



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 3
STATEMENT OF BASIS
DUPONT PERFORMANCE COATINGS, INC.
FRONT ROYAL, VIRGINIA
EPA ID NO. VAD 980 554 539
JUNE 2, 2010**

CONCURRENCES

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DATE								

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I. INTRODUCTION

A. Facility Name

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) for the DuPont Performance Coatings, Inc. Facility, located at 7961 Winchester Road, Front Royal Virginia (hereinafter referred to as the Facility). 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 hazardous constituents that have occurred at their property. Information on the Corrective Action program can be found by navigating at <http://www.epa.gov/reg3wcmd/correctiveaction.htm>.

EPA has prepared this SB in cooperation with the Virginia Department of Environmental Quality (“VDEQ”). EPA has reviewed all available Facility data and has determined that no additional characterization or remediation is necessary for the Facility to satisfy its federal RCRA Corrective Action obligations. Based on its review, in this SB EPA is proposing its final remedy for the Facility and providing the opportunity for public comment and review on its proposal.

B. Proposed Decision

This SB explains EPA’s proposed decision that Corrective Action is complete and no land use controls are required for the Facility. EPA’s proposed decision is based on a site visits and a review of EPA and Virginia Department of Environmental Quality (VDEQ) files regarding the environmental history of the Facility as presented in the Final RCRA Site Visit Report submitted on March 12, 2007 and the RCRA Corrective Action Environmental Indicator (EI) Determination Reports (September 2009). Based on this review, EPA has concluded that there are no current or unaddressed releases of hazardous waste or hazardous constituents from the Facility.

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

C. Importance of Public Input

The purpose of this document is to solicit public comment on EPA's proposed remedy prior to EPA making its final remedy selection for the Facility. The public may participate in the remedy selection process by reviewing this SB and documents contained in the Administrative Record in support of EPA's proposed decision and submitting written comments to EPA during the public comment period. The information presented in this SB can be found in greater detail in the work plans and reports submitted by the Facility to EPA and to VADEQ. To gain a more comprehensive understanding of the RCRA activities that have been conducted at the Facility, EPA encourages the public to review these documents, which are found in the Administrative Record. A copy of the AR is available for public review, as well as an electronic copy, from the EPA Region 3 office, the address and telephone number of which is provided in Section VII below.

EPA will address all significant comments received during the public comment period. If EPA determines that new information or public comments warrant a modification to the proposed decision, EPA will modify the proposed decision or select other alternatives based on such new information and/or public comments. EPA will approve its final decision in a document entitled the Final Decision and Response to Comments (FDRTC).

II. FACILITY BACKGROUND

The site is located in Warren County, Virginia, just north of Front Royal (Figure 1). It covers approximately 195 acres and is situated at the northeast corner of the intersection of U.S. Route 340/522 and Route 658. The nearest residence to the facility is approximately 60 feet from the property boundary and 1,000 feet from the manufacturing area to the northeast.

Since June 1981, the Front Royal plant has manufactured resin polymers finishes and paint related products for the automotive original equipment and after market. Prior to plant construction in 1981, the site was used for agricultural purposes.

The facility currently employs approximately 400 individuals and operates 24 hours per day, 7 days per week. The facility layout includes an office area, two story manufacturing area, and a packaging/warehouse location. Areas around tanks and manufacturing units are typically concrete and asphalt. The active portion of the facility is completely surrounded by a 7-foot high chain link fence. Access to the site, both vehicular and pedestrian, is controlled through a single entrance. Security personnel on a 24-hour basis staff this entrance. Security guards make frequent tours of the site perimeter to detect unauthorized entry. The Facility was constructed in a manner that did not place any product or process lines underground, and each building has containment measures, including lined trench drains. An on-site spill basin allows for the detention of liquids captured from the trench drains and process area for testing prior to on-site surface discharge. Storm water is surface discharged on-site through a gate-controlled

outfall. The entire facility is built on a grade that provides for secondary containment with an earthen dam.

The facility currently maintains five vapor wells surrounding an on-site fuel oil tank. The wells are 50 feet in depth and penetrate into bedrock; however, the water table was not encountered during drilling of the wells. No vapors have ever been detected in these wells, nor are there any documented releases that have occurred that could have impacted groundwater conditions at the facility.

III. SUMMARY OF ENVIRONMENTAL HISTORY

The *Final RCRA Site Visit Report* (Tetra Tech, March-2007) identified eleven solid waste management units (SWMUs) and two areas of concern (AOCs) at the Facility. Releases have been documented at the two AOCs but no releases have ever been documented at the SWMUs described in the report. The releases (AOC A and AOC B) were immediately remediated through excavation, characterization, backfill, and proper disposal of affected soils; however, confirmation soil samples were not collected to document the effectiveness of the cleanup activities.

In November 2006, shallow confirmatory soil samples were collected from six locations associated with AOC A (Roof Top Resin Tank Failure) and AOC B (Roof Top Product Tank Overflow). One surface soil sample (collected from depths less than 2 feet below ground surface [bgs]) and two subsurface soil samples (collected from depths greater than 2 ft bgs) were collected from each AOC to evaluate documented past releases at the areas. Soil samples were analyzed for Appendix IX volatile organic compounds (VOCs) plus tentatively identified compounds (TICs) using USEPA SW846 method 8260B. The soil sample analytical results indicated no detections at concentrations exceeding the laboratory practical quantitation limits (PQLs) at AOC A and minor detections above PQLs at AOC B.

Concentrations of constituents detected in soil were compared to appropriate screening levels to assess potential impact to human health and the environment and to identify constituents of potential concern (COPCs). Surface and subsurface soil concentrations were compared to USEPA Regional Screening Levels (SLs) for industrial soil (USEPA, 2009). The SLs represent a combined exposure including inhalation of particulates and volatile compounds, dermal absorption, and ingestion. The sampling results were below USEPA Regional Screening Levels.

In summary, all media was investigated at all of the SWMUs and AOCs and the two releases that occurred at the two AOCs were immediately remediated. No further investigation or remediation is warranted.

IV. EVALUATION OF EPA'S PROPOSED DECISION

EPA 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.

V. 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.

EPA approved the Environmental Indicator (EI) Determination Reports for Current Human Exposures Under Control (CA725) and Migration of Contaminated Groundwater Under Control (CA 750) documentation in September 2009.

VI. FINANCIAL ASSURANCE

Since no further investigations or corrective actions are anticipated, financial assurance is not required for the Facility.

VII. PUBLIC PARTICIPATION

Interested persons are invited to comment on EPA’s proposed decision. The public comment period will last thirty (30) 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. Denis Zielinski at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Mr. Denis Zielinski at the address listed below. A meeting will not be scheduled unless one is requested.

The Administrative Record contains all the information considered by EPA for its proposed remedy for the Facility. To receive a copy of the Administrative Record, contact Mr. Denis Zielinski at the address below:

U.S. EPA Region 3
1650 Arch Street
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Contact: Mr. Denis Zielinski (3LC2)
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