

**DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION**  
Interim Final 2/5/99  
**RCRA Corrective Action**  
**Environmental Indicator (EI) RCRIS code (CA750)**  
**Migration of Contaminated Groundwater Under Control**

**Facility Name:** Copperhead Chemical Company  
**Facility Address:** 120 River Road, Tamaqua, PA 18252-9446  
**Facility EPA ID #:** PAR000030874

1. Has **all** available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?
- If yes - check here and continue with #2 below.
- If no - re-evaluate existing data, or
- if data are not available, skip to #8 and enter "IN" (more information needed) status code.

**BACKGROUND**

**Definition of Environmental Indicators (for the RCRA Corrective Action)**

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

**Definition of "Migration of Contaminated Groundwater Under Control" EI**

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

**Relationship of EI to Final Remedies**

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, (GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

**Duration / Applicability of EI Determinations**

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

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2. Is **groundwater** known or reasonably suspected to be “**contaminated**”<sup>1</sup> above appropriately protective “levels” (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?

- If yes - continue after identifying key contaminants, citing appropriate “levels,” and referencing supporting documentation.
- If no - skip to #8 and enter “YE” status code, after citing appropriate “levels,” and referencing supporting documentation to demonstrate that groundwater is not “contaminated.”
- If unknown - skip to #8 and enter “IN” status code.

**Rationale:**

The ICI Explosives USA Inc. (EUSA), operations at Tamaqua ceased between 1996 and 1998. In order to expedite investigation, clean-up and potential resale of the property, EUSA was divided into four parcels: two of which were sold to Copperhead Chemical Company (Corona and Wakefield).

EUSA conducted site-wide remedial investigations that began in the 1980’s in addition to quarterly groundwater monitoring at this site between 1992 and 1998. Low levels of lead, arsenic and mercury were found in the groundwater. No other contaminants were found at levels exceeding their health-based limits.

Risk assessments were used for the Corona and Wakefield parcels to address the lead, arsenic and mercury found in the soil, groundwater and surface water. Most samples that exceeded Non-Residential Statewide Health Standards were still at relatively low concentrations. The risk assessment for Wakefield and Corona parcels showed that none of the Constituents of Interest were at a level of concern for non-residential uses of the property.

Recent Regulatory actions:

**Corona area, (662 acres)** contained the former nitroglycerin operations at EUSA:

- On August 22, 1997, EPA sent a letter to PADEP and EUSA, stating that no additional clean-up of the parcel was necessary under our Corrective Action program. Any further work would be accomplished under PADEP's Act 2 Program.
- Parcel was sold to Copperhead Chemical in October 1997.
- Pennsylvania’s Act 2 program granted liability protection to this parcel in 1998.
- EPA issued a Final Decision on September 28, 2007, requiring only "no potable groundwater uses" and "non-residential land use" language in the deed. This requirement was previously implemented. No further corrective action was required.

**Wakefield area (227 acres):**

- On November 6, 1998, EPA sent a letter to PADEP and EUSA, stating that no additional clean-up of the parcel was necessary under our Corrective Action program. Any further work would be accomplished under PADEP's Act 2 Program.
- Parcel was sold to Copperhead Chemical in January 1999.
- Pennsylvania’s Act 2 program granted liability protection to this parcel in 2002.
- EPA issued a Final Decision on September 28, 2007, requiring only "no potable groundwater uses" and "non-residential land use" language in the deed. This requirement was previously implemented. No further corrective action was required.

**References:**

- Letter to ICI: No Further Action at Western Parcel (signed by Linda Matyskiela, EPA), August 22, 1997
- Letter to ICI: No Further Action at Wakefield Parcel (signed by Paul Gotthold, EPA), November 6, 1998
- Remedial Investigation Report, a Portion of the Walker Township Property; prepared by prepared by Woodward-Clyde and RBR Consulting Inc.; October, 1998 (*Wakefield*)
- Supplemental Remedial Investigation Report, a Portion of the Walker Township Property; prepared by URS Greiner Woodward Clyde and RBR Consulting Inc; November 1998 (*Wakefield*) (*response to PADEP oral comments of October 28, 1998 meeting*)

-Second Supplemental Remedial Investigation Report, a Portion of the Walker Township Property; prepared by URS Greiner Woodward Clyde and RBR Consulting Inc; February 5, 1999 (*Wakefield*)

-Wakefield Property, Review of Remedial Investigation Report; April 30, 1999 (*response to PADEP February 26, 1999 comment letter on Remedial Investigation Report and Supplements for Wakefield*)

-Third Supplemental Remedial Investigation Report, a Portion of the Walker Township Property; prepared by URS Greiner Woodward Clyde; July 30, 1999 (*Wakefield*) (*response to PADEP written comments of February 26, 1999 and oral comments of March 12, 1999 meeting*)

- Letter to ICI: Approval of Remedial Investigation Report (signed by Joseph Brogna, PADEP), Jan. 3, 2002

- US EPA Final Decision and Response to Comments, ICI Explosives USA, Inc., PAD071203046, September 28, 2007

Footnotes:

1“Contamination” and “contaminated” describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate “levels” (appropriate for the protection of the groundwater resource and its beneficial uses).

