



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
STATEMENT OF BASIS
ALLENTOWN PAINT COMPANY
ALLENTOWN, PENNSYLVANIA
EPA ID NO. PAD002391969

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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 former Allentown Paint Company (hereinafter referred to as the Facility) located at 639 East Allen Street, Allentown, Pennsylvania.

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 at <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 Pennsylvania Department of Environmental Protection (PADEP) files regarding the environmental history of the Facility as presented in the Final Environmental Indicator (EI) Inspection Report submitted in August 2008. 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 AR is available for public review at the EPA Region III 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 Facility is located at 639 East Allen Street in Allentown, Lehigh County, Pennsylvania. The Facility is bordered by East Utica Street to the north, North Graham Street to the east, East Allen Street to the south, and undeveloped land and commercial development to the west. A combination of residential and commercial development surrounds most of the Facility. The Facility covers approximately 3.8 acres. Tire manufacturing occurred at this location in the early 1900s. The Facility moved to this location in the early 1930s, and began manufacturing solvent-, oil-, and water-based paints. From this time until 1989, the Facility was owned by the Helfrich family. From 1989 to 1995 the Facility was owned by the Stulb Paint Company and continued to be used for paint manufacturing until Stulb Paint went out of business in 1995. Linden Street Warehouse, Inc. purchased the property in 1997, then Allen Street Development, Inc. purchased the property in 2003 and is the current owner. The Facility currently houses several tenants in the main building, former powerhouse, and garage.

III. Summary of Environmental History

An Environmental Priorities Initiative Preliminary Assessment (PA) (October 1990) was conducted at the Facility in June 1990. The report identified five Solid Waste Management Units (SWMU), none of which had any reported spills or releases. Two waste streams, spent solvents and paint sludge, were generated at the Facility and either recycled on-site to be reused or shipped off-site for disposal. The amount of hazardous waste generated at the Facility was considered small.

The Facility was cited several times in the 1990s for improperly storing paint waste and mislabeling of containers and drums. An interim response action was conducted from late 1998 to early 1999 to remove materials from the Facility that had accumulated up until the owner of the Facility went out of business and abandoned the property in 1995. Among the materials removed from the Facility were approximately 1,000 55-gallon drums of paint waste and paint-related products, 11,600 gallons of latex washwater, and 8,909 gallons of solvent/water fuel blend material.

A Notice of Intent to Remediate (NIR) and Final Report were submitted in August 2000 under the Pennsylvania Land Recycling Program (Act 2). This investigation included an analysis of surface and subsurface soil, soil gas, and groundwater to characterize contaminants at the Facility, as well as a geophysical survey to identify any subsurface anomalies such as buried drums or underground storage tanks (UST). These characterization efforts led to the removal of approximately 80 tons of lead-impacted soil from several areas of the Facility and the clean closure and removal of three USTs from the Facility. As a result, the remediation of the Facility demonstrated attainment of the Non-Residential Statewide Health Standard (SHS) and was afforded liability protection under Act 2 in October 2000.

A second NIR and Final Report were submitted in July and August 2004 in order to attain the Residential SHS, which the new owner desired as a result of the sale of the Facility in 2003. Areas above the Residential SHS were delineated, and approximately 20 tons of lead-impacted soil were removed off-site. Post-excavation attainment sampling confirmed that the Facility met the Residential SHS for soil, and PADEP approved the report in August 2004 and granted a release of liability for soil to the Facility.

An EI Inspection (August 2008) was conducted at the Facility in October 2007 to determine whether human exposures to any contamination and migration of any contaminated groundwater on-site were under control. This investigation identified six inactive SWMUs that no longer exist at the Facility; none of the identified SWMUs had a history of any releases. Several tenants were identified as occupying the main building and the former powerhouse, none of which appeared to require hazardous waste permitting as a result of their activities. Two tenants utilize two of the three above-ground storage tanks (AST) remaining at the Facility for heating oil and used oil; the third AST is empty and has never been removed due to its location on the second floor of the main building behind wall partitions.

The EI inspection concluded that the only media or pathway of potential concern was groundwater underneath the Facility, which had never specifically been given release of liability by PADEP due to lead concentrations in each of the three wells exceeding the non-residential SHS for a used aquifer. Two of the three wells also slightly exceeded EPA's lead action level for drinking water (Table 1). However, the only round of groundwater sampling was done prior to removal of lead-impacted soil, which served as a source for groundwater contamination. Since lead concentrations in groundwater beneath the site were only slightly elevated in 1999 and the source of lead contamination was removed in 2000, and taking into consideration the physical properties of lead (low solubility, preference of binding to soil) that reduce its mobility, lead concentrations in groundwater under the Facility are expected to decrease and it is not expected that any lead-contaminated groundwater will travel off-site at levels above 15ug/L. Furthermore, groundwater is not used in the vicinity of the Facility and area residents are supplied drinking water via a public water system. Findings from the EI inspection and the information presented here resulted in EPA's determination in February 2009 that both human exposures to any contamination and migration of any contaminated groundwater were under control at the Facility.

Table 1: May 1999 Groundwater Sampling Results for Lead, ug/L

MW1	MW2	MW3	PA MSC*	EPA action level
16.1	18.7	14.7	5	15

*PA MSC used is Non-Residential Statewide Health Standard for Used Aquifer, TDS<=2500

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. Griff Miller at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Mr. Griff Miller 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. The Administrative Record is available at the following location:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Mr. Griff Miller (3LC30)
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