



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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July 22, 2024

Ms. Danielle Gugliemotto
Ashland Distribution Co.
2410 Patterson Avenue Southwest
Roanoke, VA
Danielle.Gugliemotto@ashland.com

VIA ELECTRONIC MAIL

**RE: Long Term Stewardship Report
Ashland Distribution Co.
EPA ID VAD062373600**

Dear Ms. Gugliemotto:

The Virginia Department of Environmental Quality, Office of Remediation Programs (VDEQ) has prepared the attached report following the Long-Term Stewardship evaluation performed on May 22, 2024 at the Ashland Distribution Co. facility located in Roanoke, Virginia. The evaluation found that RCRAInfo Event Codes should be updated to CA900NC as the most recent Final Decision and Response to Comments stated that no further action is required to make the property suitable for any type of land use.

You may contact me to discuss any questions. I can be reached at 804-584-3143 or by e-mail at stephanie.houston@deq.virginia.gov.

A handwritten signature in black ink, appearing to read "Stephanie Houston".

Stephanie Houston, Corrective Action Project Manager
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ECC: Tara Mason – VDEQ-CO
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Kristin Koroncai – USEPA Region III
Jacqueline Morrison – USEPA Region III

Attachments

Long-Term Stewardship Assessment Report
Ashland Distribution Co.
EPA ID VAD062373600

Prepared by: Stephanie Houston

Date: July 22, 2024

Remedy Review Summary

The Long-Term Stewardship Assessment showed that RCRAInfo codes need to be revised to reflect the revised Final Decision and Response to Comments (FDRTC) document dated January 14, 2013. Based on the most recent FDRTC, a Declaration of Restrictive Covenant, which was recorded on October 3, 2013, is not needed and that the property is suitable for any type of land use. The RCRAInfo code CA900NC (CA Performance Standards Attained – no controls are necessary) is recommended.

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, 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 Facility is located at 2410 Patterson Avenue, S.W. in Roanoke, Virginia, approximately 2.5 miles west of downtown Roanoke. Ashland, Inc. was formerly a chemical and plastics distribution facility. The Facility has been the site of a chemical and industrial solvent storage/distribution facility since the late 1950s. Ashland, Inc. began operations at the site in approximately 1966.

During this time, chemicals and plastics were received by truck, stored in bulk in containers, and then distributed to customers. On-site storage of chemicals and plastics materials was limited to less than ten (10) days. Transportation to its customers occurred in Facility owned and operated vehicles which were maintained off-site. The blending of paint thinners was performed at the Facility, but no chemical manufacturing occurred at the Facility. The Facility maintained 18 aboveground tanks (ASTs) for product storage, and a concrete dike surrounded the storage tanks. The storage tanks held MEK, acetone, and other solvent type materials.

In 1980, Ashland, Inc. submitted a Notification of Regulated Hazardous Waste Management Activity and a RCRA Part A Permit Application to EPA and the Virginia Department of Environmental Quality (VDEQ), which entered the facility into the RCRA Corrective Action Program. A RCRA Facility Assessment was completed on September 30, 1985, and on February 7, 1986, EPA made a determination that a RCRA Facility Investigation (RFI) was necessary. Reports with additional sampling results in 1988 and 1989 indicated that, of 5 former SWMUs assessed for approval of clean closure, SWMU No. 5 (Former Hazardous Waste Container Storage Area (Southeast Area)) needed further study for corrective action. A VDEQ clean closure certification approval letter dated October 2, 1996 excluded SWMU No. 5 from the five areas assessed. During this period, the EPA established the site as a low priority CA site on October 1, 1991. Additional soil sampling was conducted in 2009, and a risk assessment conducted by the EPA in April 16, 2010 showed that none of the complete pathways evaluated was found to have either individual or cumulative carcinogenic or noncarcinogenic risks in excess of those considered protective by EPA. The analytical results from the 2009 soil sampling also revealed concentrations considerably less than the concentrations found in soils from the 1989 sampling event, indicating that the contamination is naturally attenuating with time.

