

**EXPLANATION OF SIGNIFICANT DIFFERENCES
FIRST PIEDMONT CORP. ROCK QUARRY (ROUTE 719)**

I. INTRODUCTION

Site Name: First Piedmont Corp. Rock Quarry (Route 719)

Site Location: Pittsylvania County, Virginia

Lead Agency: U.S. Environmental Protection Agency,
Region III (“EPA” or “the Agency”)

Support Agency: Virginia Department of Environmental Quality (“VADEQ”)

A. Statement of Purpose

A Record of Decision (“ROD”) for the First Piedmont Corp. Rock Quarry (Route 719) Superfund Site (“Site”) was signed on June 28, 1991. The ROD delineates the remedial action selected to address the following major components: Excavation and offsite disposal of the Carbon Black Pile, Waste Pile and the Northern Drainage soils and sediments; Construction of a Resource Conservation and Recovery Act (RCRA) Subtitle C Cap on the landfill; Collection of leachate with treatment at a publicly owned treatment works (“POTW”); Washing and offsite disposal of surface debris; Ground water monitoring; and Institutional controls.

Excavation of the Carbon Black Pile began on September 8, 1994. Excavation and off-site disposal of an estimated 1,260 cubic yards of Carbon Black Pile soil was completed on October 4, 1994. In the first five-year review, which was completed on September 30, 1999, and the second five-year review, which was completed on February 3, 2005, EPA determined that the remedy was not protective because sediments in the Southern Drainage area and portions of the Lawless Creek were found to have significant levels of zinc, and institutional controls to restrict land use had not been implemented. As part of the five-year reviews, EPA required the Potentially Responsible Parties (“PRPs”) to perform an additional investigation in order to find the source and to delineate the nature and extent of zinc contamination in sediment of the Southern Drainage and Lawless Creek areas of the Site. At this time, based on the results of this investigation, additional excavation of the Carbon Black is required in order to address zinc contamination in the Southern Drainage and the Lawless Creek areas to protect the environment.

This Explanation of Significant Differences (“ESD”) has been prepared in order to document the basis for a modification to the excavation and off-site disposal of the Carbon Black component of the selected remedy set forth in the ROD, to summarize the information that supports this modification, and to affirm that the revised remedy complies with the statutory requirements of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C 9617(c), as amended (CERCLA).

The modification described herein is “significant” as defined by 40 C.F.R. 300.435(c)(2)(i) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and, therefore, requires the preparation of this ESD. This modification to the selected remedy does not fundamentally alter the basic features of the selected remedy with respect to scope or cost, but modifies the cleanup standards for zinc soil concentrations. Therefore, a ROD amendment is not required in this matter. This ESD is issued in accordance with Section 117(c) of CERCLA. This ESD is incorporated into the Administrative Record for the Site.

II. SUMMARY OF THE SITE HISTORY, SITE CONDITIONS, AND SELECTED REMEDY

The First Piedmont Corp. Rock Quarry Superfund Site is located along Route 719 in Pittsylvania County, Virginia near the intersection with Route 360. It is approximately six miles north of the city of Danville (see Figure 1).

The Site is an abandoned rock quarry located on a topographically high ridge. The quarrying operation left a cut into the rock outcrop bounded on three sides by the quarry high walls. The fourth side of the cut is open and slopes to the west.

Drainage from the area is to Lawless Creek, which lies approximately 1,400 feet to the northwest of the quarry. Lawless Creek is a tributary of Fall Creek, which is a tributary of the Dan River.

The Site was initially operated as a quarry for crushed stone. The four-acre property which comprises the Site consists of the abandoned quarry and the adjacent land. The Site was leased by the First Piedmont Corporation to be used as a landfill for industrial and agricultural waste from April 1, 1970 to April 1, 1975. Wastes were disposed of in the landfill from April, 1970 to July 1972, at which point the Virginia Department of Health ordered waste disposal operations to cease due to fire on the landfill.

At the Site, the landfill operations were historically restricted, almost exclusively, to the two-acre quarry area. The quarry was not filled in a systematic fashion; no cells or segregated disposal areas were used for specific wastes. Hundreds of drums were buried in the landfill in random fashion with other solid waste. Upon arrival at the Site, wastes were generally dumped at the high wall along the eastern edge of the landfill, where the quarry is approximately 35 feet deep, and had been pushed down with a bulldozer. Subsequent investigation by EPA indicated that wastes were not covered at the end of each day.

