted with the U.S. Army Corps of Engineers to perform a site inspection of the Rosedale facility to assess the current status. Based on the site visit, EPA determined that the prior remedial work described above eliminated any unacceptable exposure to soil contamination. EPA concluded that the only data gap

remaining was the lack of analytical results from the area confirming that the past disposal activities had not impacted the local groundwater.

EPA discussed its concerns with SHA and the Agencies agreed that additional groundwater data would be collected. In consultation with both EPA and MDE representatives, SHA selected locations for four monitoring wells along the perimeter of the Former Herbicide/Pesticide Disposal Area (identified as Unit 2 below). In September 2000, SHA installed three wells cross-gradient or downgradient and one upgradient of the former disposal area.

Following the completion and development of the wells, EPA tasked the U.S. Army Corps of Engineers (USACE) to perform the groundwater sampling of all four monitoring wells. The groundwater samples were analyzed for a complete list of chemicals, which included Target Compound list (TCL) volatile organic compounds (VOCs), TCL semi-volatile organic compounds, (SVOCs), TCL pesticides, TCL polychlorinated biphenyls (PCBs), herbicides, and Target Analyte List (TAL) metals. Since the analytical results would be used as the basis for a decision of whether further work was necessary, all the samples received third party validation according to EPA's guidelines. Concurrently, SHA analyzed four groundwater samples (plus one field quality-control duplicate) for dioxin using a laboratory screening technique. One additional groundwater sample was analyzed using the standard dioxin method.

The results of the groundwater investigations were compared against EPA's screening values, which included either Maximum Contaminant Levels (MCLs) or Risk Based Concentration (RBC) tapwater values. After reviewing the results of the groundwater sampling event, EPA concludes that the local groundwater has not been impacted by the former herbicide/pesticide storage area. It appears that the multi-layer cap is performing as designed to prevent infiltration of residual contaminants to the subsurface. (For more detailed information, please see the March 2001 *Trip Report for the October 2000 Groundwater Sampling Event* prepared by the U.S. Army Corps of Engineers, the March 2001 Groundwater Investigation Report prepared by Maryland Department of Transportation, and the April 2002 memo to the facility file, all located in the Administrative Record.)

## IV. Summary of Facility Areas

Two areas of interest (solid waste management units or SWMUs) were identified in the EPA Phase II RCRA Facility Assessment (Phase II RFA) dated September 1987; (1) Former Temporary Storage Units and (2) Former Herbicide/Pesticide Storage Area. A third unit, the Hazardous Waste Containment Storage Building, was constructed in 1988 to house the contaminated materials stored onsite and to replace the existing Temporary Storage Units (Unit 1). These three areas are described in more detail below.

<u>Unit 1: Former Temporary Storage Units</u> –

SHA used ten temporary storage units from 1984 to 1988 to temporarily house 1,456 drums (both 55 and 85-gallon drums) of contaminated soil and other materials until an approved

disposal option for the wastes could be located. The containers were placed on a concrete slab, enclosed with a locked security fenced and inspected weekly.

At the time of the 1987 EPA Phase II RFA, the containers were still in use. Shortly thereafter, in 1988, the dioxin-contaminated wastes were moved to the newly constructed storage building (Unit 3, described below). The temporary storage units were verified to be clean (i.e., free from contamination) and removed from the site.

Unit 2: Former Herbicide/Pesticide Storage Area –

This unit covers approximately 1/3 of an acre and encompasses the herbicide/pesticide storage area discovered in 1984 (for history, please see Section III). The drums were removed, soil was excavated and the material was disposed of off-site.

At the time of the 1987 EPA Phase II RFA report, the area was an open, vegetated, flat field. The unit was covered with a plastic sheet and enclosed by a wooden fence. In 1988, a multilayer cap was constructed to prevent further exposure to any residual contamination in the area. The cap included 4 inches of subbase material (graded aggregate) sitting on the original impacted subgrade, covered by 3 inches of bituminous concrete base, an impermeable membrane, followed by a 1 inch layer of bituminous concrete surface band material covered by 1.5 inches of bituminous concrete surface.