A Statement of Basis (SB) signed February 2, 2012 acknowledged contaminants remaining in the soil and proposed remedy components that included institutional controls and the development of a Materials Management Plan (MMP). Institutional controls included a restriction that all excavation and disturbances to the subsurface soils be conducted according to an approved MMP and a restriction that Facility property not be used for residential purposes. A Final Decision and Response to Comments (FDRTC) dated May 7, 2012 stated that no comments were received, and the proposed Remedy in the SB remains unchanged. A Declaration of Restrictive Covenant on the entire facility was issued on October 3, 2013 and included the restrictions noted in the SB remedy as well as restrictions to groundwater use, a permanent cover on a portion of contaminated property, and vapor intrusion controls for any new structures on the property. A subsequent SB signed November 11, 2012 proposed to revise the May 7, 2012 FDRTC because of recent revisions (February 10, 2012) to cancer and non-cancer toxicity values for tetrachloroethylene (PCE). The final toxicological evaluation superseded all existing toxicity values provided by other sources, such as the former Regional Screening Levels or Risk Based Concentrations used for the August 13, 2010 FDRTC. The proposed decision stated that no further actions to remediate soil, groundwater, or air contamination are necessary for the protection of human health and the environment for any future use of this property. The final FDRTC was issued January 14, 2013 and stated that no further action is required to make this property suitable for any type of land use.

The Facility's initial Hazardous Waste Management Permit for Storage of Hazardous Waste (in Containers) was issued on February 8, 1986 and reissued in 1997. The Facility notified VDEQ of

its intention to close the permitted hazardous waste storage facility (SWMU No.1) on October 22, 1997 and submitted a Closure Report dated June 19, 1998 and revised May 14, 1999. VDEQ approved the Closure Report on July 25, 2000. The Facility continued to manage hazardous waste but under a Hazardous Waste Transporter Permit as a transfer facility. The Facility also managed their hazardous waste generated as a small quantity generator (SQG).

The company has undergone a number of organizational and name changes over the years. In 1989, Ashland Chemical, a division of Ashland Oil, Inc., became Ashland Chemical, Inc., a wholly-owned subsidiary of Ashland Oil, Inc. In 1992, Ashland Chemical, Inc. was dissolved and merged back into its parent corporation; Ashland Oil, Inc. Ashland Chemical Company became an unincorporated operating division once more. In 1998, Ashland Oil, Inc. became Ashland Inc. Ashland Chemical Company was split into various unincorporated operating divisions, including Ashland Distribution, the operator of the site. Ashland Distribution is an unincorporated operating division of Ashland Inc.

Current Site Status:

The facility is being leased to a landscaping company.

Element 1: Legal Authorities

The Final Remedy Decision was issued under the authority of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 and 6992k.

Element 2: Information Regarding Engineering and Institutional Controls

A Declaration of Restrictive Covenants was recorded on October 3, 2013 with the below controls in accordance with the FDRTC signed May 7, 2012. However, a FDRTC signed January 14, 2013 indicated that the EPA “has determined that no further action is required to make this property suitable for any type of land use”.

The following restrictions were placed on the entire facility in the October 3, 2013 Declaration of Restrictive Covenants:

1. There shall be no use of the groundwater on the Property. For any dewatering activities, a plan must be in place to address and ensure the appropriate handling, treatment, and disposal of any extracted ground water that may be contaminated.
2. The area of soil contamination indicated on that portion of the Property indicated on Exhibit B shall be permanently covered and maintained with either an impermeable material that prevents human exposure and limits water infiltration, or two (2) feet of clean and uncontaminated soil or fill.
3. Excavation and construction below two feet surface elevations is not prohibited within the areas containing contaminated soils as described in Exhibit B provided any contaminated soils that are excavated are removed and properly disposed of. Further, the potential exists

for impacts outside of these areas and as such, precautions should be taken in all excavation activities and all soils managed in accordance with State and Federal requirements.

4. The property will only be used for industrial and certain commercial purposes.
5. Any new structures to be built on the property will include vapor intrusion controls, which shall include vapor barriers and/or sub-slab ventilation.

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

The FDRTC signed January 14, 2013 stated that no further action is required to make this property suitable for any type of land use. Long-term oversight, monitoring, and maintenance are therefore not required.

A small portion of the Facility along the southern boundary is located within the 0.2% Annual Chance Flood Hazard Area as indicated on [FEMA's National Flood Hazard Layer \(NFHL\) Viewer](#) (last accessed May 15, 2024). None of the ASTs are in this area of the Facility. Given that no further action is needed for this site, climate impacts based on these flood criteria would not impact the remedy.