The landfill contained approximately 65,000 cubic yards of industrial and agricultural waste and approximately 3,000 cubic yards of soil used as a core when landfilling operations were stopped. The industrial wastes were generated by the Goodyear Tire and Rubber Company (“Goodyear”) and Corning Glass Works

(“Corning”); the agricultural wastes were generated by Southern Processors, Inc (“Southern Processors”). The wastes from Goodyear consisted of tires, general plant refuse, scrap rubber, rubber buildup and approximately 15,000 gallons of a mixture of residual MS-20 (a floor degreaser), water, carbon black (a reinforcement additive used in tire manufacturing that is comprised almost entirely of carbon) and detergent. The MS-20 contained ten percent by volume of tetrachloroethylene, which is a listed hazardous waste under the RCRA. The wastes from Corning consisted of paper, glass, cardboard and off-specification batch materials which contained trace amounts of lead oxide. The wastes from Southern Processors, a tobacco processing company, consisted of soil removed from tobacco leaves, tobacco scrap, paper and wood.

Separate and apart from the landfill are two other areas of waste disposal on the Site associated with the landfilling operation. These two areas are denoted as the “Carbon Black Pile” and the “Waste Pile” (See Figure 1). The Carbon Black Pile consisted of approximately 100 cubic yards of carbon black and contaminated soils. Zinc oxide bags were reportedly observed in the pile during the construction of access roads for the Remedial Investigation. The Carbon Black Pile is approximately 150 feet from the most western edge of the landfill. The Waste Pile contains approximately 10 cubic yards of waste material consisting of steel and nylon cords, some glass, waste rubber strips and contaminated soils. The Waste Pile is located about 75 feet from the western edge of the landfill.

Another disposal area not associated with the landfilling operations is located about 100 feet southwest of the Carbon Black Pile. This area, denoted as the “Old Disposal Area”, in Figure 1, contains miscellaneous refuse including bottles, cans and metal debris. Based on visual observation of this material, disposal in this area was estimated to have occurred 20 to 30 years prior to the landfilling operation and, as such, was not within the scope of the Record of Decision.

In a letter dated June 1, 1981, the Goodyear Tire and Rubber Company notified the First Piedmont Corporation that some of the wastes deposited at the First Piedmont Rock Quarry Landfill were hazardous. The First Piedmont Corporation filed a “Notification of Hazardous Waste Site” form with EPA on June 5, 1981 listing solvents as one of the wastes disposed of at the landfill. The EPA Field Investigation Team subcontractor sampled the media in the landfill vicinity in July, 1983 to provide data in order for EPA to determine whether the landfill should be proposed for listing on the National Priorities List (NPL). Based on the results of this sampling, a Hazard Ranking Score (HRS) of 37.85 was calculated in 1985 for the Site. Based on comments received by EPA, the HRS was rescored to 30.16. The Site was listed on the NPL on July 21, 1987, pursuant to Section 105 of CERCLA, 42 U. S. C. § 9605.

EPA sent Special Notice Letters on May 6, 1986 to initiate negotiations with PRPs, First Piedmont, Corning, and Goodyear to perform a Remedial Investigation /Feasibility Study (RI/FS) for the Site. On December 31, 1987, EPA signed an Administrative Order on Consent with the PRPs to undertake performance of the RI/FS for the Site, which included sampling in various areas of interest of the Site.

Evidence indicated that ground water that flowed through the wastes in the landfill surfaced as leachate along the western edge of the quarry. This leachate discharged to the north pond and eventually into the Northern Drainage, as identified in Figure 1. Sampling indicated that contamination from the landfill contents migrated to the north pond and Northern Drainage via the transport and deposition of sediments in the leachate. The highest concentrations of contaminants detected in the Northern Drainage were in the samples closest to the quarry and levels decreased with distance from the quarry area. The contaminants of concern found in the leachate were arsenic, lead, antimony, and barium.

Surface water samples were collected from the south pond, north pond, Southern Drainage, Northern Drainage, and Lawless Creek. Sampling data from the south pond indicated that water there was not adversely affected by landfill contamination. A very low level of 20 micrograms/liters (ug/l) of zinc was the only significant heavy metal contaminant detected in the south pond. The zinc concentration detected was below the background level for surface water zinc concentrations.

