



Commonwealth of Virginia

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April 30, 2024

J. Nicole Paynotta
Environmental Manager
U.S. Pipe
10 Adams Street
Lynchburg, VA 24504
josephine.paynotta@us-pipe.com

VIA ELECTRONIC MAIL

**RE: Long Term Stewardship Evaluation Report
Griffin Pipe Products Co. - Lynchburg VA
EPA ID VAD065417008**

Dear Ms. Paynotta:

The Virginia Department of Environmental Quality, Office of Remediation Programs (VDEQ) has prepared the attached report following the Long-Term Stewardship inspection performed on the Griffin Pipe Products Co. site located in Lynchburg, Virginia. The inspection found no outstanding items with compliance of engineering and institutional controls.

You may contact me to discuss any questions. I can be reached at 804-659-1377 or by e-mail at ryan.kelly@deq.virginia.gov.

Sincerely,

A handwritten signature in cursive script that reads "Ryan J. Kelly".

Ryan J. Kelly
Corrective Action Project Manager
Office of Remediation Programs

Griffin Pipe Products Co
2024 Long Term Stewardship Evaluation

ECC: Tara Mason, – VDEQ-CO
Nichole Herschler – VDEQ-BRRO
Kristin Koroncai – USEPA Region III

Attachments



Long-Term Stewardship Assessment Report Griffin Pipe Products Co.

EPA ID VAD065417008

Prepared by: Ryan Kelly

Date: April 30, 2024

Introduction:

Long-term stewardship (LTS) refers to the activities necessary to ensure that engineering controls (ECs) are maintained and that institutional controls (ICs) continue to be observed. The purpose of the EPA Region 3 LTS program is to periodically assess the efficacy of the implemented remedies (i.e, ECs and ICs) and to update the community on the status of the RCRA Corrective Action facilities. The assessment is conducted in two-fold, which consists of a record review and a field inspection (if needed), to ensure that the remedies are implemented and maintained in accordance to the final decision.

The RCRA Corrective Action Program has identified key elements of effective Long-Term Stewardship for Corrective Action cleanups. The LTS Report took into consideration the following elements while preparing this report:

Element 1 – Legal Authorities

Element 2 – Information Regarding Engineering and Institutional Controls

Element 3 – Long-Term Facility Oversight, Monitoring, and Maintenance

Element 4 – Recordkeeping and Tracking

Element 5 – Meaningful Engagement and Consultation

Element 6 – Funding

Element 7 – Enforcement

Element 8 – Enforceable Mechanisms

Element 9 – Dedicated Resources

Site Background:

The Griffin Pipe facility is located in an industrial area along the banks of the James River in Lynchburg, Virginia. The Facility developed into its current industrial status throughout the late

1800s and early 1900s. At various times during the property's development, an ice plant and three separate foundries have been in operation on the property.

The Griffin Pipe Products Foundry has operated continuously since 1972, manufacturing ductile cast iron pipes for use in both potable water and sewer systems. The facility is capable of producing pipes that range from 3 to 16 inches in diameter and up to 18 feet in length.

The Facility is located on a wedge of fill and adjacent to the James River. The majority of the Facility is capped with hardscape consisting of buildings and pavement and located within the James River floodplain. The Facility is bounded on the north and east by the James River and on the west by a railroad yard and a bluff that rises out of the floodplain. The southern portion of the Facility is bounded by other industrial property.

On June 27, 1986, the facility was issued a Hazardous Waste Management Permit for the Storage and Treatment of Hazardous Waste (EPA ID No. VAD065417008) which provided for the storage of the Harsell baghouse dust (characteristic waste codes D006 and D008) in the Harsell baghouse steel hoppers. The Permit was renewed and effective May 15, 1997. The hazardous waste managed under this Permit was limited to the two process wastes which included the cupola dust emissions generated in the iron melting process and the dust emissions generated during the molten iron desulphurization and magnesium treatment process. Used air pollution control bags were also identified as hazardous waste due to the accumulated dust that permeated the bags.

The VDEQ received notification from Griffin Pipe on October 13, 2005 that no additional hazardous wastes would be treated in the facility and that closure would be initiated. On November 20, 2006, Clayton Group Services (Clayton), on behalf of Griffin Pipe, submitted the RCRA Clean Closure Report (Closure Report) of the Harsell Baghouse. The report documented on-site closure activities that commenced on July 24, 2006 and were completed on September 27, 2006. VDEQ approved the Closure Report associated with the Harsell Baghouse (SWMU-1 and SWMU-2) in a letter dated April 5, 2007.

Subsequently, the Griffin Pipe facility was required to maintain a facility permit under the RCRA corrective action (CA) requirements. Therefore, on May 16, 2007, Griffin Pipe submitted Parts A and B of the Hazardous Waste Permit Application. The final Hazardous Waste Management Permit for Corrective Action was issued on November 30, 2007, effective until November 30, 2017.

