



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 3
STATEMENT OF BASIS
FORMER REHRIG INTERNATIONAL
RICHMOND, VIRGINIA
EPA ID NO. VAD 089 028 377
MARCH 11, 2009

TABLE OF CONTENTS

I. INTRODUCTION 2
 A. Facility Name..... 2
 B. Proposed Decision 2
 C. Importance of Public Input 2
II. FACILITY BACKGROUND 3
III. SUMMARY OF ENVIRONMENTAL HISTORY 3
IV. EVALUATION OF EPA’S PROPOSED DECISION 5
V. PUBLIC PARTICIPATION 5

I. INTRODUCTION

A. Facility Name

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) for the Former Rehrig International Facility located at 901 North Lombardy Street, Richmond, VA 23220 (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 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>.

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 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 26, 2007. Based on this review, EPA has concluded that there are no current or unaddressed releases of hazardous waste or hazardous constituents from the Facility.

C. Importance of Public Input

Before EPA makes a final decision on its proposal for the Facility, the public may participate in the remedy selection by reviewing this SB and documents contained in the Administrative Record (AR) for the Facility. The AR contains the complete set of reports that document Facility conditions, including a map of the Facility, in support of EPA's proposed decision. EPA encourages anyone interested to review the AR. A copy of the AR is available for public review from the EPA Region 3 office, the address of which is provided in Section V, 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 Former Rehrig International Facility is located at 901 North Lombardy Street, in Richmond, Virginia. The Facility was constructed in 1904, and was operated by Rehrig International from 1979 until 2000.

The Facility is located in an urban commercial, industrial and residential area. The closest residence is approximately 500 feet from the Facility. The closest surface water body is the James River, 1.6 miles south of the Facility.

Facility operations included manufacturing of shopping carts and shopping baskets. The manufacturing process consisted of metal fabrication, injection molding, and metal plating. Ancillary equipment used by Rehrig included a wastewater treatment system, a diesel fuel Underground Storage Tank (UST), a waste oil Aboveground Storage Tank (AST), and a hydraulic oil AST.

Rehrig's manufacturing activities ceased in 2000, and the Facility was sold in 2002. The Facility has been demolished and a Kroger's grocery store and small retail shops have been constructed in its place.

The Facility at one time operated under interim permit status for container and tank storage. Additionally, the Facility was a large quantity generator (LQG) of hazardous waste.

III. SUMMARY OF ENVIRONMENTAL HISTORY

A 1993 Environmental Site Assessment Update Report identified historical occupants of the Facility to include the State Penitentiary, a book binding business, and an air filter products manufacturer. The Facility was initially constructed by the Export Leaf Tobacco Company and was used for tobacco leaf storage until 1977. Bowe Street Associates purchased the property in 1977. The property remained vacant until 1979 when Rehrig leased a portion of the onsite building. The Facility was again sold in May 2002, to the Broad Street Associates, and again in June 2003 to New River Real Estate. A grocery store and strip mall currently occupy the site.

According to the 1993 Environmental Site Assessment Update Report, the manufacturing process consisted of metal fabrication, injection molding that produced high-density polyethylene (HDPE) parts, and metal plating of nickel and chromium onto the metal parts of the shopping carts (a new plating system was installed in 1993). Ancillary equipment used by Rehrig included a wastewater treatment system, diesel fuel UST, a waste oil AST, and a hydraulic oil AST. Rehrig plated and assembled approximately ¼ million shopping carts and baskets per year.

Hazardous chemical storage areas were used at the site, and Rehrig was a LQG of hazardous waste.

Rehrig treated wastewater generated by the Facility's nickel and chromium electroplating operations in an on-site wastewater treatment system. This wastewater treatment system included 4 stages of treatment in tanks, followed by waste treatment using a filter press to remove water from settled solids. Wastewater from the tanks and filter presses were discharged to the sanitary sewer system in accordance with a Pretreatment Permit issued and administered by the City of Richmond. This Permit was a requirement of the City's Virginia Pollution Discharge Elimination System (VPDES) Municipal Wastewater Treatment Permit issued by the State Water Control Board and VDEQ.

A letter from the Virginia Department of Waste Management to Rehrig dated November 6, 1990 indicated that hazardous waste closure of the Facility had been completed in accordance with the approved closure plan; however, it is not clear if this closure addressed all waste management units.

A Virginia Waste Management Board Consent Order was issued on January 23, 1997 which described numerous violations observed during a July 11, 1996 VDEQ inspection. Violations included administrative items (manifest issues, no job titles for employees who manage hazardous waste, and failure to maintain tank assessment records) and physical violations (failure to keep all containers of hazardous waste closed, storage of incompatible materials, and improper secondary containment). This Order indicated that violations were to be corrected in 90 days. A May 15, 1998, letter from the VDEQ indicated that the facility met the terms of the Order and that the Order had been terminated.

Rehrig operated a wastewater treatment facility under a Pretreatment Permit issued by the City of Richmond; the wastewater discharge from this system was administered and regulated under the City's Municipal VPDES Permit. Rehrig admitted in its plea that in 1998, the company violated its VPDES Permit numerous times by discharging excessive amounts of nickel and chromium (up to 30 times its permitted limits). The City issued Rehrig several citations, and in December 1998 found Rehrig in significant noncompliance with its permit. A May 15, 1998 letter from VDEQ to Rehrig indicated that the Facility met the terms of the Order, and that the Order had been terminated. In early 1999, Rehrig agreed to improve its water treatment system.

In 2001, Rehrig pleaded guilty to criminal violations of the Clean Water Act and was ordered to pay \$500,000 for fines, implement pollution prevention improvements at its plant, and perform community service.

Rehrig continued to periodically violate its VPDES Permit, according to EPA officials. At this time, Rehrig began moving its operations to a new site in neighboring Chesterfield County, Virginia.

Rehrig later acknowledged this discharge occurred as a result of lack of staff resources, according to EPA documents. In late September 1999, after additional permit violations by Rehrig and additional citations by the City of Richmond, Rehrig's discharges violated its permit on each of five consecutive days.

After Rehrig pleaded guilty to two criminal misdemeanors, the company was fined \$200,000, ordered to make a \$290,000 payment for adding pollution prevention/control equipment at its new plant (Chesterfield County Facility), and ordered to make a \$10,000 contribution to the James River Advisory Council, a group formed to protect the River. Rehrig was also required to submit an environmental compliance program to the court and its employees were required to perform 400 hours of community service.

Subsequently, Rehrig replaced its plating manager, plant manager, and vice president for production. Rehrig then contracted with an environmental consulting firm to perform wastewater treatment, and operated in compliance with its Chesterfield County Clean Water Act permit. During an unannounced September 10, 2002 compliance inspection, VDEQ determined that Rehrig no longer operated the site. The VDEQ Office of Waste Programs was requested to deactivate the VAD identification number.

In summary, the hazardous waste releases were addressed and closure was certified by the VDEQ on November 6, 1990 and May 15, 1998. All Clean Water Act violations of the VPDES Permit were resolved by the assessment of fines, implementation of pollution prevention improvements, performing community service and eventually closing of the facility.

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. PUBLIC PARTICIPATION

Interested person 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 the proposed decision at this Facility. To receive a copy of the Administrative Record, contact Mr. Denis Zielinski at the address below:

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Contact: Mr. Denis Zielinski (3LC20)

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