



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

(804) 698-4020  
1-800-592-5482

March 30, 2015

John Campbell, III, President  
Emporia Foundry Company  
c/o Campbell Foundry Company  
800 Bergen Street  
Harrison, New Jersey 07029

### VIA ELECTRONIC MAIL

**Re: Class 2 Modification, Hazardous Waste Post-Closure Care Permit (PCCP) – Approval RCRA Site-Wide Corrective Action Selected Remedy Decision and Determination of Corrective Action Complete with Controls  
Emporia Foundry, Inc., Emporia, Virginia  
EPA ID Number: VAD023720105**

Dear Mr. Campbell:

The Department of Environmental Quality, Office of Waste Permitting and Compliance (DEQ) received the Class 2 modification request from your attorney, Mr. Channing Martin of Williams Mullen on behalf of Emporia Foundry, Inc. (EFI) to modify its PCCP for the EFI facility located in Emporia, Virginia. This Class 2 modification request, received on January 16, 2015, included revised pages of the Permit that would reflect the RCRA Corrective Action Selected Remedy Decision and Determination of Corrective Action Complete with Controls.

A Statement of Basis was developed by the DEQ providing the selected remedies for two solid waste management units (SWMUs) and the riparian buffer remediation area. The Corrective Action Objective for EFI soils is to control exposure to the hazardous waste constituents remaining in soils at SWMU 1 (Former Waste Oil Tank), SWMU 3 (hazardous waste landfill), and the riparian buffer area by requiring compliance with and maintenance of land use restrictions at EFI. The DEQ decision is that no further actions to remediate soil,

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groundwater, or indoor air contamination are necessary to protect human health and the environment given current and reasonably anticipated future land use. DEQ's decision requires EFI to maintain certain property mechanisms known as Institutional Controls (ICs) and Engineering Controls (ECs).

The requested permit modification revises EFI's Permit from a Post-Closure Care Permit to a Corrective Action Permit. Accordingly, the following sections of the Permit are being modified:

- Table of Contents-Modified;
- Module VI Site-Wide Corrective Action – Modified;
- Attachment G – Modified;
- Appendix I Example Annual Inspection Log – Modified; and
- Appendix 2 Survey Plats and Restriction Areas and Landfill Boundary

A public notice of the Class 2 permit modification was published in the *Independent-Messenger* on January 21, 2015. The 60-day public comment period began January 21, 2015 and ended on March 24, 2015. A public meeting was held at Richardson Memorial Library on February 9, 2015. No comments were received during the public meeting. However, there was one (1) written comment was received during the public comment period [Enclosure 1]. The DEQ received no comments expressing the opinion that the class 2 permit modification should be denied and the comments received did not require changes to the permit. Furthermore, the required Class 2 permit modification fee in the amount of \$2400.00 was received by the DEQ on January 16, 2015.

Therefore, the DEQ approves this Class 2 Modification of the Hazardous Waste Post-Closure Permit which is in accordance with Section 270.42(b). The DEQ has replaced the Permit with the enclosed modified copy (Enclosure – Post-Closure Care Permit). Please update EFI's Permit copies with the enclosed modified copy also.

In addition, the DEQ will notify all persons on the facility mailing list of this modification approval within 10 days in accordance with 40 CFR 270.42(f)(1). Evidence of this mailing will be forwarded to the facility when available.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of service of this decision to initiate an appeal by filing a notice of appeal with:

David K. Paylor  
Director, Virginia Department of Environmental Quality  
P.O. Box 1105  
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In the event that this decision is served to you by mail, three days are added to this period. Please refer to Part 2A of the rules of the Supreme Court of Virginia, which describes the required contents of the Notice of Appeal, including specification of the Circuit Court to which the appeal is taken, and additional requirements governing appeals from decisions of administrative agencies.

The Facility's Permit expires on October 26, 2015. The Facility is required to maintain this Permit unless an alternative enforceable mechanism is in place to maintain the land use controls. In accordance with the revised Permit Module VI.P, please submit a draft environmental covenant pursuant to the Virginia Uniform Environmental Covenants Act (UECA), Title 10.1, Chapter 12.2, Sections 10.1-1238 through 10.1-1250 of the Code of Virginia. The deadline for the permit renewal application is April 30, 2015. Please submit a draft UECA covenant within thirty (30) days of receipt of this letter.

Should you have any further questions regarding this matter, please contact Julia King-Collins at (804) 698-4237 or via email at [Julia.King-Collins@deq.virginia.gov](mailto:Julia.King-Collins@deq.virginia.gov).

Sincerely,



Leslie A. Romanchik  
Hazardous Waste Program Manager  
Office of Waste Permitting and Compliance

Enclosures

cc: Andrea Barbieri – EPA, Region III (3LC50)  
Jason Miller – DEQ, PRO  
Ryan Smith, DEQ, PRO  
Julia King-Collins, Brett Fisher, Tara Mason – DEQ, CO  
CO File

Steve Werner, Geo-Environmental Consulting Services, LLC

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