UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY

REGION III

STATEMENT OF BASIS

FORMER BUCYRUS-ERIE COMPANY

ERIE, PENNSYLVANIA 16512

EPA ID NO. PAD 005028733

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I. Introduction

A. Facility Name

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) for the former Bucyrus-Erie Company (Bucyrus-Erie) facility located at 1521 Rasberry Street, Erie, PA 16512 (hereinafter referred to as the Facility).

The Facility is subject to the Corrective Action program under 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 to 6992k. The Corrective Action program is designed to ensure that certain facilities subject to RCRA have investigated and cleaned up any releases of hazardous waste and hazardous constituents that have occurred at their property.

Information on the Corrective Action program as well as a fact sheet for the Facility can be found by navigating http://www.epa.gov/reg3wcmd/correctiveaction.htm.

B. Proposed Decision

This SB explains EPA's proposed decision to make a Corrective Action Complete without Controls determination for the Facility. EPA's proposed decision is based on a review of EPA and Pennsylvania Department of Environmental Protection (PADEP) files regarding the environmental history of the Facility as presented in the Final Environmental Indicator Inspection Report submitted in October, 2007. Based on this review, EPA has concluded that there are no current or unaddressed releases of hazardous waste or hazardous constituents from the Facility. Therefore, no further corrective action or controls are required at the Facility at this time.

C. Importance of Public Input

Before EPA makes a final decision on its Corrective Action Complete without Controls determination for Facility, the public may participate in the remedy selection process by reviewing this SB and documents contained in the Administrative Record (AR) for the Facility. The AR contains the complete set of reports that document Facility conditions, including a map of the Facility, in support of EPA's proposed decision. EPA encourages anyone interested to review the AR. The AR is available for public review at the EPA Region III office, the address of which is provided in Section V, below.

EPA will address all significant comments received during the public comment period. If EPA determines that new information or public comments warrant a modification to the proposed decision, EPA will modify the proposed decision or select other alternatives based on such new information and/or public comments. EPA will approve its final decision in a document entitled the Final Decision and Response to Comments (FDRTC).

II. Facility Background

The Facility covers 10.5 acres and is located at 1521 Rasberry Street in Erie, Pennsylvania. The facility consisted of the former 12th Street Foundry and the former Rasberry Street Plant. The 12th Street Foundry was located on the northwesterm corner of 12th Street and Cranberry Street. The Rasberry Street plant was located on the eastern and western sides of Rasberry Street between 15th and 18th Street. Properties surrounding the facility are primarily industrial and residential.

Between 1928 and 1984, the company manufactured construction machinery at the 12th Street Foundry and assembled backhoes and cranes at the construction equipment assembly at the Rasberry Street Plant. In 1986, Bucyrus Company closed the Erie plant.

The former 12th Street Foundry is currently owned by the Perry Ship Building, now known as PSB Industries and is used for steel fabrication and constructing bulk-carrier lake freighters. PSB operates as a Conditionally Exempt Small Quantity Generator.

The Rasberry Plant is currently a boiler factory owned and operated by Riley Power Inc. Riley Power has a National Pollution Discharge Elimination System Permit.

III. Summary of Environmental History

In November, 1980, Bucyrus-Erie submitted a Part A Hazardous Waste Application. In July, 1981, USEPA acknowledged the facility's interim status as a treatment/storage/disposal facility and to handle D001(ignitable), D002 (corrosive), and D004 (arsenic) wastes.

In May, 1982, Bucyrus-Erie withdrew its Part A Hazardous Waste Application. In March, 1984, Bucyrus-Erie ceased operations at the Erie facility. In a letter dated August 24, 1987, Bucyrus-Erie informed EPA that the property had been sold and requested to cancel its notification of hazardous waste activity. On September 1, 1987, US EPA cancelled the EPA ID number PAD005028733.

The solid waste management units (SWMUs) at the facility included the Plant Main Gate Yard, the Accumulation Tanks, the Container Storage Units, the Surface Impoundment, and the Empty Drum Storage Area. There were no releases documented at these SWMUs.

On April 21, 2010, EPA determined that the facility had met both environmental indicators: (1) Current Human Exposures Under Control and (2) Migration of Contaminated Groundwater Under Control.

IV. Evaluation of EPA's Proposed Decision

EPA has determined that its proposed decision to make a Corrective Action Complete without Controls determination for Facility is protective of human health and the environment and that no further corrective action or controls are necessary at this time.

V. Public Participation

Interested persons are invited to comment on EPA's proposed decision. The public comment period will last thirty (30) 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 Ms. Tran Tran at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Ms. Tran Tran at the address listed below. A meeting will not be scheduled unless one is requested.

The Administrative Record contains all information considered by EPA when proposing a Corrective Action Complete without Controls determination for the Facility. The Administrative Record is available at the following location:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Ms. Tran Tran, 3LC30
Phone: (215) 814-2079
Fax: (215) 814 - 3113
Email: tran.tran@epa.gov