



**VIRGINIA DEPARTMENT OF ENVIRONMENT QUALITY**

**DIVISION OF LAND PROTECTION AND REVITALIZATION**

**OFFICE OF REMEDIATION PROGRAMS**

**STATEMENT OF BASIS**

**SAFETY-KLEEN SYSTEMS, INC.**

**CHESTER, VIRGINIA**

**EPA ID NO. VAD981043011**

**JUNE 28, 2011**

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## **I. INTRODUCTION**

### **A. Facility Name**

The Virginia Department of Environmental Quality (VDEQ) has prepared this Statement of Basis (SB) for the Safety-Kleen Systems, Inc. facility located at 1200 W. Hundred Road, Chester, Virginia 23836 (hereinafter referred to as the Facility or Safety-Kleen).

The Facility is subject to the Corrective Action Program under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 to 6992k. The Corrective Action Program is designed to ensure that certain facilities subject to RCRA have investigated and cleaned up any releases of hazardous waste and waste constituents that have occurred at their property.

Information on the Corrective Action Program can be found by navigating <http://www.epa.gov/reg3wcmd/correctiveaction.htm>.

VDEQ has prepared this SB in cooperation with the United States Environmental Protection Agency (EPA) and is providing the opportunity for public comment and review on its proposal and the associated permit modification

### **B. Proposed Decision**

VDEQ has reviewed all available Facility data and has determined that there are no unaddressed releases of hazardous waste or hazardous constituents from the Facility. Based on its review, VDEQ's proposed decision is that no additional characterization or remediation is necessary. VDEQ's proposed decision represents "Corrective Action Complete without Controls" as described in EPA's "Final Guidance on Completion of Corrective Action Activities at RCRA Facilities", (68 FR 8757, February 25, 2003). VDEQ has determined that its proposed decision for the Facility is protective of human health and the environment and that no further corrective action or controls are necessary at this time.

This SB summarizes information that can be found in greater detail in the work plans and reports reviewed by VDEQ and EPA, which can be found in the Administrative Record (AR).

### **C. Public Participation**

Interested persons are invited to comment on VDEQ's proposed decision by reviewing this SB and the documents contained in the AR. The information presented in this SB can be found in greater detail in the work plans and reports submitted by the Facility to VDEQ and EPA. To gain a more comprehensive understanding of the RCRA activities that have been conducted at the Facility, VDEQ encourages the public to review these documents, which are found in the AR. A copy of the AR is available for public review,

in paper or electronic format, from the VDEQ contact person, the address and telephone number of which is provided in Section VI below.

When making a determination regarding the proposed decision, VDEQ will consider all written comments received during the comment period (see Section VII), and requirements of the Virginia Hazardous Waste Management Regulations and 40 CFR Part 124. Each person who has submitted comments will receive a written response from VDEQ. If VDEQ determines that new information or public comments warrant a modification to the proposed decision, VDEQ will modify the proposed decision or select other alternatives based on such new information and/or public comments. VDEQ is proposing to incorporate the determination of Corrective Action Complete without Controls in its modification of the Facility's Hazardous Waste Management Permit.

## **II. FACILITY BACKGROUND**

The Safety-Kleen Systems, Inc. Chester Service Center is located at 1200 W. Hundred Road in Chester, Virginia. The site was purchased by Safety-Kleen from a petroleum supplier in the early 1980s, and is situated on a 9.34 acre property.

Since the early 1980's, Safety-Kleen has been providing solvent distribution, collection and reclamation services to companies primarily engaged in automobile repair, industrial maintenance, photo processing and dry cleaning. The Facility is located in a suburban setting, bordered by community and general business (zoned), along with residential areas, and is located approximately 1.5 miles south of James River.

In 1991, the Facility was issued a Hazardous and Solid Waste Amendments (HSWA) Corrective Action Permit from the EPA under the HSWA of 1984 provisions of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§6901 *et seq.* Therefore, from 1991 through 2000, Corrective Action (CA) activities at the facility were under the direction of EPA Region III.

The Facility's Hazardous Waste Management Permit for the Storage and Treatment of Hazardous Waste was originally issued by the VDEQ with an effective date of August 14, 1996, for a 10-year period until August 14, 2006, under the Virginia Hazardous Waste Management Regulations (VHWMR). Since issuance of the original Permit, the VHWMR has been amended to incorporate the requirements of the Resource Conservation and Recovery Act (RCRA) Regulations by reference and includes the regulatory requirements of the HSWA of the RCRA of 1984. The above Permit was administratively continued until the Permit was reissued by the VDEQ. The Facility's Hazardous Waste Management Permit was reissued by the VDEQ with an effective date of October 24, 2007, and is valid for a 10-year period until October 24, 2017. The reissued Permit authorizes the facility's storage and treatment operations and incorporates site-wide Corrective Action (CA) requirements of the HSWA.