In the north pond, concentrations of arsenic, barium, cadmium, lead, and zinc were detected in concentrations of 58 ug/l, 8420 ug/l, 21 ug/l, and 219 ug/l, respectively, which were slightly above the Site background levels

Leachate that had accumulated in the north pond ultimately flowed into the Northern Drainage area. The area identified as the upper portion of the Northern Drainage in Figure 1 was closest in proximity to the landfill. In this upper portion of the Northern Drainage arsenic, barium, iron, lead, manganese, and zinc were detected at concentrations of 13.7 ug/l, 5600 ug/l, 59,000 ug/l, 4.1 ug/l, 1540 ug/l, and 48.1 ug/l respectively, which were above background levels. The concentrations of these contaminants significantly decreased downstream from the landfill. In fact, where the Northern Drainage meets the Lawless Creek flood plain, only very low levels of barium, lead, and zinc (109 ug/l, 2.4 ug/l, and 32.8 ug/l respectively) were detected which were below background concentrations.

Zinc and cadmium were detected in the Southern Drainage at the maximum level of 111,000 ug/L and 18.2 ug/L, respectively. The source of these high levels of zinc and cadmium likely is the Carbon Black Pile for a number of reasons: 1) the Carbon Black Pile was located up-gradient of the Southern Drainage; 2) based on sampling results, concentrations of zinc were higher down-gradient of the pile than up-gradient of the Carbon Black Pile; 3) it was reported that empty zinc oxide bags were sighted in the vicinity of the Carbon Black Pile during the construction of access roads during the RI. Therefore, infiltration of precipitation and surface water into the Carbon Black Pile is likely to have mobilized zinc from the pile in high concentrations. The zinc contaminated water is likely to have migrated down-gradient through the shallow subsurface soil (and possibly rock fractures) and appears to have discharged into the surface water in the Southern Drainage. Samples were collected from three locations in Lawless Creek (one was background) and two non-background samples. At one non-

background sampling location, barium, iron, manganese, and zinc were detected at concentrations of 20.5 ug/l, 647 ug/l, 79 ug/l, and 26.5 ug/l, respectively, all of which are above the background concentrations. At the other non-background sampling location, iron, manganese, and zinc were detected at concentrations of 604 ug/l, 57.7 ug/l, and 16.3 ug/l, respectively, which were above background concentrations.

At the landfill portion of the Site, soil samples had concentrations of arsenic, barium, cadmium, chromium, lead, nickel, vanadium, and zinc exceeding Site background levels. Barium, lead, and zinc were found in the highest concentrations.

The Waste Pile soil samples generally showed concentrations of arsenic, barium, cadmium, lead, and zinc at levels exceeding background, with barium, lead, and zinc found in highest relative concentrations. The concentrations range from twice the background level for arsenic to ten times the background concentration for lead.

The Carbon Black Pile soil samples had concentrations of arsenic, barium, cadmium, lead, and zinc exceeding background levels. Lead concentrations were about twice the background level while zinc was detected at concentrations ten times the background level.

Shallow and deep ground water at the Site flows to the west, toward Lawless Creek. Zinc was detected in three monitoring wells at concentrations of 504 ug/l, 2050 ug/l, and 213 ug/l, which exceeded the background level of 61.3 ug/l. One monitoring well had lead concentrations of 28.8 ug/l, which exceeded background and the proposed action level of 15 ug/l.

EPA sampled the residential water sources of ten homes in the Beaver Park community near the Site. Only two of the ten residential wells sampled had levels above drinking water standards. One well had a detection of 466 ug/l of iron, which exceeded the Secondary Drinking Water criterion of iron of 300 ug/l. The other well had a detection of 333 ug/l iron and 65.1 ug/l of manganese, which exceeded the Secondary Drinking Water criteria for iron and manganese of 300 ug/l and 50 ug/l, respectively. Because none of the major Site contaminants were detected in the residential water, these results indicated that the Site contamination had not affected any residential wells in the Site vicinity.

Solid samples were collected from the contents of two of the drums on the surface of the landfill. Concentrations of chromium, copper, and lead and higher concentrations of cadmium and zinc were detected in one drum, which were below background. Below background concentrations of cadmium, chromium, lead, nickel, selenium and vanadium and above background concentrations of copper and zinc were detected in the other drum sampled.

The Proposed Remedial Action Plan ("PRAP") for the Site was released to the public in April, 1991. The remedy selected for the Site addressed all of the contaminated media at the Site and consisted primarily of excavation and off-Site disposal of the non-

landfill wastes, off-Site disposal of the surface drums and debris, installation of a RCRA Subtitle C cap over the Landfill, collection and treatment of leachate, ground water monitoring, and land use restriction. By implementing all of these components, the Site risks (exposure to leachate, source material, and quarry soil) would be reduced to within EPA's acceptable risk range. EPA issued a Record of Decision ("ROD") for the Site on June 28, 1991. The Commonwealth of Virginia concurred with the selected remedy.

