GE Capital
Railcar Services

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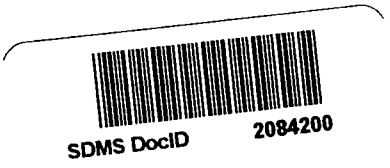

Mr. Denis M. Zielinski
RCRA Senior Project Manager
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Letter of November 16,1998 from Robert Greaves Regarding RCRA Corrective Action Inspection at P&R Railcar Site, Elkton, MD

Dear Mr. Zielinski:

In response to the above referenced letter, please find attached our summary response to the nine bullet points found on page two of Mr. Greaves' letter.

For bullet points 1,7,8 and 9, there is a single response for the entire facility. For bullet points 2-6, an individual response is provided for each of the areas identified in either the Maryland Department of Environment's hazardous waste storage and treatment permit, A-229 or other areas of concern identified as a result of our records review.

Please do not hesitate to contact me if you have any questions regarding our response.

Sincerely,

Michael C. O'Toole

Attachments

Cc: Craig Mauer, U.S. Army Corp of Engineer

GE Railcar Response
to
USEPA Region III
November 16, 1998 Letter
RCRA Corrective Action
P&R Rail Car Service Corporation
EPA ID# MDD 078 288 354

1. Outline of the operational history of the facility including all wastes generated at the facility and their management.

Overview and Site History

The facility U.S. Environmental Protection Agency ("EPA") currently lists as "P & R Rail Car Service Corporation" is owned by GE Capital Railcar Repair Services ("GE Railcar"). The facility has been closed for about 10 years and its 28 acres consist primarily of vacant land. GE Railcar and its immediate predecessors previously operated a railcar cleaning and repair facility on the premises.

The facility is part of a development known as the Triumph Industrial Park or Trinco Industrial Park. It is also part of a 1300-acre area the Maryland Department of the Environment ("MDE") has classified as the "Cecil Industrial Park." In 1993, MDE prepared a fact sheet summarizing the history of the industrial use in the area in connection with MDE's plans to pursue an area-wide soil and groundwater contamination study. This MDE fact sheet contains much useful background information, and is included as Attachment #1.

The earliest industrial use in the area was the Triumph Explosives Company, which began operations in 1933 manufacturing fireworks. During World War II, Triumph expanded operations to manufacture ammunitions with the Navy taking control of direct management. After the War, Trinco became the primary developer of the Park and has owned and continues to own various plots. Trinco, Triumph Explosives, Delmar Chemical, Stauffer Chemical and International Mineral and Chemical were among the prior owners of what is now the GE Railcar facility.

On March 2,1976, P& R Rail Car Service Corporation ("P&R") purchased the property now owned by GE Railcar. Initially, P & R operated the property solely for the mechanical repair of all types of railcars. North American Car Corporation ("NACC") acquired the facility from P&R on January 4, 1979. In 1980, NACC added for the first time the capabilities to clean railcars including tank cars.

Quality Service Repair Corporation ("QSR"), predecessor in name to GE Railcar, took ownership of the facility on July 3,1986, pursuant to the Asset Purchase Agreement between General Electric Capital Corporation, NACC, and others dated February 14,1986, as amended.

During its operation the facility had nine buildings and 10,000 feet of rail track. GE Railcar ceased all business operations at the facility in approximately 1988. Today only one building remains and most of the rail track have been removed. There currently are no plans to either develop or sell the 28 acre parcel owned by GE Railcar until the MDE plans to pursue an area-wide groundwater and soil investigation is finalized and implemented.

Railcar Operations

At the time GE Railcar became involved in the management of the facility, the primary operations were the mechanical repair and maintenance of freight railcars. The facility had capabilities to managed all types of rail cars including tank cars designed for either liquids or gases, box cars, hopper cars, flat cars and specialty cars. The inspection, repair and testing of railcars were completed in accordance with the standards of the American Association of Railroads and the Federal Railroad Administration. The repairing and maintenance activities include steel fabricating, welding, cutting and brazing. In support of the primary operation, the facility also sand blasted, painted and cleaned the interior and exterior of railcars.