In accordance with the various permits through the years, the Facility conducted a series of groundwater and soil investigations. Results of the final investigation were presented in a Confirmatory Sampling Report (CSR) by ECT dated September 14, 2010. The

VDEQ approved the results provided in the CSR in a letter to Safety-Kleen dated February 3, 2011.

### **III. SUMMARY OF ENVIRONMENTAL HISTORY**

Following is a list of RCRA Corrective Action milestones that have been completed at the Facility and are relevant to VDEQ's decision to recommend a "Corrective Action Complete Without Controls" determination:

- January 1990, RCRA Facility Assessment Report.
- In 1991, the Facility obtained a HSWA Corrective Action Permit from EPA.
- May 18, 1992, a Verification Investigation Work Plan (VIWP) was submitted, and subsequently approved and implemented.
- November 13, 1992, a Verification Investigation Report (VIR) was submitted.
- February 26, 1998, EPA received a report from the U.S. Army Corps of Engineers titled Analytical Results, Residential Well Water and Monitoring Well Water Sampling and Analysis, Safety-Kleen – Chester Service Center, Chester, Virginia.
- October 2, 1998, Safety-Kleen completed the connection of a private residence to the Chesterfield County public water supply, and disabled the residential well, in accordance with the Residential Well Plan aspect of the June 24, 1998, Notice of Implementation – Interim Measures Work Plan.
- August 25, 1999, Safety-Kleen submitted Groundwater Monitoring Report No. 3, which completed the Groundwater Monitoring Plan aspect of the June 24, 1998, Notice of Implementation – Interim Measures Work Plan.
- September 12, 2002, Safety-Kleen submitted additional groundwater sampling results for a sampling event completed on August 22, 2002, which was requested by VDEQ.
- June 26, 2006, via e-mail the VDEQ approved the June 02, 2006, Addendum to the Plan For An Additional Groundwater Sample, initially dated December 05, 2002.
- September 07, 2006, Safety-Kleen submitted the Groundwater Sampling Event Report, and No Further Action Recommendation, which completed implementation of its December 05, 2002, Plan For An Additional Groundwater Sample and the associated approved Addendum of June 02, 2006.
- October 24, 2007, the Facility's Hazardous Waste Management Permit was reissued by the VDEQ, and is valid for a 10-year period until October 24, 2017.

- June 10, 2010, the VDEQ approved the Confirmatory Sampling Plan dated June 08, 2010.
- September 14, 2010, Safety-Kleen submitted the Confirmatory Sampling Report that presented results of the Confirmatory Sampling Plan implementation.
- February 03, 2011, the VDEQ approved the results presented in the Confirmatory Sampling Report.

In accordance with the 1990 RFA Report and the HSWA Corrective Action Permit of 1991, EPA's contractor RMT prepared a Verification Investigation Work Plan (VIWP), which was submitted on May 18, 1992. The VIWP specified investigative actions at nine units at the facility.

This investigation resulted in a November 13, 1993, Verification Investigation Report (VIR) prepared by RMT for EPA. The VIR concluded that of the nine units that were investigated, only one unit had a release to the environment. This release area corresponds with an area of former underground storage tanks (USTs) that had previously been abandoned.

Subsequent groundwater investigation activities were performed at the Facility during the mid-1990's in the general area of the former USTs, including the installation and monitoring of three groundwater monitoring wells (MW-1, MW-2, and MW-3). Low-level volatile organic compounds (VOCs) were detected in groundwater sampled from two of the groundwater monitoring wells. Four nearby residential water wells (RW-1 through RW-4) were also sampled and VOCs were detected in one (RW-2) of these wells.

In mid-July 1998, Safety-Kleen installed two new groundwater monitoring wells (MW-4 and PZ-5) to confirm the direction of the groundwater flow, and to further evaluate groundwater quality conditions. Three additional rounds of groundwater monitoring well samples were taken and analyzed in July 1998, January 1999, and July 1999. Thereafter, an additional round of groundwater monitoring well samples were taken and analyzed in August 2002. In 2002, VDEQ review of the analytical results of groundwater samples collected during the sampling events completed through 2002 indicated a downward trend in the concentration of the two VOC contaminants of concern, tetrachloroethene and 1, 1-dichloroethene, was evident. The sampling reports dated August 1999 and September 2002 confirmed there were no groundwater detections exceeding the drinking water standards (MCLs).

