



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 3
STATEMENT OF BASIS
STERLING CASKET HARDWARE COMPANY
ABINGDON, VIRGINIA
EPA ID NO. VAD 000 020 115
MARCH 23, 2010

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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 Sterling Casket Hardware Company located at 14430 Enterprise Road, Abingdon, VA 24212 (hereinafter referred to as the Facility or Sterling Casket).

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>.

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 no further actions to remediate soil, groundwater, or indoor air contamination are necessary to protect human health and the environment given current and reasonably anticipated future land use. EPA’s proposed remedy requires the Facility to develop and maintain certain property mechanisms known as Institutional Controls (ICs). The proposed ICs are discussed in Section VI below. These controls will provide assurance that the land use, as currently known and anticipated, does not change without additional investigation or work and prior notification to the EPA. EPA’s proposed decision represents “Corrective Action Complete with Controls” as described in EPA’s “Final Guidance on Completion of Corrective Action Activities at RCRA Facilities”, (68 FR 8757, February 25, 2003).

This SB summarizes information that can be found in greater 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 AR 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 VDEQ. 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 AR. A copy of the AR is available for public review, as well an electronic copy, from the EPA Region 3 office, the address and telephone number of which is provided in Section IX 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 Sterling Casket Hardware Company facility is located in Abingdon, Washington County, Virginia, near the intersection of State Routes 704 and 879. The site comprises approximately 4.9 acres of land and is improved with a process building, paved parking lot, and landscaped areas. The site is bound to the north by Tri-Tube Industries, to the east by State Route 704, to the south by State Route 879, and to the west by open, undeveloped land.

The site has been owned and operated by Sterling Casket since 1963. Sterling Casket uses the site to manufacture casket hardware. On-site activities include molding, casting, electroplating, painting, and assembly of casket hardware parts. Although lead casting was performed in the past, only zinc casting is currently performed. Sterling Casket currently performs zinc, nickel and cyanide-based (copper and bronze) plating. The process building houses a machine shop, a casket hardware molding room, a shipping warehouse, a painting room, a flammable chemical storage room, a finishing area, several hardware assembly areas, and an electroplating process area.

Several hazardous waste surface impoundments at the facility were closed with wastes in place on May 31, 1989. The VDEQ and Sterling Casket entered into a Consent Order (CO) for post-closure care of the closed impoundments on September 30, 1994 and a post-closure permit was never required. A copy of the CO can be found in the AR under the document title: 1994 8 16. The CO requires groundwater monitoring and maintenance of the cap covering the impoundments. A Deed Notice with survey plat is on file at the Washington County Courthouse. The notice and survey plat identify the location and restrict the use of the hazardous waste surface impoundments closed with waste in place as a landfill.

III. SUMMARY OF ENVIRONMENTAL HISTORY

To date, the following RCRA CA milestones have been completed at the Facility:

- February 27, 1991 - Preliminary Assessment completed by EPA Region III
- September 1995 - Stabilization Initiative Inspection Report completed by EPA Region III
- June 17, 2002 - Draft Soil Sampling Plan for site submitted by US Army Corps of Engineers (US COE)
- July 10, 2002 - Final Sampling Project Plan for soil sampling at site approved by VDEQ
- August 21, 2002 - Sterling entered into a Facility Lead Agreement (FLA) with EPA Region III to address the necessary RCRA CA work at the facility
- November 25, 2002 - Draft site RFI/Soil Sampling Report submitted by US ACOE to VDEQ and EPA Region III
- April 4, 2003 - Final site RFI/Soil Sampling Report submitted by US ACOE to VDEQ
- September 9, 2004 – The two Environmental Indicators are met. Current Human Exposures are Under Control and the Migration of Contaminated Groundwater is Under Control.
- February 3, 2009 - Site RFI/Soil Sampling Report concurrence by VDEQ
- March 19, 2009 – Additional Information Submission and Clean-Up Action approved by VADEQ and Final Phase I RFI Report concurrence by VDEQ

The environmental investigations at the Facility focused on soil sampling at six areas: SWMU-8, SWMU-9, Area-1, Area-2, Anthill area, and Sump area. These areas are depicted in Attachment 1 to this SB. On 15 and 16 July 2002, a US Army Corps of Engineers (US ACOE) sampling team collected soil samples from a total of 27 locations including 25 from the six (6) areas of concern and one (1) from a background location, and a sediment sample from the bottom of the concrete sump. The samples were analyzed for 11 inorganic constituents including arsenic, barium, cadmium, chromium, copper, lead, nickel, selenium, silver, zinc, and cyanide.

