



UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY

REGION III

STATEMENT OF BASIS

Former Proctor and Gamble Site
3600 Elm Ave

Portsmouth, Virginia

EPA ID NO. VAD003174810

TABLE OF CONTENTS

SECTION	PAGE
I. Introduction.....	1
A. Facility Name.....	1
B. Proposed Decision.....	1
C. Importance of Public Input.....	1
II. Facility Background.....	2
III. Summary of the Environmental History	2
IV. Evaluation of EPA's Proposed Decision.....	3
V. Public Participation	3

I. Introduction

A. Facility Name

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) for the Former Proctor and Gamble site (Facility) located in Portsmouth, Virginia.

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 review of EPA and Virginia Department of Environmental Quality (VDEQ) files regarding the environmental history of the Facility as presented in the Final RCRA Site Report for the Former Proctor and Gamble Site (Currently ARREFF Terminals) Portsmouth, Virginia, dated January 22, 2009. 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 for the EPA Region III office 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 21-acre Facility is located at 3600 Elm Ave. in Portsmouth, Virginia. The Facility is surrounded by the Portsmouth Naval Reservation. The Facility utilized an 11,000 square foot, multi-story plant building to manufacture and package peanut butter beginning in 1931. The site is currently occupied by ARREFF Terminals Inc., with a number of shipping containers present on the site. ARREFF Terminals provides transloading / warehousing for the Virginia Port Authority.

III. Summary of Environmental History

The P&G facility operated a hazardous waste management unit (HWMU) container storage area with a capacity of 550 gallons from November 19, 1980 to June 30, 1993. This HWMU container storage area was identified by P&G in a RCRA Part A Permit Application, dated November 17, 1980, and a SWMU response letter, dated May 30, 1986. The HWMU operated under Interim Status under the RCRA Regulations from November 19, 1980, until the HWMU achieved clean closure approval in June 1989. P&G correspondence, dated July 7, 1988, documented that the facility intended to close the HWMU and did not intend to seek an operating Permit for the HWMU.

A Closure Plan was submitted for the HWMU by P&G, dated July 19, 1988. On August 18, 1988, the public notice was published for the Closure Plan. On October 6, 1988, the Virginia Department of Waste Management (VDWM), predecessor to the VDEQ, provided P&G with comments on the initially submitted Closure Plan. P&G submitted the revised Closure Plan, dated October 14, 1988. The VDWM approved the revised Closure Plan on October 27, 1988. The VDWM received the closure certification according to the Closure Plan on March 28, 1989, and the facility requested the closure verification inspection by the VDWM. The Closure verification inspection by the VDWM staff occurred on June 2, 1989. Interim Status was officially terminated for the HWMU by the VDWM on June 19, 1989.

Apparently, the same HWMU container storage area was operated under both a large quantity generator (LQG) and a small quantity generator (SQG) status under 40 CFR § 262.34, until the P&G facility closed. P&G deactivated the entire facility on May 22, 1995. The container storage area mat and fence were moved as one unit by ARREFF from its original location on the west side of the building to the southwest corner of the site and is not currently

used by the facility.

A RCRA Corrective Action Facility Assessment including file reviews, interviews with property owners, and two site visits conducted by EPA and VDEQ in November 2007, and November 2008, evaluated a number of SWMUs and AOCs. No evidence of releases was obtained during the investigative process either from historical documentation or from visual observations. Documentation of the findings of the facility assessment is provided in the Final RCRA Site Report, Former Proctor and Gamble Site (Currently ARREFF Terminals), 3600 Elm Avenue, Portsmouth, Virginia, 23704, EPA ID No. VAD003174810, by U.S. Army Corps of Engineers, dated January 22, 2009.

Based on the information gathered it does not appear that the facility property has been contaminated by releases from past waste management or manufacturing activities that would pose a threat to human health or the environment. Therefore, Corrective Action Complete Without Controls is recommended for this facility under the RCRA Corrective Action Program.

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. Bill Wentworth at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Mr. Bill Wentworth 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. Bill Wentworth (3LC20)
Phone: (215) 814-3184
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