Concurrent with the groundwater monitoring activities, on October 2, 1998, as an Interim Measure, Safety-Kleen completed the connection of a private residence to the Chesterfield County public water supply, and disabled the residential water well. Drinking water samples collected from this residential well were found to contain the same VOCs that were also found in Safety-Kleen's two groundwater monitoring wells.

In 2002, the VDEQ also requested additional groundwater sampling (GP-1) and analysis for a specific location thought to represent a data gap (between MW-2 and MW-4). The Facility agreed to conduct the additional groundwater monitoring to fill the data gap for the former USTs area at the Facility. Therefore, Safety-Kleen submitted the Plan For An Additional Groundwater Sample (Plan) dated December 05, 2002. Later, Safety-Kleen submitted an Addendum to the Plan, which was dated June 2, 2006. The Plan Addendum specified the grab sample techniques to be utilized in the groundwater monitoring. That Plan Addendum was conditionally approved by the VDEQ on June 26, 2006. Safety-Kleen completed its implementation of the sampling under this plan and addendum, and submitted to VDEQ the Groundwater Sampling Event Report, dated September 7, 2006. No constituents were detected above laboratory detection levels in the groundwater sample, which verified that groundwater was not impacted.

Subsequently in 2010, the VDEQ further evaluated the historical groundwater information in order to make a determination whether additional corrective action would be necessary for the Facility. The VDEQ concluded that sufficient historical groundwater data was available and additional groundwater data was not needed, but that soil sampling and analysis was needed to make the final determination.

With guidance from the VDEQ, a Confirmatory Sampling Plan (CSP) was prepared by Environmental Consulting & Technology, Inc. (ECT) and submitted to VDEQ on June 8, 2010. The VDEQ conditionally approved the CSP via a letter to Safety-Kleen dated June 10, 2010.

Results of the CSP implementation were submitted to the VDEQ and the EPA in a Confirmatory Sampling Report (CSR) by ECT dated September 14, 2010. As reported in the CSR, the specific objective of the investigation was to determine whether any releases have occurred that pose a threat to human health or the environment at the Facility. As requested by VDEQ, Safety-Kleen also performed a detailed review of Facility records pertaining to Solid Waste Management Units (SWMUs). Based on the evaluation of Facility records, Safety-Kleen determined there have been no new SWMUs discovered since submittal of the most recent renewal permit application (2006). Therefore, per the stated objective and all information considered, the investigation was designed to determine whether any releases to soil have occurred (that pose a threat to human health or the environment) in the location of the former underground storage tanks (USTs), and the former and associated closed wet dumpster [listed as SWMUs 8, 9, 10 and 6, respectively, in the 2002 permit]. This is the same location where a historical release prompted the groundwater investigation that has been completed, as previously described.

The soil sampling included collection of four soil samples. All soil samples were laboratory analyzed for: volatile organic compounds (VOCs) according to EPA Method 8260B; semi-volatile organic compounds (SVOCs) according to EPA Method 8270D; and the metals cadmium, chromium (trivalent and hexavalent), and lead. The laboratory analytical results from the investigation were compared to the Regional Screening Levels (RSLs) published by the EPA in May 2010. The results of this CSR investigation

indicated that existing soil quality does not pose a threat to human health or the environment. The VDEQ approved the results provided in the CSR in a letter to Safety-Kleen dated February 3, 2011. All investigations required under the CA program have been completed at this Facility.

#### **IV. ENVIRONMENTAL INDICATORS**

Under the Government Performance and Results Act (“GPRA”), EPA has set national goals to address RCRA corrective action facilities. Under GPRA, EPA evaluates two key environmental clean-up indicators for each facility: (1) Current Human Exposures Under Control and (2) Migration of Contaminated Groundwater Under Control. The Facility met these indicators on January 8, 2009.

#### **V. FINANCIAL ASSURANCE**

Since no further investigations or corrective actions are anticipated based on the available information, financial assurance for corrective action is not required for the Facility.

#### **VI. PUBLIC PARTICIPATION**

Interested persons are invited to comment on VDEQ’s proposed decision. The public comment period will last sixty (60) calendar days from the date the notice is published in a local newspaper. Comments may be submitted by mail, fax, e-mail, or phone to Mr. Ryan J. Kelly at the address listed below.

A public meeting will be held fifteen (15) calendar days from the date the notice is published in a local newspaper. The Administrative Record contains all the information considered by VDEQ for its proposed remedy for the Facility. To receive a copy of the Administrative Record, contact Mr. Ryan J. Kelly at the address below:

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629 East Main Street  
P.O. Box 1105  
Richmond, VA 23218  
Contact: Mr. Ryan J. Kelly  
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