



**VIRGINIA DEPARTMENT OF ENVIRONMENT QUALITY
DIVISION OF LAND PROTECTION AND REVITALIZATION
OFFICE OF REMEDIATION PROGRAMS**

STATEMENT OF BASIS

SAFETY-KLEEN SYSTEMS, INC.

VINTON, VIRGINIA

EPA ID NO. VAD000737361

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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 16090 Stewartsville Road, Vinton, Virginia 24179 (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, Vinton Service Center is located at 16090 Stewartsville Road in Vinton, Virginia, which is in Bedford County, approximately three miles east of the City of Vinton, on Route 24. The Vinton Service Center has been in operation since October 1979 and consists of approximately 3 acres. The Facility is bordered by light industrial, residential and agricultural areas. Access to the Facility is controlled by a 6-foot high chain link fence, topped with three strands of barbed wire. Access into the site is through a gate at the southeast corner of the site.

Since 1979, Safety-Kleen has been providing solvent distribution, collection and reclamation services to companies primarily engaged in automobile repair, industrial maintenance, photo processing, manufacturing, and dry cleaning. The business activities conducted at the facility relate to the leasing and servicing of Safety-Kleen parts cleaning equipment, the collection and distribution of solvents, the collection of paint wastes, and the collection and management of industrial wastes. The solvents are distributed from and returned to the service center, where separate aboveground storage tanks are utilized for the storage of clean and used parts washer solvent, and waste oil. Additional space is designated for the storage of drums containing various waste streams including both clean and used immersion cleaner, dry cleaner wastes, photographic processing wastes, and paint wastes. The stored materials are periodically removed from the Facility and transported to other facilities for reclamation or other method of disposal. No reclamation or disposal activities are performed at the Vinton facility.

All land and buildings currently associated with the Facility are owned by Safety-Kleen. The existing Facility consists of one building which contains offices and warehouses used primarily for container storage. Additionally, there is a flammable container storage shelter used for the storage of flammable waste, a 15,000-gallon aboveground hazardous waste storage tank for the storage of spent parts washer solvents and aqueous parts washer solvents, and the return and fill station which contains two settling/treatment tanks to transfer spent solvents to the storage tank. The Facility also stores clean parts washer solvent in a 15,000-gallon aboveground vertical tank and a 12,000-gallon aboveground horizontal double wall tank. The Facility stores used oil and oily water in

two 20,000 gallon aboveground tanks. The Facility also manages other hazardous wastes and non-regulated waste on a 10-day transfer basis.

In 1991, the Facility was issued a Hazardous and Solid Waste Amendments (HSWA) Corrective Action (CA) 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, CA activities at the Facility were under the direction of the EPA Region III.

The Facility’s Hazardous Waste Management Permit for the Storage and Treatment of Hazardous Waste was issued by the VDEQ with an effective date of September 29, 1997, for a 10-year period until September 29, 2007, under the Virginia Hazardous Waste Management Regulations (VHWMR). Since issuance of the above 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 Hazardous and Solid Waste Amendments (HSWA) of the RCRA of 1984. The Hazardous Waste Management Permit was modified by the VDEQ, effective October 9, 2002, to incorporate site-wide CA requirements of the HSWA. 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 August 18, 2008, and is valid for a 10-year period until August 18, 2018. The reissued Permit authorizes the Facility’s storage operations and incorporates site-wide CA requirements of the HSWA.

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:

- In October 1989, A “RCRA Facility Assessment” (RFA) of the Safety-Kleen Facility was completed by the Virginia Department of Waste Management.
- The Facility received a RCRA Corrective Action Permit (RCAP) effective November 4, 1991.
- A Verification Investigation (VI) Work Plan to investigate subsurface conditions at SWMU 8 was prepared by RMT, Inc. and submitted to the EPA Region III RCRA Programs Branch on May 1, 1992.
- The results of the VI Work Plan implementation were submitted in a Verification Investigation (VI) Report dated November 23, 1993, by Mid-Atlantic Associates, P.A. (Mid-Atlantic) to the EPA and the Commonwealth of Virginia.
- A response letter dated April 20, 1995, from the EPA disapproved the VI Report, and requested a work plan for additional investigation.

- A RCRA Hazardous Waste Management Permit was issued by VDEQ to Safety-Kleen on September 29, 1997.
- The facility's RCRA Hazardous Waste Management Permit was modified by VDEQ on September 9, 2002 (effective October 9, 2002), which incorporated site-wide CA.
- The facility's Hazardous Waste Management Permit was reissued by the VDEQ on August 18, 2008, and is valid for a 10-year period until August 18, 2018. The reissued Permit authorizes the facility's storage operations and incorporates site-wide CA requirements of the HSWA
- 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 29, 2010.
- The VDEQ approved the results provided in the CSR in a letter to Safety-Kleen dated February 3, 2011.

In October 1989, a RFA of the Safety-Kleen Facility was completed by the Virginia Department of Waste Management. The RFA identified eight Solid Waste Management Units (SWMUs) at the facility. The RFA also recommended that soil and groundwater sampling and analysis be performed at the site of SWMU 8. The RFA did not recommend soil or groundwater sampling at any of the other seven SWMUs identified.

SWMU-8 consists of the area of the subsurface which formerly contained two 15,000-gallon capacity USTs. These tanks, which were constructed of steel, were reportedly put into service in October 1979 and were in service until May 23, 1985, when they were removed from the ground. The USTs at SWMU 8 formerly stored mineral spirits.

Mineral spirits is a liquid hydrocarbon solvent used for cleaning and degreasing parts. Waste mineral spirits may contain heavy hydrocarbon compounds such as oils and greases as well as some metals. Therefore, waste mineral spirits may be considered hazardous if they exhibit the characteristics of toxicity as defined in 40 CFR 261.24.

The Facility received a RCAP effective November 4, 1991. Condition IIB of the permit required the submittal of a VI Work Plan ultimately to investigate subsurface conditions at SWMU 8. The VI Work Plan was prepared by RMT, Inc. and submitted to the EPA Region III RCRA Programs Branch on May 1, 1992. In a correspondence dated August 18, 1993, the EPA approved the implementation of the VI Work Plan. Within the scope of the VI Work Plan, Mid-Atlantic performed the VI activities at the Vinton site during

November of 1993. The results of the VI were submitted in a Verification Investigation Report (November, 1993) by Mid-Atlantic to Region III of the EPA as well as the Commonwealth of Virginia. An April 20, 1995, response letter from the EPA disapproved the VI Report, and requested a work plan for additional investigation.

In subsequent years, various work plans were prepared and submitted to the EPA and/or the VDEQ, but none of those work plans was ever approved or implemented until 2010. With guidance from the VDEQ, a Confirmatory Sampling Plan (CSP) was prepared by Environmental Consulting & Technology, Inc. (ECT) and submitted to DEQ 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 29, 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 performed a detailed review of facility records pertaining to 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 (2007), and that Table V.A-1 in the current permit accurately lists the existing SWMUs. Therefore, per the stated objective, the investigation was designed to determine whether any releases have occurred (that pose a threat to human health or the environment) from SWMU-8, which is unit 9 on the current permit list.

The soil sampling included collection of five soil samples, and the groundwater sampling included the installation of one monitoring well, MW-1, and the collection of one groundwater sample from the monitoring well. All soil and groundwater 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 investigations indicated that existing soil and groundwater quality do 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 September 15, 2008.

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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