The January 14, 2013 FDRTC stated that no further action is required to make the property suitable for any type of land use, which means that long-term oversight, monitoring, and maintenance are not required. Based on this LTS evaluation, RCRAInfo codes CA900NC (CA Performance Standards Attained – no controls are necessary) and CA999NF (CA Action Process Terminated - attainment of final RCRA Corrective Action goals without any active remediation) are recommended.

Element 4: Recordkeeping and Tracking

The Declaration of Restrictive Covenant provides visual representation of the activity and use limitations. However, these limitations are not required according to the FDRTC signed January 14, 2013.

Mapping: The EPA Facility website figure has been updated with a Geospatial PDF showing the facility boundaries. The map was field-verified, and no issues were noted.

Element 5: Meaningful Engagement and Consultation

The Facility currently has active operations unrelated to its former use as a chemical distribution facility, and it has no off-site impacts from its former use as a chemical distribution facility.

The first Statement of Basis (SB) was publicly noticed starting February 10, 2012 for thirty (30) days in the Roanoke Times. During that time, the Administrative Record, including the SB describing the proposed remedy, was made available for review by the public at the EPA Region III office in Philadelphia and also at the Raleigh Court Branch of the Roanoke Public Library. EPA received no comments on its proposed remedy for the Facility; the Final Remedy therefore did not change from the remedy proposed in the SB.

The second SB was publicly noticed starting December 5, 2012 for thirty (30) days in the Roanoke Times and on the EPA Region III website. EPA received no comments on the proposal; therefore, the final determination is unchanged from the remedy proposed in the SB.

Element 6: Funding

The SB signed November 14, 2012 noted that the proposed decision does not require any further engineering actions to remediate soil, groundwater, or indoor air contamination at this time. EPA therefore proposed that no financial assurance is required. The determination in the SB remained unchanged after the FDRTC was issued and signed on January 14, 2013.

Element 7: Enforcement

EPA, without limitation, reserves its right to take administrative enforcement action under RCRA or other federal law for violations. The Declaration of Restrictive Covenant exists to enforce activity and use limitations defined therein; however, based on the FDRTC signed January 14, 2013, limitations on the land are not necessary.

Element 8: Enforceable Mechanisms

A Declaration of Restrictive Covenant is in place that restricts land use. However, an enforceable mechanism is not needed based on the remedy decision stated in the January 14, 2013 FDRTC.

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 Site Visit: On May 22, 2024

DEQ conducted a LTS site visit to observe conditions at the Facility on May 22, 2024. The following observations were made:

- The Facility appeared to be in use. In an e-mail dated May 22, 2024, the Facility contact stated that the property is being leased to a landscaping company.
- Although the limitations in the deed restriction are no longer required, it was observed that
 - No excavation or disturbances of subsurface soils had occurred, i.e., no new construction or structures were observed.
 - The Facility was not being used for residential purposes.

DEQ Long-Term Stewardship Facility Map
Ashland Distribution, Inc. – Roanoke, Virginia Information Technologies Agency



NW Boundary



At northwest corner of Facility facing east. Front of building on Patterson Avenue SW.



At northwest corner of Facility facing south. Front of building on Patterson Avenue SW with view of side lot beside building.



At northwest corner of Facility facing south. View of side lot beside building where SWMU 6 (Former Landfill) was located.

NE Boundary



At northeast corner facing south. The Facility is currently being leased to a landscaping company.

East Boundary



At the eastern boundary of the Facility facing northwest. The Facility is currently in use.



At the eastern boundary of the Facility facing southwest. Multiple vehicles were observed on the property.



At the eastern boundary of the Facility facing west. It is unclear whether the building is being used.



At the eastern boundary of the Facility facing north. Multiple vehicles were observed parking onsite, some with tanks containing fluids.

SE Boundary



At the southeast boundary of the Facility facing north. Former ASTs are still present onsite. It is unclear whether they are being used.



At southeast boundary of the facility facing west. Former ASTs can be seen towards the right. Yellow ASTs in the background did not appear to be present in site pictures from February 13, 2008 Site Visit Report.