



STATEMENT OF BASIS

REGION III
ID # PAD
000797548

NEXEO SOLUTIONS, LLC
Freedom, Pennsylvania
August, 2014

Facility/Unit Type: Permitted Hazardous Waste Treatment, Storage, Disposal (TSD) Facility

Contaminants of Concern: Volatile Organic Compounds (VOCs)

Media: Soil

I. INTRODUCTION

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) to solicit public comment on its proposed remedy for the Nexeo Solutions, LLC (Nexeo) facility located at 150 West 4th Avenue, Freedom, Pennsylvania 15042 (Facility), which is subject to EPA's Corrective Action program under the Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sections 6901 et seq.

Concurrently with this SB, EPA is soliciting comments on a draft Corrective Action Permit (Permit). Pursuant to 40 C.F.R. § 124.7, EPA has prepared this SB to describe the background and basis for the draft Permit and proposed remedy. The components of EPA's proposed final remedy as described in this SB are incorporated in the draft Permit, and will be enforceable thereunder once the Permit is finalized and EPA issues a Final Decision.

EPA is providing a 45-day public comment period on this SB and draft Permit and may modify its proposed remedy based on comments received during this period. EPA will announce its selection of a final remedy for the Facility in a Final Decision and Response to Comments (Final Decision) after the comment period has ended.

Information on the Corrective Action program, a fact sheet, and the Government Performance and Results Act Environmental Indicator Determinations or the Facility can be found by navigating <http://www.epa.gov/reg3wcmd/correctiveaction.htm>.

The Administrative Record (AR) for the Facility contains all documents on which EPA's proposed remedy and draft Permit are based. See Section VIII for information on how you may review the AR.

II. FACILITY BACKGROUND

The Facility has been owned and operated by Nexeo since 2011. The Facility was formerly owned by Ashland Chemical Freedom COHWO, which was part of Ashland Inc. (Ashland). Ashland performed all of the investigation and remediation work described and relied upon, as detailed in this SB.

The Facility property consists of approximately 1.8 acres and is zoned industrial. The Facility is surrounded by residential zoning and properties.

The Facility consists of four buildings: Warehouses 1, 2, and 3 and an office building. The Facility receives containerized shipments of industrial and specialty chemicals and solvents for distribution. The wastes are currently stored within Warehouse 2 in three permitted hazardous waste container storage areas until shipment for disposal.

III. SUMMARY OF ENVIRONMENTAL HISTORY

The Facility was granted an Act 2 release of liability from PADEP on March 6, 1997 for the UST investigations and remediation inside Warehouse 3.

For all environmental investigations, soil concentrations were screened against EPA Regional Screening Levels (RSLs) for residential soil, industrial soil and protection of groundwater (SSLs). Also, subsurface water concentrations were screened against EPA's Subsurface Vapor Intrusion Guidance groundwater screening levels for protection of indoor air. EPA did not screen the subsurface water concentration against the National Primary Drinking Water Standard Maximum Contaminant Levels because, as described later, there is not a current or potential source of drinking water.

The conditions that exist at the Facility as of the sampling data submitted in the 1996 Act 2 Final Report are as follows: acetone [4,700 mg/kg], methyl ethyl ketone [3,100 mg/kg], methanol [2,300 mg/kg], toluene [360 mg/kg], 1,1,1-trichloroethane [32 mg/kg], and xylenes [320 mg/kg] exceed EPA SSLs for protection of groundwater. Additionally, ethylbenzene [73 mg/kg], methylene chloride [23 mg/kg], tetrachloroethene (PCE) [20 mg/kg], and trichloroethene (TCE) [26 mg/kg] exceed both EPA Residential Soil RSL's and SSLs for protection of groundwater. Finally, 1,2-dichloroethene (1,2-DCE) [1,400 ug/L] and PCE [2,500 ug/L] exceed EPA's Subsurface Vapor Intrusion Guidance groundwater screening levels. The following table details the Facility areas where exceedances occur.

Area of Investigation	Description
Chemical Spill and Response	<ul style="list-style-type: none"> • On March 3, 1989, approximately 930 gallons of n-butyl acetate were discharged onto the ground. Ashland recovered approximately 65 gallons by pumping it from pools on the ground. Excavation of the affected soil began on March 14, 1989. • Groundwater samples collected from one well (B-5) at a depth of three to four feet below grade detected 1,2-DCE [1,400 ug/L], PCE [2,500 ug/L], and toluene [1,200 ug/L]. A deep boring was completed to 66.5 feet and no groundwater was encountered. EPA has concluded that the contamination is contained within a perched water zone located three to four feet below grade and is not impacting deeper zones. Additionally, the perched zone is not a current or potential source of drinking water because of its low yield. • The levels of 1,2-DCE and PCE exceed EPA's Subsurface Vapor Intrusion Guidance screening levels. Ashland conducted an air quality survey using a