Currently, the multilayer cap for this unit remains in excellent condition. Perimeter drainage, as well as valley gutters, was provided during construction to keep standing water off of the capped site. Based on the October 2000 groundwater investigation, any residual soil contamination that remains under the cap has not impacted the groundwater beneath the site. During a site inspection in 1998, it was reported that the surface drainage swales adjacent to the area showed no evidence of past or current seeps or environmental impact.

Unit 3: Hazardous Waste Containment Storage Building -

In 1988, SHA constructed the 7,200 square foot storage building to replace the temporary storage units being used to store the dioxin contaminated materials onsite, due to the concern that the temporary containers were not appropriate for the possible long-term containment needed. The 1,456 drums of material were transferred to the new storage building, stored on shelving, four drums high with appropriate aisle space. A feature of the new building included 130 cubic yards of secondary containment to prevent any releases to the environment. MDE permitted the building for RCRA hazardous waste storage.

The dioxin-contaminated waste was stored in the building until 1994, when an approved disposal facility was identified that could receive the material for disposal. The drums of material were transported by truck from the site and properly disposed. In 1995, as required by the hazardous waste permit, SHA closed the Hazardous Waste Containment Storage Building after inspecting the area and taking samples from inside the structure. No evidence of contamination in the building was found. SHA documented the closure process in the *Closure Report for Dioxin*

*Storage Facility, Golden Ring, Maryland*, dated March 30, 1995. After reviewing the analytical results from this process, closure of the building was approved by MDE in a letter dated May 1, 1995. The hazardous waste permit for the Containment Storage Building terminated on the expiration date of December 19, 1995. The building is currently used for storing equipment and materials for use at the Landscape Depot.

## V. Remedy Proposal

Based on the information presented in this document and in the Administrative Record, EPA proposes that no further corrective action is necessary at this time, with the exception of continued maintenance and annual inspection of the cap and deed notice documentation. To ensure that the multilayer cap installed on the Former Herbicide/Pesticide Disposal Area remains in good condition, EPA will require that SHA:

(1) perform annual inspections of the cap and surrounding area to verify its integrity;
(2) submit a certified annual inspection report to EPA and MDE documenting observations from the inspection;
(3) file a notice with the recorder of deeds for Baltimore County, Maryland that will inform prospective buyers about the residual contamination present below the cap, which notice shall not be released or modified without EPA approval;
(4) provide verification in the annual inspection report that the deed notice remains in place; and
(5) notify EPA and MDE within sixty (60) calendar days in the event of a property transfer or new construction in the capped area.

## VI. Public Participation

EPA is requesting comments from the public on its proposal that no corrective action will be required at this time, with the exception of continued maintenance and annual inspection of the cap and deed notice documentation. The public comment period will last forty-five (45) calendar days from the date that this matter is publicly noticed in a local newspaper (May 22, 2002 to July 8, 2002). Comments should be sent to EPA in writing at the EPA address listed below, and all commentors will receive a copy of the final decision and a copy of the response to comments.

A public meeting will be held upon request. Requests for a public meeting should be made to Ms. Jennifer Shoemaker of the EPA Regional Office at the address below or at (215) 814-2772.

The Administrative Record contains all information considered by EPA when making this proposal. The Administrative Record is available at the following locations:

U.S. Environmental Protection Agency - Region III
1650 Arch Street - 3WC23
Philadelphia, PA 19103-2029

Contact: Ms. Jennifer Shoemaker
Voice: (215) 814-2772
Fax: (215) 814-3113
Hours: Monday - Friday, 8:00 A.M - 5:00 P.M.
E-mail: shoemaker.jennifer@epa.gov

Rosedale Library
(Temporary Reference Documents)
6105 Kenwood Ave.
Rosedale, MD 21237
Phone: (410) 887-0512
Hours: Monday - Thursday, 10:00 A.M. - 9:00 P.M.
Friday - Saturday, 10:00 A.M. - 5:30 P.M.

Following the forty-five (45) calendar day public comment period, EPA will prepare a final decision which will address all written comments and any substantive comments presented verbally at a public meeting. This final decision will be incorporated into the Administrative Record. If the comments are such that significant changes are made to this proposal, EPA will seek public comments on the revised proposal.