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3. Has the **migration** of contaminated groundwater **stabilized** (such that contaminated groundwater is expected to remain within “existing area of contaminated groundwater”<sup>2</sup> as defined by the monitoring locations designated at the time of this determination)?
- If yes - continue, after presenting or referencing the physical evidence (e.g., groundwater sampling/measurement/migration barrier data) and rationale why contaminated groundwater is expected to remain within the (horizontal or vertical) dimensions of the “existing area of groundwater contamination”<sup>2</sup>.
  - If no (contaminated groundwater is observed or expected to migrate beyond the designated locations defining the “existing area of groundwater contamination”<sup>2</sup>) – skip to #8 and enter “NO” status code, after providing an explanation.
  - If unknown - skip to #8 and enter “IN” status code.

Rationale and Reference(s):

<sup>2</sup> “existing area of contaminated groundwater” is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of “contamination” that can and will be sampled/tested in the future to physically verify that all “contaminated” groundwater remains within this area, and that the further migration of “contaminated” groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

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4. Does “contaminated” groundwater **discharge** into **surface water** bodies?
- If yes - continue after identifying potentially affected surface water bodies.
  - If no - skip to #7 (and enter a “YE” status code in #8, if #7 = yes) after providing an explanation and/or referencing documentation supporting that groundwater “contamination” does not enter surface water bodies.
  - If unknown - skip to #8 and enter “IN” status code.

Rationale and Reference(s):

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5. Is the **discharge** of “contaminated” groundwater into surface water likely to be “**insignificant**” (i.e., the maximum concentration<sup>3</sup> of each contaminant discharging into surface water is less than 10 times their appropriate groundwater “level,” and there are no other conditions (e.g., the nature, and number, of discharging contaminants, or environmental setting), which significantly increase the potential for unacceptable impacts to surface water, sediments, or eco-systems at these concentrations)?

- If yes - skip to #7 (and enter “YE” status code in #8 if #7 = yes), after documenting: 1) the maximum known or reasonably suspected concentration<sup>3</sup> of key contaminants discharged above their groundwater “level,” the value of the appropriate “level(s),” and if there is evidence that the concentrations are increasing; and 2) provide a statement of professional judgement/explanation (or reference documentation) supporting that the discharge of groundwater contaminants into the surface water is not anticipated to have unacceptable impacts to the receiving surface water, sediments, or eco-system.
- If no - (the discharge of “contaminated” groundwater into surface water is potentially significant) - continue after documenting: 1) the maximum known or reasonably suspected concentration<sup>3</sup> of each contaminant discharged above its groundwater “level,” the value of the appropriate “level(s),” and if there is evidence that the concentrations are increasing; and 2) for any contaminants discharging into surface water in concentrations<sup>3</sup> greater than 100 times their appropriate groundwater “levels,” the estimated total amount (mass in kg/yr) of each of these contaminants that are being discharged (loaded) into the surface water body (at the time of the determination), and identify if there is evidence that the amount of discharging contaminants is increasing.
- If unknown - enter “IN” status code in #8.

Rationale and Reference(s):

<sup>3</sup> As measured in groundwater prior to entry to the groundwater-surface water/sediment interaction (e.g., hyporheic) zone.

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6. Can the **discharge** of “contaminated” groundwater into surface water be shown to be “**currently acceptable**” (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented<sup>4</sup>)?
- If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site’s surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR 2) providing or referencing an interim-assessment<sup>5</sup>, appropriate to the potential for impact that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment “levels,” as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.
  - If no - (the discharge of “contaminated” groundwater can not be shown to be “**currently acceptable**”) - skip to #8 and enter “NO” status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.
  - If unknown - skip to 8 and enter “IN” status code.

Rationale and Reference(s):

<sup>4</sup>Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

<sup>5</sup>The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

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7. Will groundwater **monitoring** / measurement data (and surface water/sediment/ecological data, as necessary) be collected in the future to verify that contaminated groundwater has remained within the horizontal (or vertical, as necessary) dimensions of the “existing area of contaminated groundwater?”

If yes - continue after providing or citing documentation for planned activities or future sampling/measurement events. Specifically identify the well/measurement locations which will be tested in the future to verify the expectation (identified in #3) that groundwater contamination will not be migrating horizontally (or vertically, as necessary) beyond the “existing area of groundwater contamination.”

If no - enter “NO” status code in #8.

If unknown - enter “IN” status code in #8.

Rationale and Reference(s):



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8. Check the appropriate RCRIS status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).

- YE - Yes, "Migration of Contaminated Groundwater Under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the Copperhead Chemical Company facility, EPA ID # PAR000030874, located at 120 River Road, Tamaqua, Pennsylvania 18252. Specifically, this determination indicates that groundwater is not "contaminated" above health levels. The groundwater will not be used for drinking water and such language is in the deeds. This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.
- NO - Unacceptable migration of contaminated groundwater is observed or expected.
- IN - More information is needed to make a determination.

Completed by (signature) Date 04/05/2011  
(print) Linda Matyskiela  
(title) Project Manager

Supervisor (signature) Date 04/11/2011  
(print) Paul Gotthold, Associate Director  
(title) Office of PA Remediation  
(EPA Region or State) EPA Region III

Locations where References may be found:

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