



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
STATEMENT OF BASIS
BALL AEROSOL AND SPECIALTY CONTAINER, INC.
3028 BIRCH DRIVE
WEIRTON, WEST VIRGINIA
EPA ID NO. WVD041517830

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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 Ball Aerosol and Specialty Container Inc. facility located at 3028 Birch Drive, Weirton, West Virginia (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 that Corrective Action is complete and no land use controls are required for the Facility. EPA's proposed decision is based on a review of EPA and West Virginia files regarding the environmental history of the Facility as presented in the Final Environmental Indicator Inspection Report submitted on December 23, 2009. Based on this review, EPA has concluded that there are no current or unaddressed releases of hazardous waste or hazardous constituents from the Facility.

C. Importance of Public Input

Before EPA makes a final decision on its proposal for the 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. A copy of the AR is available for public review, as well an electronic copy, from the EPA Region III office, the address and telephone number 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 is located at 3028 Birch Drive, Weirton, West Virginia, which is in the Half Moon Industrial Park. The Facility was originally known as Continental Can until 1987, when it

changed its name to the US Can Company. In 2006, US Can Company was purchased by Ball Aerosol and Specialty Container Corporation. Throughout these name changes, the Facility has conducted the same or similar process, which is the production of metal products used in aerosol cans.

The Facility fabricates components used in the manufacture of several varieties of cans by shearing steel rolls into sheets that are then painted and cured in drying ovens. The steel sheets can then receive additional painting and decorating on printing lines. The Facility operates twenty-four (24) hours a day, seven (7) days a week during which it operates five coating lines, six color lithographic printing lines, and three metal shearing lines. Once painted and decorated, the metal sheets are transported to other facilities where they are fabricated into containers.

The Facility is situated on a small peninsula with the Ohio River to the north, west, and south. To the east is a lightly wooded area with residential neighborhoods and to the south is Interstate 22. The Facility operates in the westernmost portion of the 160,000 square foot corrugated steel building that is situated on a four-acre tract of land. The building was built in 1960 and was originally used by the then-Weirton Steel as a warehouse and the Facility leases the buildings and property from Arcelor Mittal. It should be noted that the Facility was never the legal owner of the site (building and surrounding property). Weirton Steel was the site's legal owner until 2005 when Mittal Steel Company (Rotterdam, Netherlands) became the site's legal owner. Mittal Steel purchased Arcelor in 2006 and became Arcelor Mittal.

The surrounding parking area is paved with asphalt and the entire site is enclosed by an eight-foot high chain link fence with an entrance gate, which is locked during non-operating hours. A concrete loading dock is located on the western side of the building, which has historically been used for storage of several dozen steel, 55-gallon drums containing unused product. Adjacent to the loading dock is a concrete platform, which is used during waste handling operations. Three one-foot wide by four-foot long abandoned trench drains are located in the pavement, below the platform. A maintenance shop and office are located in the southeastern corner of the production area.

The Facility operated primarily as a Large Quantity Generator (LQG) of hazardous waste before 2006. In 2006, the Facility changed its status to a Small Quantity Generator (SQG), although it was an episodic LQG for the month of April 2008. In addition, the Facility mistakenly submitted Treatment Storage and Disposal Facility (TSDF) documentation, but has never operated as one.

There are no outfalls or discharges on site and the City of Weirton provides public drinking water to the site.

III. Summary of Environmental History

Solvents such as xylene, 2-butoxy-ethanol, and methyl isobutyl ketone are used when coating lines are cleaned. These wastes, including used rags contaminated with solvent, are stored temporarily in totes and cans with lids for the rags. The Facility does not have satellite accumulation at its coating and litho lines; it operates under a program with Resource One whereby waste solvents are shipped offsite as a product used to clean rail tank cars. The Facility has two solvent-based parts cleaners that are located in the maintenance shop and are serviced by

Safety Kleen. The Facility manages solvent contaminated rags in accordance with a WV guidance document and the rags are laundered by Iron City Uniforms, Pittsburgh, Pennsylvania.

