



STATEMENT OF BASIS

REGION III
ID #
PAD004326542

World Kitchen, LLC Charleroi, Pennsylvania Signed March 2014

Facility/Unit Type:	Manufacturing Plant
Contaminants:	Arsenic and Lead in soil, other metals in groundwater
Media:	Groundwater, soil
Proposed Remedy:	Compliance with and maintenance of institutional controls

I. INTRODUCTION

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) to solicit public comment on its proposed remedy for the World Kitchen, LLC facility (Facility), which is subject to EPA's Corrective Action program under the Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sections 6901 *et seq.*

EPA is providing a 30-day public comment period on this SB and may modify its proposed remedy based on comments received during this period. EPA will announce its selection of a final remedy for the Facility in a Final Decision and Response to Comments (Final Decision) after the comment period has ended.

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>.

The Administrative Record (AR) for the Facility contains all documents, on which EPA's proposed decision is based. See Section VIII for information on how you may review the AR.

II. FACILITY BACKGROUND

The Facility is located on the west bank of Monongahela River at 100 8th Street in Charleroi, Pa. The Facility is bordered to the north by the Borough of Charleroi Waste Water Treatment Plant (WWTP), to the southwest by retail stores and residential properties, to the northeast by the Monongahela River, and to the south by baseball fields, as shown in Figure 1. The Facility is owned by the World Kitchen, LLC. It has a total area of approximately 22 acres, with 60 structures that occupy 14 acres, as shown in Figure 2.

Corning Glass Company purchased the Facility from Macbeth-Evans Glass Company in 1936. Macbeth-Evans Glass Company operated the Facility from 1892 to 1936. From 1936 to 1994, the Facility was part of a division of Corning, Inc. From 1994 to 1998, the Facility was a wholly-owned subsidiary of Corning, Inc., known as Corning Consumer Products (CCPC). In April 1998, CCPC was divested from Corning, Inc. The Facility became part of World Kitchen, Inc. in 1999 and, after a restructuring, became part of World Kitchen, LLC in 2006. Currently, the Facility manufactures Pyrex tableware, ovenware, and kitchenware by utilizing continuous operating processes involving glass batch mixing, controlled melting in melt furnaces, final finishing and decorating of the products. The facility did not generate waste containing aluminum, manganese or iron.

Areas of Investigation

AOC 4	Area of Concern (AOC) 4 is broken down into four sections: 1) Tank 11 Production Area (Basement, Bldg 48), 2) Materials Handling Area and Overhead Conveyance System (Bldg 113/89), 3) Materials Handling Area and Electrostatic Precipitator with Overhead Conveyance System (Bldg 89) and 4) Tank 6 Cullet Pad-Materials Handling Area. Based on all the available data, in 2013, EPA determined that there was a potential for arsenic contamination in soils at this AOC due to historical materials handling issues and the presence of process wastewater in these areas.
AOC 8	AOC 8 consists of Building 76 and includes an adjacent sump with a metal cover. Water collected in the AOC 8 sump ultimately discharged to the Monongahela River through the Outfall 002 stormwater drainage system. Building 76 was historically used as an instrument and tool shop.
Groundwater	In 2013, EPA determined that there was the potential for groundwater contamination from the abandoned oil skimmer, underground waste oil tank, chromic acid reduction and plant operations located in the factory manufacturing buildings, as shown on Figure 3.

EPA reviewed several additional areas at the Facility, but determined there were no environmental impacts associated with them. These areas either had contamination below residential standards or there was no evidence or documentation of release for the area.