	<p>photoionization detector to identify Volatile Organic Compounds (VOCs) that may have been present in the area. No concentrations of VOCs above the detection limits were identified. Therefore, under current conditions and land use, EPA does not consider vapor intrusion to be a complete exposure pathway.</p>
<p>Interior Underground Storage Tanks</p>	<ul style="list-style-type: none"> • Ashland operated 10 underground storage tanks (USTs) located below the concrete floor of Warehouse 3. The USTs and product lines were removed in September 1990. • Following removal, Ashland conducted a Tank Removal Investigation. Of the VOCs detected in soils as a result of the Tank Removal Investigation, methylene chloride [4,000 mg/kg] and trichloroethene (TCE) [680 mg/kg] exceeded the Pennsylvania Residential Statewide Health Standards (SHSs) for direct contact and EPA's industrial regional screening levels (IRSLs). • Ashland installed an SVE system to extract soil vapors and treat via flameless oxidation. The system operated from March 1995 to June 1996, removing approximately 333 pounds of VOCs. On June 18, 1996, Ashland implemented a confirmatory sampling investigation. A comparison of the levels of the substances found in residual concentrations from the confirmatory soil sampling identified ethylbenzene, methylene chloride, PCE, and TCE above the EPA residential RSL standards. • The following also exceeded the Non-Residential Soil-to-Groundwater SHSs: acetone, ethylbenzene, methyl ethyl ketone, methanol, methylene chloride, PCE, toluene, 1,1,1-trichloroethane, TCE and xylenes. EPA does not have equivalent non-residential Soil-to-Groundwater standards for comparison. However, the constituents do exceed EPA's SSLs (these standards are designed to predict groundwater impacts from contaminants leaching from soil into a groundwater drinking source). Therefore, Ashland will maintain the building roof and concrete floor to prevent precipitation from contacting the soil to prevent an exposure.

<p style="text-align: center;">Exterior Underground Storage Tanks</p>	<ul style="list-style-type: none"> • A soil investigation of the western portion of the Facility was performed in August 1993. A confirmatory sampling investigation was also conducted on June 18, 1996 to assess areas that exceeded the Residential SHSs. • The results of the June 1996 confirmatory sampling event indicated that no VOCs were detected above the Residential SHSs. Specifically, the VOC constituents (benzene, toluene, ethylbenzene, and xylenes) that could possibly be present in diesel fuel and gasoline were either not detected or detected at concentrations at least three orders of magnitude lower than the SHSs. Unless otherwise noted, these standards are equivalent to EPA standards for the identified constituents of concern.
<p style="text-align: center;">Facility Groundwater</p>	<ul style="list-style-type: none"> • As was described earlier, no groundwater was encountered in a deep boring drilled to 66.5 feet at the Facility. Additionally, the building roof and concrete floor have acted as a migration impediment and will continue to do so into the future. Therefore, groundwater is not known or reasonably suspected to be contaminated above appropriately protective levels (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases anywhere at, or from, the Facility.

Because some contamination will remain in the soil at the Facility above levels appropriate for residential uses, Nexeo and all future owners will need to maintain the Warehouse 3 roof and concrete floor and prevent residential use of the Facility. In addition, because some contamination will remain in the perched water zone at the Facility above levels appropriate for residential and industrial uses, Nexeo and all future owners are restricted from using water from the perched water zone for any purpose. An Environmental Covenant pursuant to the Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517, (UECA) was approved by PADEP and recorded on the deed to the Facility property on February 21, 2103 to enforce these requirements.

There have been no other known, documented, or otherwise suspected releases that have been identified at the Facility that would be subject to Corrective Action. The Facility is an active hazardous waste storage facility operating under a PADEP Permit For Hazardous Waste Storage No. PAD000797548. That permit subjects the Facility to specific closure requirements

for the currently operating hazardous waste container storage areas to address any unknown or possible future releases.

IV. CORRECTIVE ACTION OBJECTIVES

EPA's Corrective Action Objectives for the specific environmental media at the Facility are:

1. Soils

EPA's Corrective Action Objective for soils is to attain RSL's for Residential Protection of Groundwater and PADEP's Non-Residential Soil-to-Groundwater SHSs. EPA has determined that those standards are protective of human health and the environment for contaminants at this Facility provided that Facility maintains the Warehouse 3 roof and concrete floor to prevent contaminant migration.

2. Subsurface Vapor Intrusion via Perched Water Zone

EPA's Corrective Action Objective for subsurface vapor intrusion is to attain EPA's Subsurface Vapor Intrusion Guidance screening levels. EPA has determined that those levels are protective of human health and the environment at this Facility provided that the Facility is not used for residential purposes and buildings remain uninhabited for residential purposes.

V. PROPOSED REMEDY

1. Soils

EPA's proposed remedy for soils is the continued maintenance of the roof and concrete floor of Warehouse 3 and to restrict the facility to non-residential uses. Additionally, if excavation of the former UST or B-5 monitoring well area is to occur, an appropriate Health and Safety Plan and Soil Management Plan shall be developed.

2. Subsurface Vapor Intrusion via Perched Water Zone

EPA's proposed remedy for subsurface vapor intrusion consists of compliance with the PADEP-approved Covenant which requires that buildings within 100 feet of monitoring well B-5 remain uninhabited for residential purposes.

