UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY

REGION III

STATEMENT OF BASIS

AMERICAN ENVIRONMENTAL SERVICES, INC.

MORGANTOWN, WEST VIRGINIA

EPA ID NO. WVD981107600

JUNE 29, 2010

TABLE OF CONTENTS

I. Introduction

A. Facility Name

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) for the American Environmental Services, Inc. facility located at 1750 Morgantown Industrial Park (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, as well as a fact sheet for the Facility, 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 site visit and a review of EPA and West Virginia files regarding the environmental history of the Facility as presented in the Final Environmental Indicator Inspection Report submitted on January 28, 2010. 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 process 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. The copy of the AR is available for public review, as well as an electronic copy, from EPA Region III Office, the address and telephone number 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 Facility is located at 1750 Morgantown Industrial Park in Morgantown, Monongalia County, West Virgina. The Facility is bordered to the west by wooded land and the east by the Monongahela River; also, there are scattered residences and development to the north, east, and south of the Facility. The Facility covers approximately 0.75 acres, which is comprised of Building 170 and surrounding areas in the Industrial Park. The Facility building is three-stories in height with approximately 17,000 square feet of space.

From 1975 to 1981, that building was vacant; from October 1981 to January 1984 the building was leased by EEE Corporation. In January 1984, EEE Corporation's lease was reassigned to ASI Reactivation Inc.; and again reassigned to Carbon Reactivation (CRI) on June 1985. ASI and CRI merged in January 1990, and continued to operate under the name Adsorption Systems, Inc. (ASI) until March 1994, when the name was changed to Carbon Regeneration Inc. In October 1995, Carbon Regeneration Inc. changed names to Regeneration Technologies Inc. (RTI). Regeneration Technologies Inc. processed spent activated carbon in a recycling operation to reactivate the material for reuse. After the failure of the reactivation furnace in January 1999, RTI elected to close the facility in accordance with a previously approved Closure Plan dated May 2, 1990. A Closure Certification dated December 8, 1999 indicated that contamination contributed to the site by RTI was removed to the level required in the closure plan.

The Facility operates as a transfer facility for RCRA hazardous and non-hazardous wastes. Operations include storage, repacking/consolidating, and transportation of wastes to off-site disposal facilities. The Facility generates small amounts of contaminated personal protective equipment (PPE) during repacking/consolidation activities; no other waste handling activities take place at the Facility. Operations are segregated into functional areas designated as the Central Storage Area (Area A), Lower Storage Area (Area C), Loading Dock Area (Area B), Yard Area, Department of Transportation (DOT) 10-day Trailer Staging Area, Boiler Room, and offices.

The Facility, which is currently inactive, is permitted to accept a wide variety of hazardous wastes including, but not limited to, contaminated soil, sludge, wastewaters, filter media, paint related wastes, sand blast materials, lamps, batteries, off-specification products, spent solvents, and oils. The Facility is currently permitted to store a maximum of 50,000 gallons of waste at any given time.

AES has the ability to manage hazardous wastes containing greater than 500 ppm volatile organics by weight and to utilize Level I containers (120, 85, or 55-gallon drums and smaller containers) to manage these hazardous waste streams. The Level I containers meet DOT standards and utilize covers with no visible gaps.

The facility's tank farm, which is not in use, is located north of the main building and is a chemically resistant epoxy sealed concrete structure supported by gravel. Parking areas are located to the east, north, and west side of the building.

Most of the Facility is covered with asphalt and concrete and operations do not take place outdoors. The Facility is surrounded by a 6-foot high metal cyclone fence, with three strands of barbed wire. Facility access is through two vehicle gates and security personnel are on-site 24 hours per day.

III. Summary of Environmental History

Historically at the site, liquid and vapor phase activated carbon was reactivated. The spent product had been used for the removal of dissolved or vapor phase organic contaminants from process, waste, and groundwater systems. This process used a fluid furnace bed to thermally reactivate the carbon. Contaminants released during reactivation were thermally destroyed in an afterburner. Carbon was then returned to the original source in the same transport container in which it was delivered. Vapor discharges from holding tanks were passed through carbon canisters prior to atmospheric discharge.