III. SUMMARY OF ENVIRONMENTAL INVESTIGATIONS

Area	Description
AOC 4	Soil samples collected from the sections of AOC 4 depicted on Figure 4, had arsenic and lead levels that exceeded Act 2 direct contact, non-residential surface soil medium specific concentrations (MSCs). The MSC for arsenic in surface soil (0-2 feet) is 53 mg/kg. The contaminated soil (highest was 720 mg/kg) was removed and clean fill and concrete were used as backfill. After excavation, confirmation samples were collected and sample results were below Act 2 MSCs for non-residential standard for arsenic. The Non-Residential MSC for arsenic meets EPA's acceptable risk range for arsenic in a non-residential (industrial) use scenario.
AOC 8	Samples of sediment collected in August 1997 from the AOC 8 sump contained concentrations of various metals including cadmium, lead and selenium. All storm sewer lines, sumps, manholes and box drains that comprised the Outfall 002 systems were cleaned and flushed. There was a video inspection of the system, and in 1999 the system was repaired and upgraded. After remediation, a total of 20 "first flush" stormwater samples were collected from Outfall 002 and the results were below the bench mark values established in the US EPA Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity. The results from the last sample were hardness 151 mg/l, total suspended solids at 64 mg/L and lead at 55 ug/L.
Groundwater Monitoring	From July 1997 to January 1999, Corning monitored groundwater under Pennsylvania's Land Recycling Program (Act 2). Results showed levels of organic hazardous constituents and RCRA metals to be below residential used aquifer standards or not detect. However, both upgradient and downgradient wells exhibited levels of aluminum, manganese and iron above Pennsylvania state-wide non-residential, non-use standards and EPA's secondary maximum containment levels for taste, cosmetic and technical effects. Because these exceedances are found both upgradient and downgradient of the Facility, PADEP determined that these contaminants occur naturally and designated the groundwater beneath the Facility as a non-use aquifer.

Under the Government Performance and Results Act (GPRA), EPA has set national goals to address RCRA corrective action facilities. Under GPRA, EPA evaluates two key environmental clean-up indicators for each facility: (1) Current Human Exposures Under Control and (2) Migration of Contaminated Groundwater Under Control. The Facility met these indicators on April 9, 2013. The environmental indicator determinations are available at <http://www.epa.gov/reg3wcmd/ca/pa.htm>.

IV. CORRECTIVE ACTION OBJECTIVES

EPA's Corrective Action Objectives for the Facility are the following:

A. Soils

EPA has determined that the Pennsylvania's direct contact, non-residential MSCs for soils are protective of human health and the environment for individual contaminants at this Facility provided that the Facility is not used for residential purposes. The Non-Residential MSC for arsenic meets EPA's acceptable risk range for non-residential (industrial) use. Arsenic concentrations remaining in Facility soils meet Non-Residential MSCs, however, some contaminants remain in concentrations above their applicable Residential MSCs. Therefore, EPA's Corrective Action Objective for Facility soils is to control exposure to the hazardous constituents remaining in soils over Residential MSCs by requiring the compliance with and maintenance of land use restrictions at the Facility.

B. Groundwater

The groundwater beneath the Facility has been designated by PADEP as a non-use aquifer. Due to the presence of aluminum, iron and manganese both onsite, upgradient and downgradient wells at the Facility. On-site and background levels of all three constituents exceed EPA's secondary Maximum contaminant limits. EPA has determined that aluminum and manganese are naturally occurring in the area of the Facility at concentrations above those MSCs and remediation of those contaminants would not provide a significant reduction in risks to actual or potential receptors. Therefore, EPA's Corrective Action Objective for groundwater at the Facility is to meet PADEP's MSCs for non-residential, non-use aquifer.

V. PROPOSED REMEDY

- A. EPA's proposed remedy for soils consists of the following land use restriction:
1. The Facility property shall not be used for residential purposes unless it is, (a) demonstrated to EPA that such use will not pose a threat to human health or the environment or adversely affect or interfere with the selected remedy and, (b) EPA provides prior written approval for such use.

The proposed use restriction will be implemented through an IC such as an enforceable permit, order and/or an Environmental Covenant pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA) to be recorded with the deed for the Facility property.

- B. EPA's proposed remedy for groundwater consists of the following groundwater use restriction:
1. Groundwater at the Facility shall not be used for any purpose, unless it is, (a) demonstrated to EPA that such use will not pose a threat to human health or the environment or adversely affect or interfere with the selected remedy and, (b) EPA provides prior written approval for such use.

The proposed use restriction will be implemented through an IC such as an enforceable permit, order and/or an Environmental Covenant pursuant to UECA to be recorded with the deed for the Facility property.

