

## RCRA Corrective Action Statement of Basis & Public Comment Period

October 2020

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**Facility Name:** Veolia ES Technical Solutions Facility

**U.S. EPA I.D.:** OHD 093 945 293

**Location:**

4301 Infirmary Road  
West Carrollton, Ohio 45449

**Activity:**

RCRA corrective action statement of basis for the remedies selected.

**Comment Period:**

November 2, 2020 – December 1, 2020

**Submit Comments to:**

Submit written comments by email to [Publiccomment@epa.ohio.gov](mailto:Publiccomment@epa.ohio.gov) and indicate the comments concern the Veolia, Statement of Basis.

[Veolia ES Technical Solutions Facility](#)



### What does the facility do?

Veolia ES Technical Solutions LLC (Veolia) is a commercial waste management facility engaged in reclamation of industrial solvents, blending and marketing of hazardous waste fuels, and storage and transfer of waste not processed at the facility. The 30.1-acre site can be divided into four broad land use categories. This includes the operations area (approximately 15.8 acres or 52.5%), the administrative building area (approximately 4.4 acres or 14.6%), the southern storage area (approximately 7.1 acres or 23.6%), and a small forested area which includes the unnamed tributary to Opossum Creek (approximately 2.8 acres or 9.3%). The operations area includes the process area, utility building, tanks farms, the emission control unit, fire water tower and pump house, trailer staging areas, the decant and drum storage building, the non-haz building, laboratory building, and employee parking area.

### What is the Statement of Basis?

The Statement of Basis is the document which describes the process Ohio Environmental Protection Agency (Ohio EPA) uses under the Resource Conservation and Recovery Act (RCRA) to select measures for containing or cleaning up a hazardous waste management facility. This statement of basis will be public noticed and will allow the community to review and provide comments to Ohio EPA if warranted. If any public comments are received, they will be addressed by Ohio EPA. A Decision Document will then be issued by the Director.

# RCRA Corrective Action Statement of Basis

## What is the history of corrective action at the facility?

Although the Veolia facility has operated under various names, the facility has operated under the name Veolia since 2006. The facility began corrective action (CA) under the authority of the United States Environmental Protection Agency (U.S. EPA). At the time the facility was owned and operated by Chemical Waste Management Resource Recovery (CWMRR). The results of the RCRA Facility Assessment (RFA) were compiled into a March 1990 Preliminary Review/Visual Site Inspection (PR/VSI) report, and U.S. EPA Region V identified five solid waste management units (SWMUs) for further investigation in the federal permit.

Following the issuance of the federal permit, U.S. EPA eliminated SWMU No. 3 and SWMU No. 5 from further investigation. The remaining three SWMUs were combined into the Operations Area of Investigation (AOI). Investigation activities continued for the Operations AOI in May 1999. Ohio EPA assumed authority for conducting regulatory oversight of RCRA CA activities required at the facility upon issuance of state permit on September 30, 2003.

Interim measures (IMs) consisting of an in-situ biological treatment curtain for treatment of ground water and a high vacuum dual phase extraction (HVDPE) system for treatment of soil and perched ground water were installed and began operating in 2005. Veolia submitted an RFI Final Report on June 29, 2007.

An explosion and fire (incident) occurred at the facility on May 4, 2009. The incident resulted in extensive damage to the Operation AOI, the Decant Building, and the HVDPE remediation system. A release also occurred to a storm water retention basin called the Northern Retention Basin (NRB). Emergency response actions took place immediately after the incident occurred to protect surface water.

Following the incident, Veolia implemented additional IMs at the Operations AOI, the Decant Building, and the NRB as documented in the June 8, 2011 IMs Completion Report. The IM activities included: RCRA Closure activities, excavation and offsite disposal of soil followed by backfill and compaction, in-situ chemical oxidation, and pumping and Off-site disposal storm water and ground water.

Ohio EPA granted the Environmental Indicators *Current Human Exposures Under Control* (CA725) and *Migration of Contaminated Groundwater Under Control* (CA750) for the site on September 27, 2011 and September 28, 2012, respectively.