The Facility operated four 7,000-gallon underground storage tanks (USTs) which were located in two different areas of the site. Tank Nos. 1, 2, and 3 were located adjacent to the receiving dock (northwest) while Tank No. 4 was located west of the former Drum Storage Area (now referred to as the Less than 180 Day Storage Area). According to the 1993 Preliminary Assessment Report, these tanks were installed in 1965 and had no leak detection or secondary containment systems. In October 1990, the Facility elected to remove the tanks as they were no longer in use.

Tank cleaning activities commenced on August 20, 1990, during which 150 gallons of residual material and cleaning fluid was removed from the tanks and disposed offsite. On August 21, 1990, Tank Nos. 1 and 2 were removed. The tanks were constructed of steel and were 7 feet in diameter and 23 feet long. Both contained a chemical coating that was used by the Facility as part of its container manufacturing process. Tank Nos. 3 and 4 were also constructed of steel, but were 10 feet in diameter and 11 feet long. Tank No. 3 contained white enamel while Tank No. 4 contained a chemical coating similar to that stored in Tank Nos. 1 and 2. Tank Nos. 3 and 4 were buried vertically so that the end walls of the tanks were buried deepest in the excavation. Tank piping was drained, removed, and/or capped with non-shrink grout.

The soil observed around the tanks was found to consist primarily of clay. No visually contaminated soil was identified during tank removal activities. A portable photoionization detector (PID) was also used to determine the presence of organic vapors, however none were detected. The October 1990 Tank Removal Report indicated a representative of the then West Virginia Department of Natural Resources (WVDNR) (now West Virginia Department of Environmental Protection (WVDEP)) was onsite to witness the removal of Tank Nos. 1, 2, and 3. The WVDNR representative reported that there were no visual signs of soil contamination or deterioration of the tanks and indicated it was acceptable for the tank grave to be backfilled with previously removed soil (removed to unearthen the tanks). Additional "select" fill was used to complete the backfilling activities.

Following the removal of each tank, two soil samples were collected from the bottom of each excavation (one from each end of the tank) and analyzed for Volatile Organic Compounds (VOCs). The analytical results of soil samples collected from beneath Tank Nos. 1, 3, and 4 contained less than detectable concentrations of VOCs. The soil beneath Tank No. 2 exhibited less than 1 part per billion (ppb) of xylene. The October 1990 Tank Removal Report indicated that due to the results of the analyses, no further investigation was performed. The tanks were cut into pieces and disposed offsite as scrap.

The Former Drum Storage Area was a 10-foot by 17-foot room in the northwest corner of the building that was used to store 55-gallon steel drums of waste solvents. This area was formally closed in July 1987. In accordance with the May 1987 Closure Plan, remaining drums of waste were shipped offsite and the area was cleaned with a non-toxic cleaning solution, inspected, and certified. The rinse water from the cleaning activities was shipped offsite for disposal. The WVDEP acknowledged receipt of Certificate of Closure for this unit in a letter to the Facility on August 4, 1987. The letter also granted the Facility's request to discontinue its

interim status as a Treatment, Storage, and Disposal Facility (TSDF).

The Less Than 180-Day Storage Area is located on the southwest corner of the facility and is utilized to store used solvents and hazardous waste. In this area, drums of used solvent are poured into a large sink and then pumped into storage totes. The room has spill containment.

On the west side of the facility is the bulk storage room. There are four 7,000-gallon aboveground storage tanks (ASTs) that contain coatings located in this area. The ASTs are located within secondary containment and the floor of the entire room is sloped so if a release were to occur, it would be contained.

Other than minor violations of the West Virginia Hazardous Waste Management Act (HWMA), there has been no reported or evidence of major spills or releases at the Facility.

IV. Evaluation of EPA's Proposed Decision

EPA has determined that its proposed decision for the 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 person are invited to comment on EPA's proposed decision. The public comment period will last thirty (30) calendar days from the date the notice is published in a local newspaper. Comments may be submitted by mail, fax, e-mail, or phone to Mr. Denis Zielinski at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Mr. Denis Zielinski 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 decision at this Facility. To receive a copy of the Administrative Record, contact Mr. Denis Zielinski at the address below:

U.S. EPA Region 3
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Contact: Mr. Denis Zielinski (3LC20)
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