VI. EVALUATION OF PROPOSED REMEDY

Threshold Criteria	Evaluation
1) Protect human health and the environment	Soil pathway was eliminated once surface contaminated soil was removed. While aluminum and manganese remain in the groundwater above PADEP's MSCs for non-residential, non-use aquifer, those contaminants are naturally occurring at those concentrations. Therefore, further remediation of those contaminants would not provide a significant reduction in risks to actual or potential receptors. EPA's proposed remedy imposes land and groundwater use restrictions to be implemented through an enforceable institutional control. EPA's preferred institutional control is an environmental covenant pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA) to be recorded with the deed for the Facility property. Under the covenant, Facility property may only be used for non-residential purposes and groundwater beneath the property may not be used for any purpose.
2) Achieve media cleanup objectives	EPA's proposed remedy meets the cleanup objectives based on assumptions regarding current and reasonably anticipated land and water resource use(s). EPA's proposed remedy requires compliance with the implementation and maintenance of institutional controls to ensure the Facility property is not used for residential purposes and groundwater beneath Facility property is not used for any purpose.
3) Remediating the Source of Releases	In its RCRA Corrective Action remedy decisions, EPA seeks to eliminate or reduce further releases of hazardous wastes or hazardous constituents that may pose a threat to human health and the environment. As described in the Summary of Environmental History section above, the Facility has remediated the sources of releases. There are no remaining large, discrete sources of waste from which constituents would be released to the environment. The levels of manganese and aluminum in ground water appear to be due to the mobilization of background metals in the area. Therefore, EPA has determined that this criterion has been met.

Balancing Criteria	Evaluation
4) Long-term effectiveness	The proposed remedy will maintain protection of human health and the environment over time by controlling exposure to the hazardous constituents remaining at the Facility. EPA's proposed remedy requires the compliance with and maintenance of land use and groundwater use restrictions at the Facility. The proposed remedy will be implemented through an environmental covenant recorded in the chain of title of the deed for the Facility property. The environmental covenant runs with the land and as such will be enforceable against future land owners.
5) Reduction of toxicity, mobility, or volume of the Hazardous Constituents	The reduction of toxicity, mobility and volume of hazardous constituents at the Facility has already been achieved, as demonstrated by the data from the groundwater monitoring and confirmations samples taken after the soil removal.
6) Short-term effectiveness	EPA's proposed remedy does not involve any activities, such as construction or excavation, that would pose short-term risks to workers, residents, and the environment. In addition, EPA anticipates that the land use restrictions will be fully implemented shortly after the issuance of the Final Decision and Response to Comments.

7) Implementability	EPA's proposed remedy is readily implementable. EPA does not anticipate any regulatory constraints in implementing the proposed institutional controls described above.
8) Cost	EPA's proposed remedy is cost effective. The remaining costs associated with this proposed remedy are minimal. The costs to record an environmental covenant in the chain of title at the Facility is minimal.
9) Community Acceptance	EPA will evaluate Community acceptance of the proposed remedy during the public comment period, and it will be described in the Final Decision and Response to Comments.
10) State/Support Agency Acceptance	PADEP has reviewed and concurred with the proposed remedy for the Facility.

VII. FINANCIAL ASSURANCE

EPA has evaluated whether financial assurance for corrective action is necessary to implement EPA's proposed remedy at the Facility. Given that EPA's proposed remedy does not require any further engineering actions to remediate soil or groundwater at this time and given that the costs of implementing institutional and the operation and maintenance of engineering controls at the Facility will be minimal, EPA is proposing that no financial assurance be required.

VIII. PUBLIC PARTICIPATION

Interested persons are invited to comment on EPA's proposed remedy. The public comment period will last 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. Catheryn Blankenbiller at the address listed below.

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

The Administrative Record contains all the information considered by EPA for the proposed remedy at this Facility. The Administrative Record is available at the following location:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Ms. Catheryn Blankenbiller (3LC30)
Phone: (215) 814-3464
Fax: (215) 814 - 3113
Email: Blankenbiller.Catheryn@epa.gov

Date: 3.24.14 

John A. Armstead, Director
Land and Chemicals Division
US EPA, Region III

IX. INDEX TO ADMINISTRATIVE RECORD

-Hazardous Waste Permit Application Part A, Prepared by Corning Glass Works, for EPA, July 1980;

-Environmental Indicator Inspection Report for World Kitchen, LLC., Prepared by Michael Baker Jr., Inc, for PADEP and EPA, September 2010;

-RCRA Corrective Action Environmental Indicator RCRIS code (CA725) Current Human Exposures Under Control, by EPA signed April 9, 2013;

-RCRA Corrective Action Environmental Indicator RCRIS code (CA725) Migration of Contaminated Groundwater Under Control by EPA., signed April 9, 2013;

-Act 2 Final Report for World Kitchen Inc. Charleroi Pennsylvania Plant, Prepared by SE technologies for PADEP, July 2001;

-Final Report Approval for World Kitchen, Inc. by PADEP on October 19, 2001;