In 2014, Griffin Pipe Products Company was purchased by U.S Pipe. Since then, the facility has been operating as Griffin Pipe Products DBA as U.S Pipe.

Current Site Status:

In September 2017, the facility's Hazardous Waste Management Permit was modified to incorporate a final remedy detailed in a Statement of Basis developed by the Virginia Department of Environmental Quality (DEQ), which included groundwater monitoring and

institutional controls. The modified Permit became effective on September 15, 2017 and represents Remedy Selection and Remedy Construction Complete determination in accordance with the Corrective Action process. On October 25, 2018 VDEQ approved a request to discontinue groundwater monitoring at the facility. A well abandonment report was submitted on March 22, 2019.

On October 10, 2017, Griffin Pipe Products Co LLC recorded a UECA covenant with the Lynchburg Circuit Court to establish land use controls. The Hazardous Waste Management Permit associated with EPA ID VAD065417008 expired on November 30, 2017. The most recent UECA compliance report was submitted on January 10, 2024.

The entire facility is currently under continued industrial use.

Element 1: Legal Authorities

The remedy was imposed by Class 2 Modifications of the Facility's Hazardous Waste Management Permit on September 15, 2017. An Environmental Covenant compliant with the Uniform Environmental Covenant Act (UECA) was recorded on October 10, 2017 in Lynchburg Circuit Court, thus the Facility's Permit was allowed to expire. The UECA Covenant serves as the authority for enforcing the final remedy at the site. DEQ is listed as the Agency in the Covenant.

Element 2: Information Regarding Engineering and Institutional Controls and Remedy

The following controls and components are required as part of the CA remedy:

Associated Tax Parcel	Restriction	Applies to Polygon
<u>Tax Parcel ID:</u> 045-09-010 045-10-004 045-10-001	A. The Facility shall not be used for residential purposes or for children's (under the age of 16) daycare facilities, schools, or playground purposes. B. Groundwater shall not be used for any purposes except for environmental monitoring and testing, or for non-contact industrial use as may be approved by VDEQ. Any new groundwater wells installed must be approved VDEQ. C. Excavation and/or management of soil shall be conducted in accordance with a VDEQ-approved Materials Management Plan.	Entire Facility

Associated Tax Parcel	Restriction	Applies to Polygon
	Monitor groundwater pursuant to an approved groundwater monitoring plan, and any revisions thereto, until such time as it can be shown that the concentrations of hazardous constituents set forth on the chart above meet the remedial goals or demonstrate a generally stable or decreasing trend.	On October 25, 2018 VDEQ approved a request to discontinue groundwater monitoring at the facility.
<u>Tax Parcel ID:</u> 045-10-001	Maintain a cover, as necessary, at the AOC-14 and AOC-15 areas to include all areas known to have constituents above EPA Region 3 Industrial RSLs. Conduct an annual inspection of the covered area as prescribed in the UECA Covenant.	Restricted Area 0.248 Acre

Element 3 – Long-Term Facility Oversight, Monitoring and Maintenance

The UECA Covenant requires that, by the end of January 2019 and the end of every fifth March thereafter, the then current owner of the Property shall submit to the Agency written documentation stating whether or not the activity and use limitations in the environmental covenants are being observed. The Department received the documentation on January 10, 2024.

In addition, within one (1) month after any of the events listed in Section 5(b) of the Environmental Covenant, the then current owner of the Property shall submit to the Agency written documentation describing the event.

Portions of the Facility are located within the Regulatory Floodway, 1% Annual Chance, and 0.2% Annual Chance Flood Hazard Areas as indicated on [FEMA's National Flood Hazard Layer \(NFHL\) Viewer](#). Remedies are therefore possibly susceptible to climate impacts based on these flood criteria.

Element 4 – Recordkeeping and Tracking

The UECA Covenant provides visual representation of the activity and use limitations.

Mapping: The EPA Facility website includes a figure with a Geospatial PDF showing the use restriction boundaries. The map was reviewed and the 0.248-acre restricted area at AOC-14 and AOC-15 is not shown.

Element 5 – Meaningful Engagement and Consultation

The Facility is currently active with no off-site impacts. The EPA Region 3 website maintains updated information and key documents for the facility. In addition, the community may request information and documents from the VDEQ Office of Remediation Programs.

Element 6 – Funding

Financial Assurance: Financial Assurance is not required for this Facility since there is only maintenance of activity and use limitations required at this time.

Element 7 – Enforcement

The UECA allows DEQ and the Grantor listed in the Covenant the Authority to enforce the remedy. EPA, without limitation, reserves its right to take administrative enforcement action under RCRA or other federal law for violations.

