



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Secretary of Natural Resources

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June 28, 2019

Mr. David Smith and David Marshall
David Smith, Technical Manager
David Marshall, QA Manager / EHS Coordinator
UPACO Adhesives, Worthen Industries
dsmith@worthenind.com, DMarshall@worthenind.com

**RE: Long Term Stewardship
Former J.W. Fergusson Site, Richmond VA
EPA ID No. VAD003109360**

VIA ELECTRONIC MAIL

Dear Mr. Smith and Mr. Marshall,

The Department of Environmental Quality, Office of Remediation Programs (Department) has prepared the attached report following the Long Term Stewardship inspection performed on June 24, 2019 at the Former J.W. Fergusson site located in Richmond, Virginia. The inspection found no outstanding items with compliance of institutional controls. You may contact Ryan Kelly at Ryan.Kelly@deq.virginia.gov or myself at Kari.lackey@deq.virginia.gov to discuss any questions regarding the remedy or the inspection.

Respectfully,

A handwritten signature in cursive script that reads 'K. Allyson Lackey'.

K. Allyson Lackey
Hazardous Waste Permit Writer and Inspector

cc: Chris Evans, Ryan Kelly; DEQ-CO
Cassie McGoldrick, John Hopkins, EPA Region III (3LC50)
Jeremy Hicks, Jason Miller, DEQ-PRO

Enclosures: Long-Term Stewardship Assessment Report



Long-Term Stewardship Assessment Report

Former J.W. Fergusson Site
EPA ID: VAD003109360
Prepared by: K. Allyson Lackey
LTS Visit Date: June 24, 2019

Introduction:

Long-term stewardship (LTS) refers to the activities necessary to ensure that engineering controls (ECs) are maintained and that institutional controls (ICs) continue to be observed. The purpose of the EPA Region 3 LTS program is to periodically assess the efficacy of the implemented remedies (i.e., ECs and ICs) and to update the community on the status of the Resource Conservation & Recovery Act (RCRA) Corrective Action facilities. The assessment is conducted in two fold, which consists of a record review and a field inspection, to ensure that the remedies are implemented and maintained in accordance to the final decision.

Site Background:

The former J.W. Fergusson and Sons, Inc. site occupies approximately 3.35 acres of property in Richmond, Virginia. The facility was a rotogravure printing press operation since 1962 and ceased all operations in 2006. Prior to this time, the Site was a vacant lot. Upon the cease of operations in 2006, all manufacturing equipment, process raw materials, and waste materials were removed and transported off-site for reclamation, re-use, or disposal. In addition, all process material tanks and waste tanks were decontaminated and closed in place or removed. A description of historical operations conducted at the Property, contaminants present in soil and groundwater, and Virginia Department of Environmental Quality's (VDEQ) final remedy for the Property is presented in the September 24, 2012, Statement of Basis in the Administrative Record for the Facility. The Property was purchase in 2014 by Worthen Industries, UPACO Adhesives and filed an Environmental Covenant with the City of Richmond, on September 8, 2014 for the property.

The site remediation targets benzene, 1, 1-dichloroethylene, and vinyl chloride in groundwater. The groundwater monitoring well system that includes six (6) monitoring wells (MW-1, MW-2, MW-3, MW-5, MW-6 and MW-7.)

Current Site Status:

The Environmental Covenant requires the continued monitoring and the implementation of Institutional Controls (ICs) to restrict groundwater use and land use.

Long-term Stewardship Site Visit:

On June 24, 2019, DEQ conducted a long-term stewardship site visit to discuss and assess the status of the implemented remedies at the site.

Table 1: Attendees for the LTS inspection

Name	Organization	Email Address	Phone No.
K. Allyson Lackey, DEQ Permit Writer	VADEQ – Central Office	kari.lackey@deq.virginia.gov	804-698-4421
Jeremy Hicks	VADEQ – Pediment Regional Office	Jeremy.Hicks@deq.virginia.gov	804-527-5008
David Smith, Technical Manager	UPACO Adhesives, Worthen Industries	dsmith@worthenind.com	804-275-9231, Ext. 106

Name	Organization	Email Address	Phone No.
David Marshall, QA Manager / EHS Coordinator	UPACO Adhesives, Worthen Industries	DMarshall@worthenind.com	804-275-9231, Ext. 118

Institutional Controls (ICs):

The Facility filed an environmental covenant with the City of Richmond, on September 8, 2014 to implement the following ICs:

- Prohibit use of groundwater at the Property for any purpose other than monitoring activities as required by VDEQ or EPA;
- Prohibit use of the Property for residential purposes;
- Prohibit installation of new wells on Property without EPA or VDEQ prior approval;
- Restrict activities that would interfere with or adversely impact the integrity of the remedy;
- Restrict earth-moving activities, including excavation, drilling and construction activities, except in conformance with an appropriate Materials Management Plan;
- Implement vapor mitigation for all new enclosed structures designed for occupation within the footprint of the contaminated groundwater plume; and
- Notify prospective buyers of the Property of the environmental conditions at the Property and of VDEQ's selected corrective measures as part of the remedy for the Property under RCRA Corrective Action.

Financial Assurance:

Financial Assurance is not currently required for corrective action activities at the Facility.