-Request for Non-Use Aquifer from World Kitchen Inc by World Kitchen, October 7, 1997;

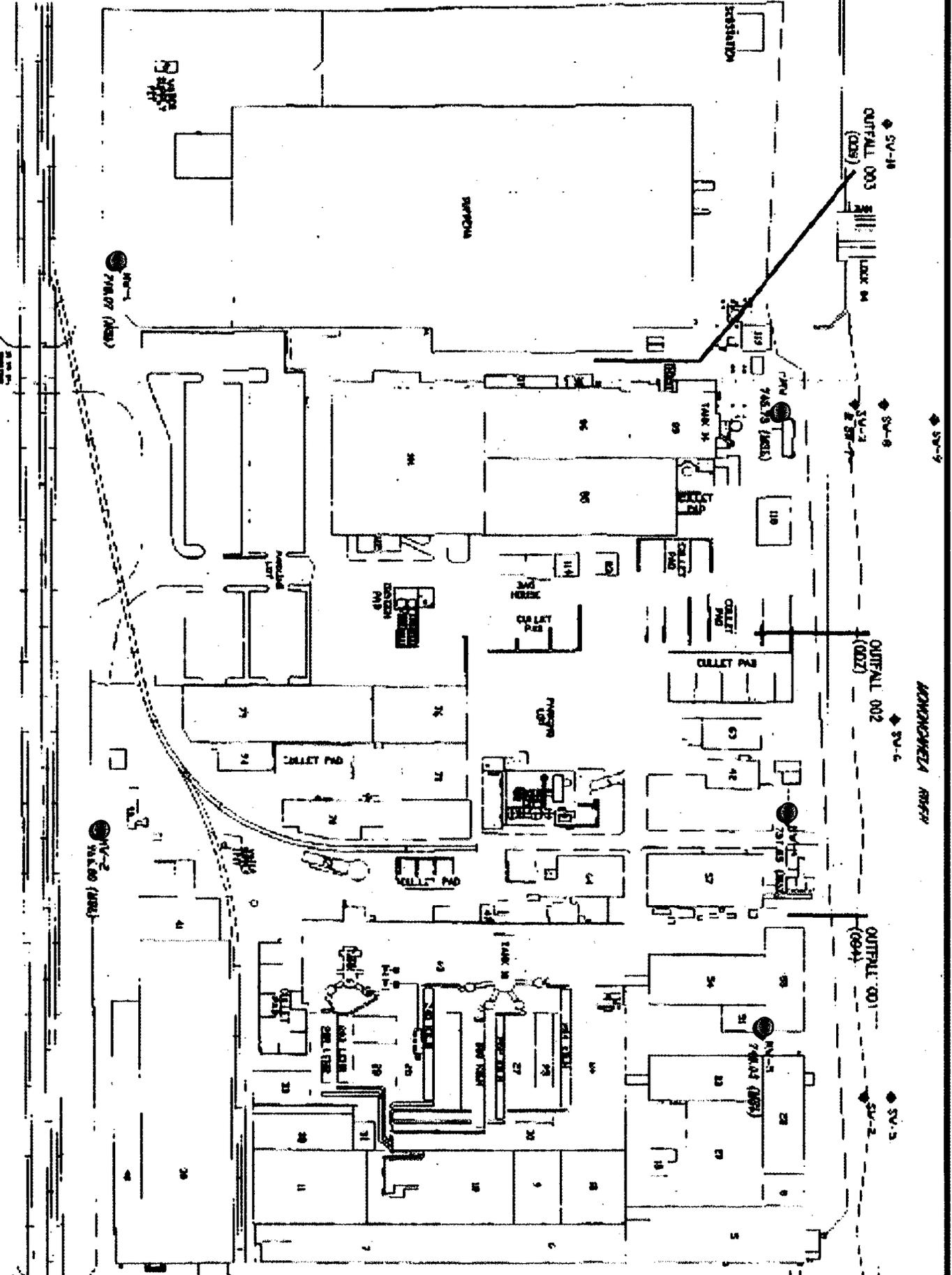
-Non-use Aquifer Granted for World Kitchen Inc by PADEP December 18, 1997;

-Site Characterization Report for World Kitchen Inc,
Prepared by Weston, January 1998;

-Sixth Quarterly Groundwater Monitoring Report for
Corning Inc, Prepared by Weston, January 1999;

-Chain of Custodies for the Quarterly Groundwater
Monitoring Report for Corning Inc, Prepared by Weston,
1997-1999;

-Email to EPA, Prepared by Conestoga-Rovers &
Associates for EPA, August 2013.