VI. EVALUATION OF PROPOSED REMEDY

This section provides a discussion of the criteria EPA used to evaluate the proposed decision consistent with EPA guidance.

Threshold Criteria	Evaluation
1) Protect human health and the environment	Ashland remediated on-site soils to non-residential standards. Since current and anticipated land use is non-residential, land and groundwater use restrictions have been implemented at the Facility to restrict future property uses to ensure that human health and the environment will remain protected. These conditions are enforceable under the Covenant and provide long-term assurance that the exposure assumptions used in developing EPA's proposed remedy are not changed.
2) Achieve media cleanup objectives	EPA's proposed remedy meets the appropriate cleanup objectives based on current and reasonably anticipated land and water resource use. The Facility has achieved the PA Act 2 Direct contact SHSs for soils. These standards meet EPA risk guidelines for human health and the environment for contaminants at the Facility. For some soil contaminants with concentrations exceeding the protection of groundwater standard, EPA's proposed remedy requires the maintenance of the roof and concrete floor in Warehouse 3 and compliance with the PADEP-approved Covenant.
3) Remediating the Source of Releases	At RCRA Corrective Action facilities, EPA seeks to eliminate or reduce further releases of hazardous wastes or hazardous constituents that may pose a threat to human health and the environment. As summarized above and documented in the AR, the Facility met this objective by removing underground storage tanks, implementing Soil Vapor Extraction, excavating contaminated soil, and performing confirmatory sampling. There are no known or suspected remaining large, discrete sources of waste from which constituents would be released to the environment. Therefore, EPA has determined that this criterion has been met.
Balancing Criteria	Evaluation
1) Long-Term Effectiveness	The proposed remedy will maintain protection of human health and the environment over time by controlling exposure to the hazardous constituents remaining at the Facility. EPA's proposed remedy requires the compliance with and maintenance of land use and groundwater use restrictions at the Facility. The land use and groundwater use restrictions have already been implemented through the Covenant recorded in the chain of title of the deed for the Facility. The Covenant

	runs with the land and as such will be enforceable against future land owners.
2) Reduction of Toxicity, Mobility, or Volume of the Hazardous Constituents	The reduction of toxicity and volume of hazardous constituents at the Facility has already been achieved by UST closures and the SVE remediation efforts within Warehouse 3. The reduction of mobility of hazardous constituents at the Facility has been, and will continue to be, achieved by the warehouse roof and concrete floor utilized as an engineering control to prevent migration of contaminants through environmental media at this Facility.
3) Short-Term Effectiveness	EPA's proposed remedy does not involve any additional activities, such as construction or excavation, that would pose short-term risks to workers, residents, and the environment. In addition, the land use and groundwater use restrictions have already been implemented through the Covenant recorded in the chain of title of the deed for the Facility.
4) Implementability	EPA's proposed remedy is readily implementable. The Covenant has already been recorded and the components of EPA's proposed remedy are in place. Therefore, EPA does not anticipate any regulatory constraints in implementing its proposed remedy.
5) Cost	The proposed remedy is cost effective. The Covenant has already been recorded in the chain of title of the deed to the Facility. Therefore, there should be no additional costs associated with the proposed remedy.
6) Community Acceptance	EPA will evaluate Community acceptance of the proposed remedy during the public comment period and will be described in the Final Decision.
7) State/Support Agency Acceptance	PADEP approved the Act 2 Final Report for remedial activities at the Facility on March 6, 1997. EPA will evaluate further State acceptance based on any comments received from PADEP during the public comment period and will be described in the Final Decision.

VII. FINANCIAL ASSURANCE

EPA has evaluated whether financial assurance for corrective action is necessary to implement EPA's proposed remedy at the Facility.

Given that EPA's proposed remedy does not require any further engineering actions to remediate soil, groundwater or indoor air contamination at this time and given that the costs of maintaining institutional controls at the Facility are estimated to be less than \$10,000 per year and, therefore, will be minimal, EPA is proposing that no financial assurance for Corrective Action be required.

VIII. PUBLIC PARTICIPATION

Interested persons are invited to comment on EPA's proposed remedy. The public comment period will last thirty 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. Kevin Bilash at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Mr. Kevin Bilash 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 remedy at this Facility. The Administrative Record is available at the following location[s]:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Mr. Kevin Bilash (3LC30)
Phone: (215) 814-2796
Fax: (215) 814 - 3113
Email: bilash.kevin@epa.gov

IX. INDEX TO ADMINISTRATIVE RECORD

- Preliminary Assessment, NUS Corporation, July 30, 1991
- Ashland Distribution Company. Division of Ashland, Inc. 2002. Section J: Corrective Action for Solid Waste Management Units. In Renewal Application for a Hazardous Waste Storage Permit. Rev: May 13, 2002; June 18, 2003; December 31, 2003.
- Environmental Strategies Corporation. 1996. Act 2 Final Report. Pittsburgh, Pennsylvania. December 13, 1996
- Environmental Covenant, Nexeo Solutions, LLC, December 5, 2012

Date: 8-12-14

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