After a rail car entered the facility, it was first inspected to develop an estimate for any necessary repairs and to verify the volume of any residual commodity. The railcar was then moved to the cleaning area where all residual commodities were removed and stored for eventual offsite disposal in accordance with all applicable Federal, state and local regulations. After the residual commodities were removed, the railcar was then cleaned and rinsed using a prescribed method based on the last contents of the car. For some commodities, the car was cleaned using steam. The steam and any volatilized commodity were then routed to a gas assisted flare tower where it was destroyed. Any condensate that formed was collected in the flare knockout pot where it was routed to a series of tanks for storage prior to disposal offsite. In addition all washwaters and rinsates were collected and stored in the tanks prior to shipping offsite for disposal. A site map is attached showing the basic layout of the facility (see Attachment #2).

The hydrostatic testing of railcars was also completed at the cleaning station. The test required that the tank car be filled with water and pressurized to assure the structural integrity of the tank shell. This test was completed after cleaning and the test water was reused until such time as it was disposed offsite.

After cleaning the car moved to the general repair area where mechanical repairs and regulatory testing was completed. If required, the interior and/or the exterior of the car was sandblasted and painted. The rail car was than stenciled and returned to the customer.

Waste Generation

The operational processes outlined above generated the following solid and hazardous wastes. Any hazardous waste generated was disposed offsite in accordance with all applicable federal state and local regulations.

- Trash including cardboard, wood, empty containers for lubricating oils, hydraulic fluids and office/lunch room trash were placed in large roll- off boxes where they were periodically picked up by the local waste hauling company and disposed at the local sanitary landfill.

- Waste paint and spent solvents used for cleaning and thinning were placed in drums and shipped offsite for disposal as a hazardous waste.

- Residual commodities removed from railcars were classified as either hazardous or non-hazardous materials and were stored in tanks or drums prior to disposal offsite. Attached is the commodity list for the facility (see Attachment # 3).

- Laboratory waste generated as a result of the process to identify residual commodities and determine their compatibility with the cleaning operation were stored in drums and disposed offsite.

- Spent washwaters and rinsates from the cleaning operation were stored in tanks prior to shipping offsite for disposal.

- Debris such as rust, scale, sludge tank bottoms, boiler blow down and condensate from the flare knockout pot from the cleaning operation were also stored in tanks prior to shipping offsite for disposal.

- Spent caustic soda solution and sodium hypochlorite generated during chlorine tankcar cleaning process were stored in tanks prior to shipping offsite for disposal.

- Hydrostatic tankcar testing water was also placed in tanks for offsite disposal.

- Personnel protective equipment including protective suits, gloves, and respirators were disposed offsite at a local landfill.

- Scrap steel from railcars was shipped offsite for recycling.

Closure and Release from RCRA

As explained in a letter of December 31, 1998 from Michael C. O'Toole of GE Railcar to Denis M. Zielinski of EPA (see Attachment # 4), the facility was permitted for hazardous waste storage and treatment pursuant to permit A-229 issued by MDE in 1982. In response to GE Railcar's decision to cease business operations at the facility in approximately 1988, MDE conducted an investigation of the facility and required GE Railcar to identify response actions at a number of areas within the facility in order to meet all obligations under permit A-229. This lengthy process (which is described in more detail elsewhere in this response on an area-by-area basis) led to MDE's issuance in 1992 of a closure approval and a complete release for GE Railcar of all obligations under permit A-229. Thus except for the contaminated soil residues from the so-called "Galaxy stillbottoms" and the area-wide soil and groundwater study that has been initiated by MDE (see response to #7 below), we believe there are no further areas of environmental contamination to be addressed at the facility.

Solid Waste Management Units ("SWMU")/Areas of Concern ("AOC")

Although we believe there is no RCRA corrective action authority over the site, the following section provides information relating to 19 areas of the property that could be considered a SWMU or AOC. For each of the first ten areas the response addresses bullet points 2-6 in EPA's November 16, 1998 letter (see Attachment #5). For the remaining nine areas a brief description is provided. No investigations were conducted relative to any of these nine AOCs and no known releases occurred except as otherwise noted. below.