Element 8 – Enforceable Mechanisms

An Environmental Covenant compliant with the Uniform Environmental Covenant Act (UECA) was recorded on October 10, 2017, thus the Facility's Permit was allowed to expire. The UECA serves the authority for enforcing the final remedy at the site. DEQ is listed as the Agency in the Covenant.

Element 9 – Dedicated Resources

The Performance Partnership Grant Workplan provides for Long-Term Stewardship activities. The Programmatic goal is to evaluate 20% of facilities with remedies older than 10 years.

Long-term Stewardship Information Review:

DEQ conducted a long-term stewardship information review to assess the status of the implemented remedies at the site. The review consisted of inspecting recent google earth imagery along with contacting the facility's environmental manager to review a checklist of site-specific items. The checklist is included with this letter and was verified by the facility's representative per an email dated April 24, 2024.

Documents Reviewed:

EPA Region 3 Corrective Action Sites Webpage - Facility Fact Sheet
Hazardous Waste Management Permit (modified - 09/15/2017)
Environmental Covenant (10/10/2017)
VDEQ correspondence letter (10/25/2018)
Well abandonment report (03/22/2019)
Google Earth imagery (05/22/2021)
5-year UECA AUL Report (01/10/2024)

Follow-up Activities:

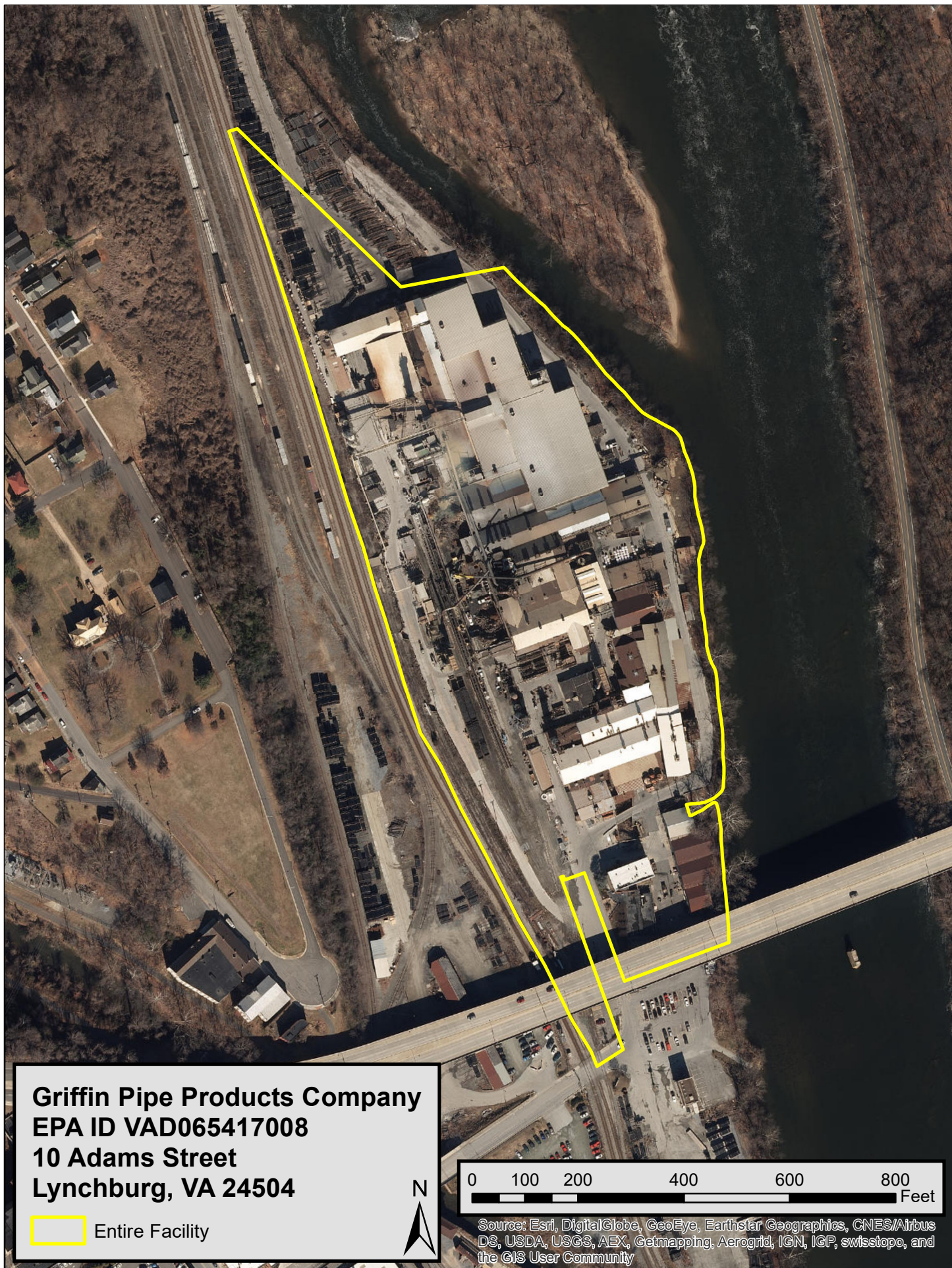
DEQ will work with EPA to update the Facility website figure and Geospatial PDF to include the 0.248-acre restricted area at AOC-14 and AOC-15.