Following IM activity completion, additional data was collected to evaluate issues remaining at the site from the incident and address the significant changes to site conditions as a result of the incident. The RFI was finalized on May 22, 2019.

None of the soil analytical results collected for the May 2019 RFI exceeded U.S. EPA Regional Screening Levels (RSLs) for industrial land use, so there is no unacceptable risk to the site workers through direct contact exposure to contaminated soil. The soil analytical results were further evaluated, and it was determined that there was no unacceptable risk to a construction worker. In addition to soil samples, ground water samples were also collected and analyzed. Based upon detected constituent concentrations, including those nearest the property boundary, and the facility's use of municipally-supplied water, it was concluded that there was no unacceptable risk to site workers or downgradient residents through the potable use of ground water pathway.

The vapor intrusion pathway for off-site receptors was evaluated using recent ground water analytical data and it was concluded that no unacceptable risk to downgradient residents through vapor intrusion was present. Veolia site workers are not considered potential receptors

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via the vapor intrusion pathway because the facility recovers and manages solvents as part of its permitted processes and exposure of site workers to VOCs in the work environment is regulated under OSHA. As a protective measure, the Environmental Covenant for the property will include a requirement to reevaluate the onsite vapor intrusion pathway if the property use changes in the future.

In typical RCRA CAs, an RFI concludes by identifying the need for corrective measures, which leads to a Corrective Measures Study (CMS). However, the May 2019 RFI concluded that no further corrective action measures should be required at the Veolia facility and that a CMS would not be necessary. The IMs were intended to serve, in part, as a final remedy for the site, and an environmental covenant and a ground water monitoring plan will be considered as the other components of the final remedy. Ohio EPA concurs with the findings of the RFI.

### What would the Statement of Basis allow the facility to do?

This Statement of Basis concludes that no further corrective action should be required at the facility besides an environmental covenant and ground water monitoring plan. The environmental covenant will restrict land use to commercial/industrial use only, prohibit potable use of ground water, and will require reevaluation of the onsite vapor intrusion pathway if the property use changes in the future.

### What is the regulatory basis to support this Statement of Basis?

The regulatory basis is part of the Corrective Action obligations under OAC-3745-54-101. Accordingly, Ohio EPA is issuing a draft action indicating the Director's intention with respect to the issuance of a Final Decision Document to

Veolia for the implementation of the remedies summarized.

### Who can I contact for more information?

For additional information, please contact Brian Marlatt at [brian.marlatt@epa.ohio.gov](mailto:brian.marlatt@epa.ohio.gov) or (937) 285-6083.

### What is the history of the hazardous waste program?

RCRA, an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include: to protect human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated, and to ensure that waste produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent was for the states to assume primary responsibility for implementing the hazardous waste regulations with oversight from the U.S. EPA. U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state program is at least equivalent to and consistent with federal laws, provides adequate enforcement authority and provides availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of their hazardous waste program.

### How can I become more involved?

The comment period begins on November 2, 2020 and ends on December 1, 2020. Copies of the statement of basis and other pertinent documents are available for review by the public at the following locations:

The statement of basis is available for review by the public online on Ohio EPA's website under the "What's New" tab at:

## RCRA Corrective Action Statement of Basis

<https://www.epa.ohio.gov/derr/>

The statement of basis is also available via Ohio EPA's eDocument portal:

<http://edocpub.epa.ohio.gov/publicportal/edocho.me.aspx>

Using the search function, search under the document type of "Remediation Response" and then refine the search using the facility's RCRA ID number Secondary ID which is OHD093945293. Select from the list of documents, the document dated 10/21/2020.

After the close of the public comment period, Ohio EPA will review all comments received and decide whether to issue the RCRA Corrective Action Decision Document based on the Statement of Basis. If there is significant interest in a public meeting, an announcement will be made on Ohio EPA's website (<https://www.epa.ohio.gov/derr/>) giving direction on how to attend a virtual public meeting. . The final Decision Document will include a notification to those who submitted written comments during the official comment period. Ohio EPA will also prepare and send to all responders a document answering significant comments. Within 30 days of a final decision, any person who submitted written comments may petition Ohio EPA's Environmental Review Appeals Commission Board to review the decision.