T-22 Hazardous Waste Tank Farm (Closed and Removed)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

This closed unit consisted of four 10,000-gallon stainless steel tanks (T-22A, T-22B, T-22C, & T-22D) situated on concrete saddles within a plastic and clay-lined and bermed containment area. These tanks were used to store spent railcar washwater and residual commodities awaiting off-site disposal.

A description of known releases and potential releases at each SWMU and AOC;

Past releases included volatile organic constituents (VOCs), semi-volatile constituents (SVCs), metals, and various petroleum hydrocarbon fractions (PHFs). Releases of these constituents were via solubilization in water or as free-phase products. VOCs were also released as vapors into the atmosphere through the tank vents.

During a site inspection by the Maryland Department of Health and Mental Hygiene (MDHMH) on November 6, 1985 samples were collected from water ponded within the lined, bermed area beneath the Tank Farm. Results of analyses of these samples indicated that VOCs, SVCs, and metals were present within the water prompting further investigation. Copies of these results are available. Plant personnel subsequently removed the liner and visibly stained soils.

A boring program was conducted in 1988 which identified the VOC chlorobenzene in soils beneath the liner to depth of seven feet below grade (Espey, Huston and Associates Inc., report entitled "Background Information and Closure Plan, T-22 Tank Farm, GERRS, Elkton, Maryland," June 1988).

A description of exposure pathways for all releases and potential releases;

Prior to the clean closure, exposure pathways for potential and known releases at the T-22 Tank Farm area included air, surface water, groundwater, and on-site soils. As explained in No. 6 below, no further exposure pathways exist for this unit.

A summary of existing investigative information;

The following investigations have been completed at the T-22 Tank Farm and immediate area.

Site inspections, including sample collection and analyses, by the MDHMH revealed the presence of VOCs, SVCs and metals within ponded water and soils immediately below the liner. A groundwater quality investigation revealed the presence of VOCs and SVCs in shallow groundwater (approximately 18 feet below grade) both up-gradient and down-gradient of the T-22 Tank Farm, suggesting the presence of an up-gradient source of the organics (EH&A report entitled " Phase II-A, Ground-water Quality Investigation in the Vicinity of the T-22 Tank Farm, GERRS, Elkton, Maryland, January 1988). Information included in this report includes; 1) a discussion of regional hydrogeological conditions, 2) a historical survey of property ownership and land-use, 3) results of a soil vapor survey up-gradient and down-gradient of the T-22 Tank Farm, 4) results of a seismic survey of the site, 5) and site groundwater conditions including extent of constituents in the shallow water-bearing unit and the hydrologic properties of the water-bearing unit.

A boring program through the lined and bermed T-22 containment area revealed the presence of only chlorobenzene from the surface to a depth of 7 feet below grade. Borings were terminated from 16 to 18 feet below grade, indicating that chlorobenzene did not migrate through the soils into the shallow water table. This investigation was recorded in the report entitled "Background Information and Closure Plan, T-22 Tank Farm, GERRS, Elkton, Maryland," June 1988). A summary of the T-22 Tank Farm history is also included in this report.

Based on the data presented in the above-referenced documents the MDE approved a closure plan for removal of the tanks, piping, and liner and below grade soils. Closure activities commenced in December 1989 and were completed in January 1990 by installation a cover over the backfill soils. These activities are recorded in the Rosengarten, Smith & Associates, Inc. ("RSA") document entitled " Report of Closure for the T-22 Tank Farm at the GERRS Facility, Elkton, Maryland," dated February 1990. This document also includes a copy of the MDE approved Amended Closure Plan for the T-22 Tank Farm.

Certification of clean closure of the T-22 Tank Farm was approved by the MDE in correspondence dated June 14, 1990.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

Since the T-22 Tank Farm underwent clean closure in 1990 by removal of all contaminated soils, and was subsequently backfilled and capped, no further exposure pathways exist.