Source: WESTON, 1997.

This is not to scale.
 Approximate well locations ●

MICHAEL BAKER JR., INC.
 MONSON TOWNSHIP, PENNSYLVANIA

Figure
 Site La
 World Kit

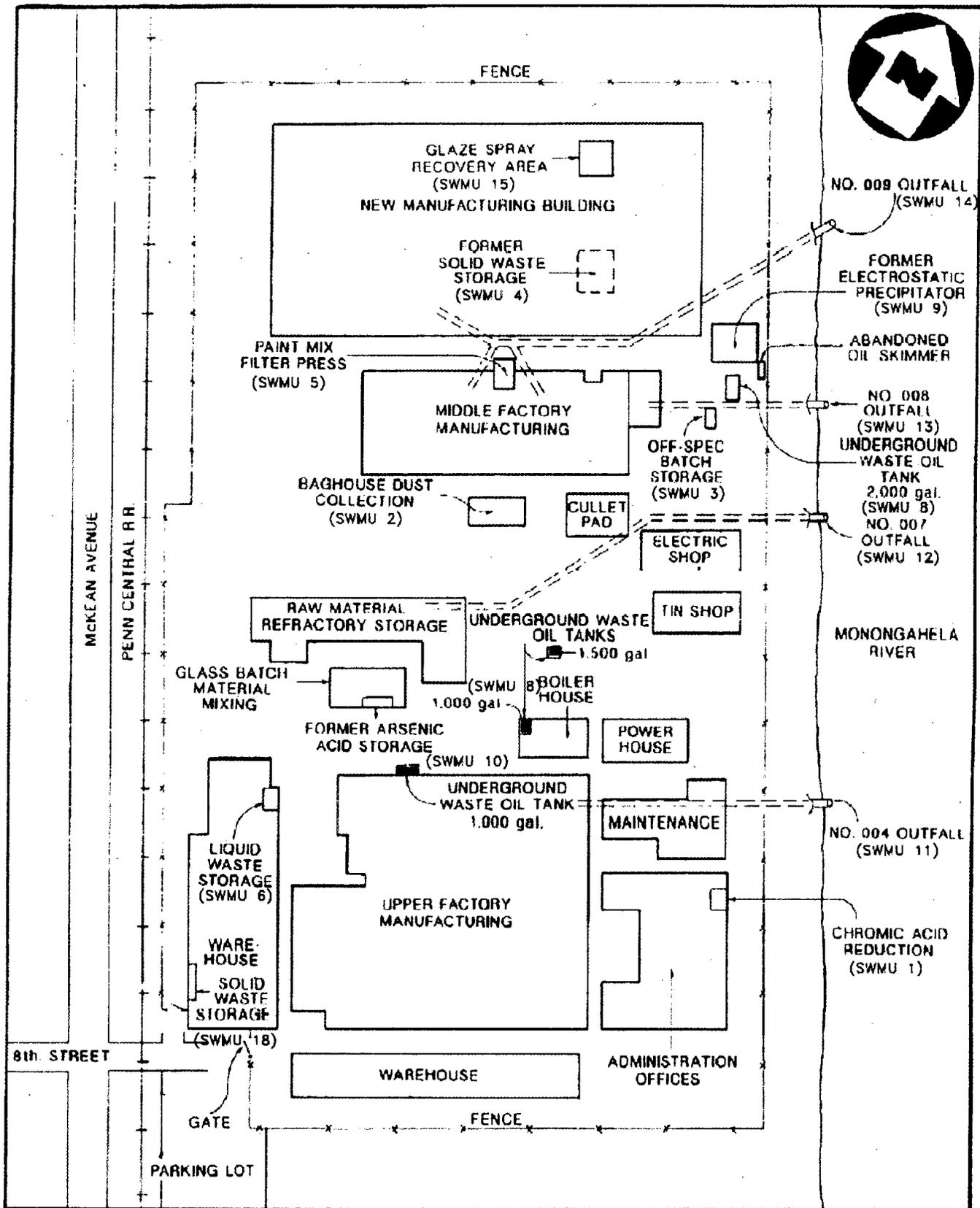


Figure 3
SWMU Location Map
World Kitchen LLC

Not to Scale

Baker

MICHAEL BAKER JR., INC.
MOON TOWNSHIP, PENNSYLVANIA