III. DESCRIPTION OF SIGNIFICANT DIFFERENCES AND THE BASES FOR THOSE DIFFERENCES

A. Description of the Modification

The following is a summary of the activities conducted at the Site pursuant to the June 28, 1991 ROD.

- *Carbon Black Excavation.* Carbon Black excavation began on September 8, 1994. Excavation and off-Site disposal of an estimated 1,260 cubic yards of Carbon Black Pile soil was completed on October 4, 1994.
- *Waste Pile.* Soil and debris were removed from the waste pile on September 12, 1994. The volume of material that was removed and disposed of as a special waste was 95 cubic yards.
- *Drum and Debris Removal.* Removal of drums and debris from the surface of the landfill began on September 21, 1994. A total of 96 drums and 100 cubic yards of tires and debris were removed from the Site. The drum and debris removal operation was completed on October 5, 1994.
- *Gas Venting Layer.* Placement of the gas venting layer on the landfill portion of the Site began on October 26, 1994. Three gas vents were installed to release any methane build up. Placement and grading of this layer was completed on November 9, 1994.
- *Installation of Landfill Cap.* Placement of a Geosynthetic Clay Liner ("GCL") began on November 26, 1994. Panels were laid out so that the length of the panel was parallel to the slope of the gas venting layer. The liner placement was completed on January 9, 1995.
- *Leachate Collection System.* Construction of a leachate collection system began on October 17, 1995 and it took approximately two weeks to complete. The leachate collection system collects leachate in a collection trench excavated below the top of bedrock at the western edge of the landfill. The leachate in the trench collects in a 4 inch slotted polyvinyl chloride ("PVC") pipe, which is surrounded by fill material, and flows into the leachate collection sump at the southern end of the trench. Leachate is then pumped from the leachate collection sump to primary and secondary 20,000 gallon storage tanks. The leachate is sampled quarterly and disposed of at Danville's publicly owned treatment works ("POTWs").
- *Wetland Monitoring.* The remedial action included the planting of vegetation and berry-producing shrubs in the disturbed portion of the Northern Drainage Area. The Operation and Maintenance plan calls for an annual "walk through" inspection by a qualified biologist for the first five years following the completion

of the 1994-1995 remedial work. The biologist checked the Northern Drainage Area for evidence of plant and vegetation succession. The plants were growing and becoming established as designed.

- *Ground Water Monitoring.* Ground water monitoring is conducted at existing wells up-gradient and down-gradient of the landfill. Ground water monitoring is to be conducted as long as leachate is collected at the Site, or for 30 years, whichever is longer. Ground water monitoring results from 1995 through 2004 indicated that zinc contamination decreased significantly after the Carbon Black Pile was removed. However, one monitoring well, which is located approximately one hundred feet north of the Southern Drainage channel, had an average zinc concentration of 97 ug/l over a nine year period. This is above the background level of 61.3 ug/l.
- *Site Use Restrictions.* Appropriate Site use restrictions will be placed for future use scenarios to ensure protection of public health and the environment. EPA is in the process of implementing Site use restrictions.
- *Preliminary Site Close Out Report.* On September 27, 1995, EPA signed the Preliminary Site Close Out Report, which documented that the PRPs had completed construction activities at the Site.

In the first five-year review (September 30, 1999), EPA determined that the remedy was not protective, because sediments in the southern drainage and portions of the Lawless Creek were found to have significant levels of metals, and institutional controls to restrict land use had not been implemented. As a part of the first five-year review, EPA required the PRPs to perform additional investigations to further delineate the nature and extent of metal contamination in sediment of the Southern Drainage and Lawless Creek areas.

In December 2001, the PRPs submitted a report to EPA entitled “Additional Investigation Report First Piedmont Rock Quarry/Route 719 Site, Pittsylvania County, Virginia” (or “Additional Investigation Report”). The purpose of the Additional Investigation Report was to further delineate the nature and extent of metal contamination in sediment of the Southern Drainage and Lawless Creek from past deposits and to investigate any potential secondary sources of metals to the Southern Drainage. Sediment samples were collected from a total of eighteen sampling stations in July 2001. Ten stations were analyzed for sediment toxicity, total metals, total organic carbon, and sediment size. Of these ten stations, four were located in the Southern Drainage, one was located at the confluence of the floodplain and Lawless Creek, one was located in the network of drainage channels within the Lawless Creek floodplain, and four were located in Lawless Creek waterbody. Samples from the remaining eight stations were analyzed for total zinc only to identify contaminant migration pathways and potential sources of zinc. Three of the zinc only stations were located within the Southern Drainage channel and five were located in the Lawless Creek floodplain.