Additionally, under the CO, groundwater samples were collected from groundwater monitoring wells at the downgradient end of the property from October 2003 through the present day. The contaminants of concern in the groundwater were identified as arsenic (MCL – 10 ug/L), chromium (MCL – 100 ug/L) and lead (MCL – 15 ug/L). Beginning in May 2005, groundwater monitoring was conducted on a semi-annual basis. During the four most recent sampling events (November 2006, April 2007, December 2007 and April 2009), none of the constituents of concern exceeded applicable maximum or alternate concentration limits. No off-site groundwater contamination was identified.

IV. RISK ASSESSMENT

It should be noted that the Facility's current and reasonably foreseeable land use is industrial, and there are no current expectations that the site would be converted to residential use. Industrial use is consistent with the Washington County 2002 Comprehensive Plan. However, the evaluation of hypothetical residential scenarios for soil exposure was included in a comprehensive risk assessment.

After completing its review of the soil data, VDEQ determined that the cumulative risk and hazard index from hazardous constituents at the site is below the current risk-based performance standards for industrial use receptors. The US ACOE dataset showed that the residential action level of 400 mg/kg for lead was not exceeded at any of the sampling locations. Each constituent analyzed in the sediment samples grabbed from within the Sump (SD) and soil samples grabbed from within close proximity of the Sump (SB-1) met the current (January 2009) risk based screening levels for future industrial use, with the exception of one (1) soil sample in SB-1, which exceeded the Industrial Screening Level for Arsenic in the 0-6 inch soil horizon. However, the Facility was able to demonstrate that the soil in that area was from an off-site source and that the arsenic concentration in the soil was not attributable to a release from the Facility. At the remaining five locations, soils concentrations for barium, selenium, silver, zinc, and cyanide were below residential screening levels. The soil concentrations of arsenic, cadmium, copper, chromium, and nickel at the remaining five locations meet the current (January 2009) risk based performance standards for future industrial use.

The screening of contaminant concentrations against soil screening levels and an evaluation of site-specific soil conditions indicate that the leaching potential is limited and contaminants in soils may not reach the groundwater, which is 60 feet below ground surface. If future groundwater monitoring data indicates leaching of contaminants from soils, VDEQ may consider further evaluation including remediation of soils and/or groundwater as deemed necessary.

No ecological risk assessment was performed because no ecological receptors were identified at the site.

V. EVALUATION OF EPA'S PROPOSED DECISION

This section provides a description of the criteria EPA uses to evaluate proposed remedies under the Corrective Action Program. The criteria are applied in two phases. In the first phase, EPA evaluates three criteria, known as Threshold Criteria. In the second phase, EPA may consider seven balancing criteria to select among alternative solutions, if more than one alternative is proposed. The Facility has demonstrated that the current conditions meet the threshold criteria established by EPA.

The following is a summary of EPA's evaluation of the Threshold Criteria:

A. Threshold Criteria

(1) Overall Protection of Human Health and the Environment

The proposed remedy protects human health and the environment from exposure to contaminants. EPA's proposed decision meets this standard for current and anticipated land use.

As previously mentioned, no adverse ecological impact was identified. Ongoing groundwater monitoring will ensure that no adverse impacts from the closed surface impoundments will occur and will be addressed if it does occur.

(2) Attainment of Media Cleanup Standards

EPA's proposed remedy meets the appropriate cleanup objectives based on assumptions regarding current and reasonably anticipated land and water resource uses.

Results from recent groundwater monitoring indicate none of the constituents of concern exceeded applicable maximum or alternate concentration limits. Soil sampling indicates acceptable risk levels for industrial use of soils at the Facility.

(3) Source Removal

In all remedy decisions, EPA seeks to eliminate or reduce further releases of hazardous waste and hazardous constituents that may pose a threat to human health and the environment. The Facility has remediated all known sources of contamination by excavation and consolidation in the closed hazardous waste management units.

B. Balancing Criteria

(1) Long-Term Reliability and Effectiveness

Only ICs and ongoing groundwater monitoring are required. The long-term reliability and effectiveness are ensured through use of an order and layering of ICs.

(2) Reduction of Waste Toxicity, Mobility or Volume

Declining groundwater concentrations indicate in-situ processes that aid in the natural biodegradation and attenuation of constituents of concern in groundwater. All known wastes have been consolidated in the closed surface impoundments, leaving the majority of the site suitable for industrial use. Future corrective actions may be considered to return the site to unrestricted use.

(3) Short-Term Effectiveness

ICs and groundwater monitoring are already in place.

(4) Implementability

The proposed remedy is anticipated to be fully implementable with readily available methods. No regulatory hurdles are anticipated for continued implementation.

(5) Cost

The proposed remedy represents a good balance between cost and risk reduction. The Facility has already expended costs for source removal and monitoring. Ongoing monitoring and maintenance of the ICs are estimated at approximately \$7,000 per year based on historic costs under the CO.