Conclusion:


The engineering and institutional controls selected and defined within the 2017 UECA Covenant are implemented and remain intact and undamaged.

Griffin Pipe Products Co
2024 Long Term Stewardship Evaluation

DEQ Long Term Stewardship Facility Map
Griffin Pipe Products Co – Lynchburg, Virginia



Griffin Pipe Products Company
EPA ID VAD065417008
10 Adams Street
Lynchburg, VA 24504

 Entire Facility

N

0 100 200 400 600 800 Feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

VADEQ - Long Term Stewardship Checklist
GRIFFIN PIPE PRODUCTS CO.
EPA ID NO. VAD065417008

Date of Site Visit

Desktop Evaluation Only

DEQ Personnel

Ryan Kelly, Corrective Action PM

Facility Representatives

Nicole Paynotta, Environmental Manager

Selected Remedies:

Groundwater Monitoring, Compliance with and Maintenance of Institutional and Engineering Controls (ICs and ECs):

Associated Tax Parcel	Remedy Component or Restriction	Applies to Polygon
<u>Tax Parcel ID:</u> 045-09-010 045-10-004 045-10-001	A. The Facility shall not be used for residential purposes or for children's (under the age of 16) daycare facilities, schools, or playground purposes. B. Groundwater shall not be used for any purposes except for environmental monitoring and testing, or for non-contact industrial use as may be approved by VDEQ. Any new groundwater wells installed must be approved VDEQ. C. Excavation and/or management of soil shall be conducted in accordance with a VDEQ-approved Materials Management Plan.	Entire Facility
	Monitor groundwater pursuant to an approved groundwater monitoring plan, and any revisions thereto, until such time as it can be shown that the concentrations of hazardous constituents set forth on the chart above meet the remedial goals or	On October 25, 2018 VDEQ approved a request to discontinue groundwater monitoring at the facility.

Associated Tax Parcel	Remedy Component or Restriction	Applies to Polygon
	demonstrate a generally stable or decreasing trend.	
<u>Tax Parcel ID:</u> 045-10-001	Maintain a cover, as necessary, at the AOC-14 and AOC-15 areas to include all areas known to have constituents above EPA Region 3 Industrial RSLs. Conduct an annual inspection of the covered area as prescribed in the UECA Covenant.	Restricted Area 0.248 Acre

<u>IC Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Have the ICs specified in the remedy been fully implemented? Implementation mechanism in place?	X		<i>Corrective Action Permit Modification 9/15/2017 to incorporate remedy.</i> <i>UECA recorded Lynchburg Circuit Court, 10/12/2017, thus Permit allowed to expire as of 11/30/2017.</i>
• Do the ICs provide control for the entire extent of contamination (entire site or a specific portion)?	X		
• Are the ICs eliminating or reducing exposure of all potential receptors to known contamination?	X		
• Are the ICs effective and reliable for the activities (current and future) at the property to which the controls are applied?	X		
• Have the risk of potential pathway exposures addressed under Corrective Action changed based on updated screening levels and new technologies?		X	
• Are modifications to the IC implementation mechanism needed? (i.e. UECA Covenant, Permit or Order)		X	
• Are there plans to develop or sell the property?		X	
• Have all reporting requirements been met?	X		5-yr Report submitted, dated 1/10/2024

<u>Groundwater Remedy Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• For wells where groundwater monitoring is no longer required, have the wells be decommissioned?	X		Well Abandonment report dated 3/22/2019

<u>Surface and Subsurface IC Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Is the facility being used for residential purposes?		X	
• Have there been recent construction or earth-moving activities or future plans for such?		X	

<u>Engineered Cap or Cover Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Have covers/caps been properly maintained?	X		
• Does vegetative cover in Riparian Buffer area remain intact?			NA
• Have any repairs been necessary? (i.e. paving, sealing, regrading, filling, root removal)		X	
• Is the leachate collection system operating and effectively preventing groundwater contamination?			NA

<u>Miscellaneous EC Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Is the security fence intact?			Not required in remedy.
• Is the appropriate signage posted?			Not required in remedy.

Additional Notes:

[illegible]