Results of the chemical analyses and toxicity tests conducted on the sediments collected from the Southern Drainage, Lawless Creek floodplain, and Lawless Creek indicated that zinc is the primary contaminant of concern. Toxicity tests using sediment

collected from deposits located down-gradient of the Site were performed on two commonly found sediment dwelling test species to determine the zinc concentration that was toxic to those organisms. The toxicity test results generated a lowest observable effects concentration (“LOEC”) of 124 mg/kg indicating that zinc concentrations below this level are likely to have minimal or acceptable impacts on aquatic receptors. Thus, locations where sediment zinc concentrations exceed the LOEC (124 mg/kg) are expected to have significant ecological impacts. Based on the results of samples collected, sediment in the Southern Drainage and Lawless Creek floodplain exceed the LOEC.

The data indicated that zinc has migrated along the lower portion of the Southern Drainage and to a lesser extent to the drainage channels within the Lawless Creek flood plain. Sediment toxicity tests conducted previously indicate that zinc concentrations which have accumulated in Lawless Creek to date are harmful to aquatic receptors. It is likely that at times of high flow zinc contaminated sediments would migrate from the Southern Drainage to Lawless Creek.

The Additional Investigation Report concluded that the former Carbon Black Pile, which was removed in 1994, might be the historical source of the zinc contamination. It also concluded that a waste pile (“waste pile 2”) that is not related to current or past site operations is a potential source of zinc. This waste pile is located adjacent to Route 719 and up-gradient of one of the sampling stations in the Southern Drainage as identified in Figure 1. After reviewing the report, EPA concluded that the area had not been sufficiently characterized and more work needed to be done to delineate the source of zinc contamination with greater accuracy.

In December 2003, the PRPs submitted a report to EPA entitled “Zinc Source Investigation Report First Piedmont Rock Quarry/Route 719 Site, Pittsylvania County, Virginia” (or “Zinc Source Investigation Report”). This investigation was performed to determine the source or sources of zinc. Soil and sediment samples were collected on September 9, 2003 from eighteen sampling stations, including thirteen soil stations and five sediment stations. All samples were analyzed for total zinc. The investigation results indicated that the soil zinc concentrations for the samples collected down-gradient of the former waste pile were 23.9 mg/kg and 36.8 mg/kg. These concentrations were similar to background, indicating that surface soils down-gradient of the former waste pile are not a source of zinc to the Southern Drainage area.

The soil zinc concentrations of samples collected down-gradient of the former Carbon Black and the Old Disposal Area ranged from 41.1 to 533 mg/kg. All of these values were higher than the Site background concentration (23.8 mg/kg). The investigation concluded that zinc oxide disposed of at the Carbon Black Pile is the primary source of zinc in surface soils down-gradient of the Carbon Black Pile.

Sediment samples were collected from five stations in the Southern Drainage area during the September 2003 sampling event. Four of these sample stations were also sample stations that had been sampled in July. The sediment zinc concentration for the

sampling stations ranged from 18 mg/kg to 772 mg/kg. EPA and the PRPs met to discuss the report on July 29, 2004, and agreed that more work needed to be done to characterize this portion of the Site.

On August 12, 2004, EPA, VDEQ and the PRPs inspected the Site to identify additional areas that needed to be investigated. The second Five-Year Review was completed by EPA in February 2005. In response to EPA's concern regarding potential zinc impacts to the Southern Drainage and the floodplains associated with Lawless Creek, as outlined in the Second Five-Year Review, the PRPs prepared a Work Plan to delineate the nature and extent of the zinc impacts on these areas. EPA approved the Work Plan on March 2005.

During a meeting with EPA on September 19, 2006, the PRPs proposed to excavate residual carbon black that had been left in place after the initial excavation of the former Carbon Black Pile area was completed. These excavation activities were proposed for residual carbon black material identified in borings taken from the former Carbon Black Pile area during the August and September 2005 field investigation. At the September 19, 2006 meeting, EPA expressed concerns about the potential risk to ecological receptors (plants and soil invertebrates) posed by residual zinc concentrations identified in the soils.