(6) Community Acceptance

Community Acceptance of the proposed remedy will be determined based on the comments received during the public comment period.

(7) State Acceptance

The VDEQ has reviewed the proposed remedy and concurs with it.

VI. INSTITUTIONAL CONTROLS

Institutional Controls (“ICs”) are generally non-engineered mechanisms such as administrative and/or legal controls that minimize the potential for human exposure to contamination and/or protect the integrity of a remedy. Under this proposed remedy, some concentrations of contaminants will remain in the groundwater and soil at the Facility above levels appropriate for residential and domestic uses. As a result, the proposed remedy will require the Facility to implement ICs in order to restrict use of the Facility soil and groundwater to prevent human exposure to contaminants while contaminants remain in place.

A. Existing Institutional Controls

A Deed Notice is already in place with the Washington County Circuit Court Clerk’s Office, Deed Book 844, Page 767-768, identifying the location of the hazardous waste surface impoundments closed with waste in place as a landfill. The Deed Notice will be incorporated into the Declaration of Restrictive Covenants to ensure that the cap will not be disturbed. The area covered by the cap restriction will be separate from the industrial use restriction, described below.

Groundwater monitoring under the CO will continue until the end of the post-closure care period or until the Facility has successfully petitioned the VDEQ for early termination of the post-closure care period. At a minimum, the Facility will need to demonstrate three years without any exceedance of drinking water standards. Drinking water standards are Maximum Contaminant Levels (MCLs) promulgated at 40 CFR 141, pursuant to Section 1412 of the Safe Drinking Water Act (SDWA), 42 USC Section 300-1. For contaminants of concern without an applicable MCL, EPA’s Risk Based Concentration (RBC) for tap water established by EPA Region III in 2009 would be used. The standards applicable for the Facility are included in the CO as Groundwater Protection Standards.

B. Additional Proposed Controls

Given the extent and nature of waste left in place, more than one institutional control is necessary to prevent activities which could interfere with the integrity or protectiveness of the remedy. The Facility will be required to register a Notice of Institutional Controls and Declaration of Restrictive Covenants with the Washington County Circuit Court Clerk's Office, and to send a clerk-stamped copy of this Notice to EPA and VDEQ within 60 days of recordation. To support the Notice, the Facility will be required to provide a coordinate survey as well as a metes and bounds survey of the closed surface impoundments and the Facility boundary. Mapping the extent of the land use restrictions will allow for presentation in a publicly accessible mapping program such as Google Earth or Google Maps.

Future land use on the facility property will thus be restricted to industrial or commercial use. It should be noted that the facility's current and reasonably foreseeable land use is industrial, and there are no expectations that the site would be converted to residential use. Land uses, which are inconsistent with the Notice, and which, if implemented at the Facility, may result in a significant risk of harm to health, safety, public welfare or the environment, are as follows:

1. Construction and occupancy of residential dwellings,
2. Playgrounds for children,
3. Childcare centers, and
4. Public garden spaces.

The Notice shall specify that the following obligations and conditions are to be undertaken in connection with the Facility in order to minimize a risk of harm to human health and the environment:

1. No construction at the Facility shall be undertaken without prior consultation with, and written approval from, the VDEQ and EPA.
2. All soil removed from within the Facility's boundaries shall be tested and if found to be a RCRA hazardous waste, shall be treated and disposed of as such.
3. All workers involved in disturbing the soils by digging at the Facility shall be properly trained and provided with proper personal protective equipment before they engage in any such activity.
4. Incorporation of the Notice into deeds, mortgages, leases, and instrumentation of land or ownership transfers in which an interest in and/or a right to use the Facility is conveyed.

In addition to the use limitations, obligations and conditions, set forth in the Notice discussed above, the Facility owner and any subsequent owners may be required to submit to the EPA written documentation following the transfer of the property concerning changes in the use of the Facility property. This includes the filing of

applications for building permits for the property or proposals for any Facility work potentially affecting the land use limitations identified in the Notice.

ICs include, among other mechanisms, the possibility of issuing an EPA order to implement the IC requirements set forth in this Section VI.