Uniform Environmental Covenants Act (UECA) Reporting Requirements/Compliance:

Compliance and Use Report:

The Compliance with and effectiveness of the institutional controls and engineering controls implemented at the facility shall be evaluated every three years and whenever else requested in writing by EPA. The evaluation includes, but not limited to, a review of groundwater and land uses within one mile of the facility property boundary and zoning maps or planning documents that may affect future land use in the impacted area. The current owner of the Property shall submit to EPA and VDEQ a report documenting the findings of the evaluation and shall be signed by a qualified and certified professional engineer who has inspected and investigated compliance with this Environmental Covenant. The most recent UECA Compliance and Use Report was submitted on February 13, 2018. **The Department did not identify any noncompliance issues with reporting requirements.**

Groundwater Monitoring Report:

The Compliance with and effectiveness of the proposed remedies at the facility in reducing contaminant concentrations and restoring the groundwater to MCLs shall be evaluated and included in the biennial Groundwater Monitoring Report as required by the approved Groundwater Monitoring Plan. The groundwater results from the Facility shall be reported in the Groundwater Monitoring Report. The most recent Groundwater Monitoring Report was received by the Department on October 5, 2017. **The Department did not identify any noncompliance issues with reporting requirements.**

*Former J.W. Fergusson Site
EPA ID: VAD003109360
2019 Long Term Stewardship Report
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In addition, within one (1) month of after any of the following events, the then current owner of the Property shall submit to the Agency written documentation describing the following: noncompliance with the activity and use limitations in this Environmental Covenant; transfer of the Property; changes in use of the Property; or filing of applications for building permits for the Property and any proposals for any site work, if such building or proposed site work will affect the contamination on the Property. **The Department did not identify any noncompliance issues with reporting requirements.**

Mapping:

The EPA Facility website figure has been updated with a Geospatial PDF showing the use restriction boundaries. The map was field-verified and no issues were noted.

Follow-up Activities:

No follow up activities related to the LTS are required.

Conclusion:

The ICs selected are implemented and remain intact and undamaged. No EC/IC deficiencies have been identified.



Long-Term Stewardship Visit Checklist

Former J.W. Fergusson Site
 EPA ID: VAD003109360
 LTS Visit Date: June 24, 2019

DEQ Personnel:

K. Allyson Lackey, Permit Writer/HW Inspector, CO
 Jeremy Hicks, Hazardous Waste Inspector, PRO

Facility Representatives:

David Smith, Technical Manager, UPACO Adhesives
 David Marshall, QA Manager / EHS Coordinator, UPACO Adhesives

Selected Remedies:

Groundwater contamination impact limited to on-site the media and has not observed or indicated migration off-site. Therefore, groundwater associated with the Facility does not discharge to any surface water bodies. Groundwater monitoring of the constituents, activity and use limitations of the Property are set forth in the Final Remedy.

The site remediation targets benzene, 1, 1-dichloroethylene, and vinyl chloride in groundwater. The groundwater monitoring well system includes six (6) monitoring wells (MW-1, MW-2, MW-3, MW-5, MW-6 and MW-7.)

Activity and Use Limitations

Institutional Controls (ICs) (Entire Facility):

The Facility filed an environmental covenant with the City of Richmond, on September 8, 2014 to implement the following ICs:

- Prohibit use of groundwater at the Property for any purpose other than monitoring activities as required by VDEQ or EPA;
- Prohibit use of the Property for residential purposes;
- Prohibit installation of new wells on Property without EPA or VDEQ prior approval;
- Restrict activities that would interfere with or adversely impact the integrity of the remedy;
- Restrict earth-moving activities, including excavation, drilling and construction activities, except in conformance with an appropriate Materials Management Plan.
- Implement vapor mitigation for all new enclosed structures (constructed after August 2014) designed for occupation within the footprint of the contaminated groundwater plume
- Notify prospective buyers of the Property of the environmental conditions at the Property and of VDEQ's selected corrective measures as part of the remedy for the Property under RCRA Corrective Action.

Institutional Controls Review

Inspection Questions	Yes	No	Notes
Have the ICs specified in the CA remedy been fully implemented in accordance with any applicable schedule?	X		
Do the ICs provide control for the entire extent of contamination (entire site or a specific portion)?	X		

Former J.W. Fergusson Site
 EPA ID: VAD003109360
 2019 LTS Visit Checklist
 LTS Visit Date: June 24, 2019

Inspection Questions	Yes	No	Notes
Are the ICs eliminating or reducing exposure of all potential receptors to known contamination?	X		Wells caps were sealed and in locked and in good condition
Are the ICs sufficiently meeting the risk goals and applicable standards specified in the CA remedy?	X		
Are the ICs effective and reliable for the activities (current and future) at the property to which the controls are applied?	X		
Are the ICs suitable for the period/length of time which the controls are intended to be used as specified in the CA remedy?	X		
Are the ICs being maintained as required by the CA remedy in order to ensure that the controls remain effective?	X		
Are additional ICs necessary to achieve the intended goals of the CA remedy?		X	
Are modifications to the ICs needed?		X	

Additional Review

Other Questions	Yes	No	Notes
Are there plans to develop or sell the property?		X	See Additional Comments Section Below
Are all parts of the Covenant being followed in order to ensure that the Covenant remains effective?	X		
Are modifications to the Covenant needed?		X	

Additional Comments And Notes:

The property is currently being used for storage for the UPACO Adhesives facility located contiguously to this site with a shared parking lot. The two structures are completely enclosed with a fence that surrounds both properties. UPACO and this site do not share the same EPA ID but are under the control of the same owner, Worthen Industries. The owner indicated that they plan to change the generator status of the former Fergusson site from non-generator to Very Small Quantity (VSQG.) to allow any hazardous waste generation, that may occur due to product cleanup and maintenance activities, to be sent to the 90 day storage area located in the UPACO building with the generator status of Large Quantity Generator (LQG.) This practice will be in accordance with 40 CFR 262.14 (a)(5)(viii) and 262.17(f)