A RCRA Part A application was filed by CSI in 1986. A RCRA Part B application was filed in 1987 with revisions in 1990 and 1999. In April 2000, the facility closed the permitted hazardous waste storage tanks. AES submitted a new Part A permit application reflecting these closures and a Part B Permit was issued in 2002. The reactivation of carbon was considered reuse (recycling) and therefore was exempt from waste disposal regulation in West Virginia; however, ASI was classified as a hazardous waste storage facility by the then-WVDNR because of the possible contamination of spent carbon handled at the facility. In December 2007, AES was granted a temporary authorization for an increase in facility capacity from 35,750 gallons to 61,600 gallons.

The Facility was issued a National Pollution Discharge Elimination System (NPDES) Permit (Number WV0073598) in July 1986 for the discharge of treated and untreated industrial wastes through Outlet 001 into the waters of an unnamed wet-weather ditch line of the Monongahela River. Sanitary wastes from the facility are discharged to the Morgantown Industrial Park sewage treatment facility, which operates under an independent NPDES permit. There have been no documented product releases to the trench drain or storm sewer system.

During the operation of the carbon reactivation facility, the site operated under several different Air Permits. Initially EEE Corporation was issued an Air Permit on March 4, 1982. This permit was replaced with Permit Number R-XIII-817 when CRI operated the facility. Permit R13-817 was revised and replaced by Permit R13-1197 on January 16, 1991. Permit R13-817A was terminated in April 1999 by WVDEP at RTI's request. Currently, the Facility (AES) does not operate under any air permits, and has no process vents that manage hazardous wastes at greater than 10 ppm organics as regulated under RCRA Subpart AA or any equipment that contacts hazardous wastes greater than 10 ppm organics as regulated under RCRA Subpart BR. There have been no recorded odor complaints from neighboring property owners.

Historically, the former unloading / loading docks consisted of five different size loading docks located to the east, southeast, west, and north of Building 170. Various materials were stored on these loading docks such as dry spent carbon in 55-gallon drums or 1,000-pound bulk sacks; wet spent carbon in 55-gallon drums from off-site facilities for reclamation; and, drummed and bulk sack reactivated carbon. One documented spill occurred on June 17, 1986 when a tanker truck released approximately 100 gallons of a carbon and water mixture. The carbon was

collected and processed through the facility. Impacted soils were collected and disposed off-site. Investigation and remedial action was completed in June 1986 and determined to be acceptable by the WVDEP.

The former Storage Area consisted of five concrete-pad bays used for the storage of dry spent carbon in drums or bulk sacks; and, wet spent carbon in drums from off-site facilities for reclamation; and, drummed and bulk sack reactivated carbon.

The former Pressure Transfer Tank was a 7,500-gallon tank (approximately) used to store wet spent carbon slurries from bulk tanker trucks and was located north of Building 170, in the Tank Farm Area. The tank was constructed of carbon steel, vented, and was lined with 40-mil Plasite material and situated on a 90-foot by 15-foot concrete pad, with concrete containment walls approximately 3 feet in height. Vapor discharges were filtered through an activated carbon canister and spent carbon was transferred by piping to the former Main Storage Tank for processing. Closure was completed in accordance with the approved Closure Plan and a closure certification for the former Pressure Transfer Tank was received by the WVDEP in December 1999. The tank was recognized as "clean closed" and financial assurance was subsequently released.

The former Furnace Feed Tanks (two in total) were 7,500-gallon tanks (approximately) used for the storage of off-loaded wet spent carbon slurries from bulk tanker trucks and were located north of Building 170, in the Tank Farm Area. These tanks were vented through carbon canisters and were lined with 40 mil thick Plasite material. Closure was completed in accordance with the approved Closure Plan and closure certifications for the two former Furnace Feed Tanks were received by the WVDEP in December 1999. The tanks were recognized as "clean closed" and financial assurance was subsequently released.

The former Main Storage Tank (silo) was a 28,500-gallon tank used to store wet spent carbon slurries from bulk tanker trucks and was located north of Building 170 in the Tank Farm Area. The tank was constructed of carbon steel and was lined with 40-mil Plasite material. Vapor discharges were filtered through an activated carbon canister. Closure was completed in accordance with the approved Closure Plan and a closure certification for the former Main Storage Tank was received by the WVDEP in December 1999. The tank was recognized as "clean closed" and financial assurance was subsequently released.