The excavation of residual zinc from the former Carbon Black Pile area will be a continuation of the excavation of 1,260 cubic yards of Carbon Black Pile soil that began on September 8, 1994 and was completed on October 4, 1994. Soils with zinc concentrations in excess of 200.2 mg/kg will be excavated. Excavation will be performed followed with confirmation sampling to verify that the zinc soil concentrations of 200.2 mg/kg are met. Excavated material will be disposed of in a waste disposal facility designed and permitted to accept soil with moderate zinc concentrations. Following completion of the removal activities, the excavated area will be backfilled with clean soil, graded, and seeded. The area where the excavation will occur covers an estimated 0.6 acres, and approximately 2,000 cubic yards of soil will be excavated. The cost of the removal action, including engineering design costs, construction, construction quality assurance, and planting is estimated to be \$93,000.

B. Analysis of Modification

Residual zinc in soil that remained in place after the Carbon Black Pile was excavated will be excavated. The ROD did not call for soil cleanup standards for zinc. During the excavation of the Carbon Black Pile, excavation ended when no more carbon black was visible. EPA decided that soil cleanup standards for zinc in the soil would have to be established as a part of the new proposed removal action. The PRPs performed a statistical analysis of "No Observable Effect Concentrations" (NOEC) published data for plants and invertebrate organisms. Based on their analysis, the PRPs proposed that the cleanup standard for zinc in soils be 292.5 mg/kg. Their analysis suggest that it is

unlikely that more than 5% of the soil invertebrate and plant population will be adversely affected by zinc concentrations of 292.5 mg/kg or less.

EPA found a number of flaws with the methodology that the PRPs used to calculate the 292.5 mg/kg or less cleanup standard. The primary concerns were: First, Values for plants and invertebrates were combined into a single analysis, resulting in a value that is less protective of the more sensitive receptor (plants). Second, studies with different soil types, pH, and organic carbon were all used to calculate the cleanup standard for zinc in soil. It would have been more appropriate to only use those studies that had similar soil types, pH, and organic carbon content. And third, lowest observable effect concentration (LOEC) data were based primarily on mortality endpoints. LOECs based on sublethal endpoints are likely to be lower.

The PRPs proposed remedial cleanup standard of 292.5 mg/kg zinc, which is the upper 95% confidence level of the no observable effect concentration (NOEC). EPA did not support the selection of this value; among other reasons, because the lower confidence limit for the LOEC (200.2 mg/kg) is less than the upper 95% confidence limit of the NOEC. EPA has selected 200.2 mg/kg or less of zinc in soil as the cleanup standard.

The applicable or relevant and appropriate requirements (ARARs) identified in the ROD will apply to the additional removal of zinc contaminated soil from the former Carbon Black Pile area. No additional ARARs will be required.

IV. PUBLIC PARTICIPATION

This ESD and the information upon which it is based have been included in the Administrative Record File for the Site. The Administrative Record also includes the ROD and all documents that formed the basis for EPA's selection of the cleanup remedy for the removal of zinc in soil at the Site. The Administrative Record is available for public review at the locations listed below:

U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Pittsylvania County Public Library
24 Military Drive
Chatham, Virginia 24531

Questions or comments on EPA's action and requests to review the Administrative Record can be directed to:

Ronnie M. Davis
Remedial Project Manager

U.S. EPA, Region III
1650 Arch Street (3HS23)
Philadelphia, PA 19103-2029
(215) 814-3230

The Agency encourages the submission of written comments concerning this ESD between May 31, 2007 and June 30, 2007. Based upon review of these comments and the level of community interest, EPA and VADEQ will determine if a public meeting concerning this matter is warranted.

SUPPORT AGENCY REVIEW

In accordance with 40 C.F. R § 300.435 (c)(2), EPA has notified the VADEQ of the modification to the soil removal component of the selected remedy described in this ESD.

VI. AFFIRMATION OF STATUTORY DETERMINATION

Based upon the Agency's review of new information concerning the removal of zinc contaminated soil that was submitted by the PRPs at this Site, and the selection of the cleanup standards for zinc contaminated soil at the Site, EPA believes that the modified remedy is protective of human health and the environment, complies with Federal and State requirements that are applicable or relevant and appropriate to this remedial action, and is cost-effective. In addition, the revised remedy utilizes permanent solutions to the maximum extent practicable at this Site.

Signature on file
James J. Burke, Director
Hazardous Site Cleanup Division

May 30, 2007
Date