VII. 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 9, 2004.

VIII. FINANCIAL ASSURANCE

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

IX. PUBLIC PARTICIPATION

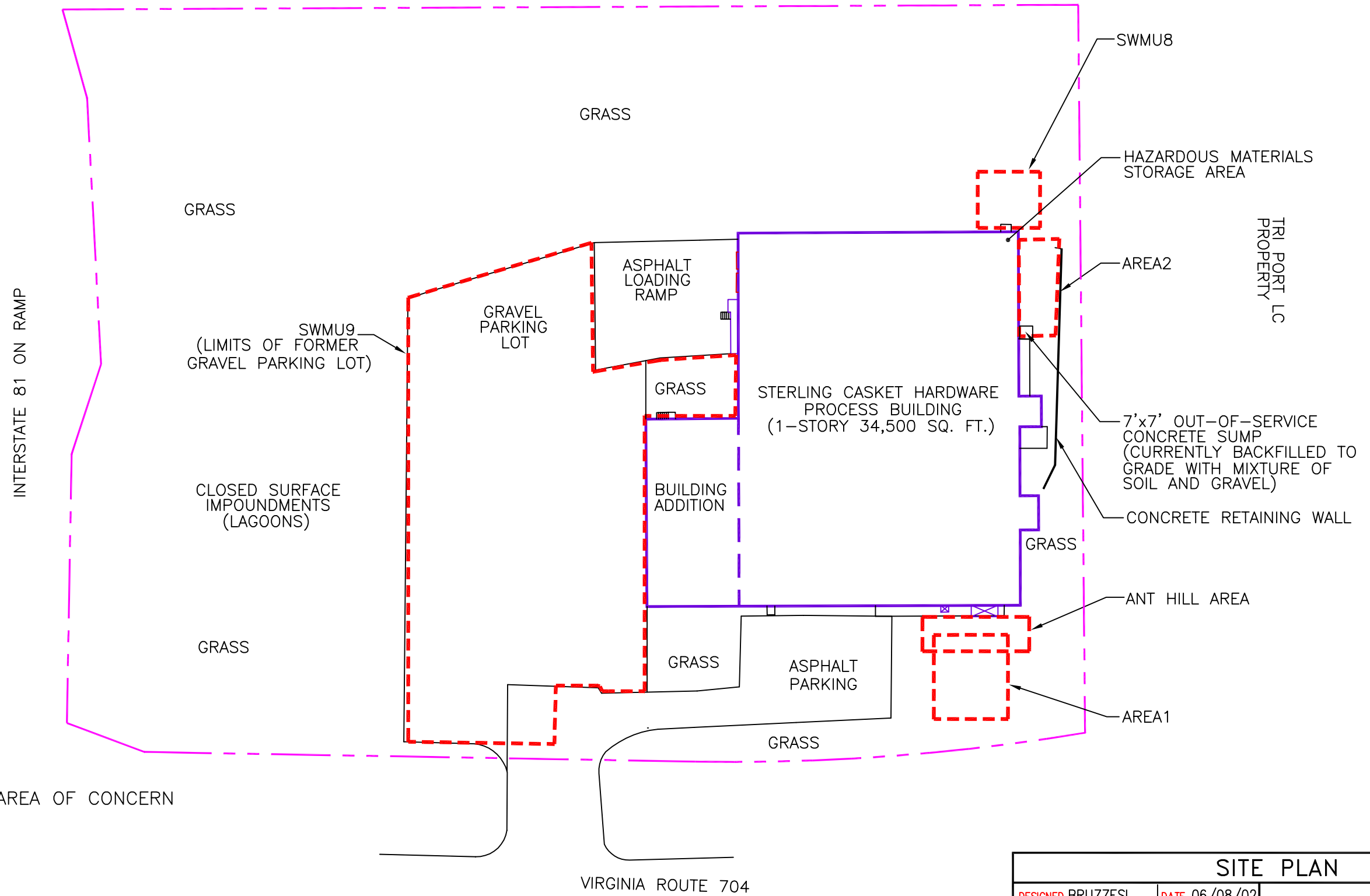
Interested persons are invited to comment on EPA’s proposed decision. The public comment period will last thirty (30) calendar days from the date the notice is published in a local newspaper. Comments may be submitted by mail, fax, e-mail, or phone to Mr. Denis Zielinski at the address listed below.

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:

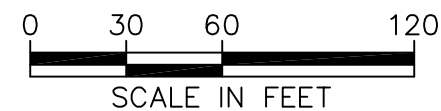
U.S. EPA Region 3
1650 Arch Street
Philadelphia, PA 19103
Contact: Mr. Denis Zielinski (3LC20)
Phone: (215) 814-3431
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Email: zielinski.denis@epa.gov

COMMONWEALTH OF VIRGINIA PROPERTY
(UNDEVELOPED)



LEGEND

DESIGNATES AREA OF CONCERN



SITE PLAN			
DESIGNED BRUZZESI	DATE 06/08/02	STERLING CASKET HARDWARE 14430 ENTERPRISE ROAD ABINGDON, VA	
DRAWN STOCKTON	DATE 06/08/02		
 ICOR LTD. ENVIRONMENTAL SERVICES P.O. BOX 885 LORTON, VIRGINIA 22189		PROJECT NO. 02-44.2	SCALE: AS SHOWN
		DRAWING NO. 0244-001	FIGURE 1