The former Carbon Fines Storage Tanks (two in total) were located on concrete pads north of Building 170 in the Tank Farm Area. These tanks were constructed of carbon steel and were lined with 40-mil Plasite material. The tanks received carbon fines from the former Wastewater Treatment Facility. Operation of these tanks ceased sometime before 1999 when AES purchased the facility.

The former Underground Storage Tank (UST) was a 3,000-gallon tank located outside Building 170 under the Tank Farm Area. The tank stored virgin or waste cutting oil when the facility was operated by Sterling Faucet. Between 1983 and 1985, the tank was used by CRI to store wastewater from its processes. The tank was emptied and filled with concrete in April 1987. The closure of this tank was reportedly approved by the then-WVDNR.

The former Motive Water System was a 6,500-gallon tank, pump, 5,200-gallon (approximate) motive water screen tank, and piping system that provided water, as needed, to transfer the spent carbon slurry from the storage tanks to the former Fluid Bed Furnace and to settle the carbon fines. The 6,500-gallon tank was located in the Tank Farm Area, while the 5,200-gallon motive water tank was located on the south interior side of Building 170. The piping consisted of a 2-inch diameter closed-loop piping system which connected the base of the former Main Storage Tank, manual feed hopper, and the former Furnace Feed Tanks to a conveyor to the two tanks in this unit. Periodically, there would be a small buildup of carbon fines in the motive water tank which were periodically removed and drummed on site. Operation of this system ceased in 1999 and a Closure Certification indicates that the motive water system was sold during decommissioning.

The former Furnace Scrubber Effluent Tank was a 6,500-gallon (approximately) tank located north of Building 170 within the Tank Farm Area and was used for the settling of carbon fines from the overflow from the former Scrubber. The tank was constructed of carbon steel and was lined with 40-mil Plasite material. The tank was vented with vapor discharges being filtered through an activated carbon canister. The Facility ceased operation of the tank in 1986.

The former Fluid Bed Furnace was a two-chamber furnace for the reactivation of carbon and was located on the second floor of Building 170, along the eastern wall. The fire brick, steel-shelled wall furnace was used to dry the wet spent carbon, volatilize the organic compounds in the wet and dry spent carbon processes, and to reactivate the carbon. Methane, air, and steam fluidized the carbon bed, to achieve drying and to initiate the volatilization of organics from the carbon. From the first chamber the carbon moved to the second chamber (reactivation bed) for the completion of volatilization. The exhaust from this unit was connected to a series of air pollution control equipment which removed the particulate matter and reduces the gaseous emissions from the waste air stream to meet the conditions of the Air Permit. Operations of the furnace ceased in 1999 and the Closure Certification indicates that the Furnace was disposed at a landfill during decommissioning.

The former Wastewater Treatment Facility consisted of trenches and piping throughout the facility, a concrete and steel-lined pit, and two activated carbon adsorption columns located area north of Building 170. Rainwater, water from the former Motive Water System, water from the former Furnace Scrubber Effluent Tank, blow-down from the Scrubber, and other process water were drained into the 6,500-gallon pit through the trenches and piping at the facility. The carbon fines settled out and were pumped to the former Carbon Fines Storage Tank for collection. The water was then pH adjusted to meet the discharge conditions of the NPDES permit and then filtered through the two activated carbon adsorption columns in a shed located next to the concrete and steel lined pit before being discharged. Operation of the former Wastewater Treatment Facility ceased sometime before 1999 when AES purchased the Facility. A sump, which was part of this system remains in use today. Storm water is collected in this sump, transferred to plastic totes, and sampled. If the water is found to be clean, it is discharged through the facility's NPDES-permitted outfall.

Historically, there were two monitoring wells on-site which had not been utilized for several years. These wells were abandoned in accordance with West Virginia Code Title 47, Series 60, Paragraphs 19.2-19.3.

Other than minor releases, there has been no reporting or evidence of major spills or releases at this 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 persons are invited to comment on EPA's proposed decision. The public comment period will last thirty (30) calendar days from the date that 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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