Commodity Storage Tank Farm (Closed and Removed)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

This closed unit consisted of twelve 5,000-gallon stainless steel tanks used for the storage of residual commodities or excess railcar washwater prior to off-site disposal. The tanks were situated within a secondary concrete containment area, with walls separating the tanks from one another.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases could have included inadvertent releases of commodities awaiting transportation for off-site disposal. These commodities, and washwater from the railcar cleaning process, could have contained VOCs, SVCs, metals, and various PHFs.

Potential releases of these constituents could have been primarily via solubilization in water or as free-phase products. VOCs may also have been released as vapors into the atmosphere.

No known releases from the Commodity Storage Tank Farm occurred. Nine of the twelve tanks were clean-closed in accordance with a MDHMH approved closure plan September 1990. The remaining three tanks were clean-closed in accordance with an approved closure plan in April 1992.

A description of exposure pathways for all releases and potential releases;

Prior to clean closure, exposure pathways for potential releases included air, surface water, ground water and on-site soils.

A summary of existing investigative information;

The only investigative information of the Commodity Storage Tank Farm are the closure plans and the closure certification documents. The initial closure plan for the first nine tanks was developed during a meeting with GE Railcar, RSA and the MDE on July 19, 1990 and is presented in correspondence from Richard Stoll to Ann-Marie Dibiase of the MDE dated July 25, 1990. The closure certification report for nine tanks prepared by RSA in September 1990 was submitted under GE Railcar cover letter on October 3, 1990. MDE approved closure of nine tanks in a correspondence dated November 7, 1990.

The closure plan for the final three tanks was submitted to the MDE on October 31, 1990 and was revised in January 1991. These three tanks were clean-closed in February 1992, and the closure certification report prepared by RSA was submitted to the MDE under GE Railcar cover letter in April 1992. Acceptance of the clean closure was given by the MDE in correspondence dated May 18,1992.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

Since the Commodity Storage Tank Farm was clean closed in 1992 and no releases have been identified associated with this unit, no further exposure pathways exist.

Washwater Tanks (Closed and Removed)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste management Units [SWMUs] and Areas of concern [AOCs]);

This closed unit consisted of a series of three 8,000-gallon steel tanks used for recycling in the tankcar cleaning and rinsing process (T-24A, T-28, & T-29A). The three tanks were mounted on concrete saddles inside a bermed and plastic lined secondary containment area.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past could have included washwater from the tankcar cleaning process that may have contained VOCs, SVCs, metals, and various PHFs. VOCs could have been released via vapors and solubilized in water. Potential releases of the other constituents of concern would have been primarily via solubilization in water.

No known releases from the washwater tanks occurred. The three tanks were clean-closed in accordance with an MDE approved closure plan in April 1992.

A description of exposure pathways for all releases and potential releases;

Prior to clean closure, exposure pathways for potential releases included air, surface water, ground water and on-site soils.

A summary of existing investigative information;

The only investigative information of the washwater tanks is the closure plan and the closure certification document submitted to MDE. The closure plan, written by RSA, was submitted to the MDE in October 1990, and includes a more detailed description of the unit than provided herein. The closure certification document, authored by RSA, was submitted to the MDE in April 1992. Approval of the clean-closure certification was granted by the MDE in correspondence dated May 18, 1992.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

Since the washwater tanks were clean-closed in 1992 and no releases were identified associated with this unit, no further exposure pathways exist.

Bermed and Concrete Drum Storage Areas (Excavated and Disposed Offsite)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

These two closed units were used for less than 90-day storage of both drummed hazardous and non-hazardous wastes prior to off-site shipment for disposal. The bermed unit consisted of three soil bermed and PVC plastic lined areas. Dimensions of the three bermed areas were approximately 100 feet long by 10 feet wide. The concrete area was approximately 15 feet wide by 45 feet long, and was surrounded by a 4-inch high concrete curb. A one-foot sump was located in the southwestern corner for rainfall accumulation and removal.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past could have included the inadvertent release of industrial waste awaiting transportation for off site disposal. The waste could have contained VOCs, SVCs, metals, and various PHFs. VOCs could have been released via vapors and solubilized in water. Potential releases of the other constituents of concern would have been primarily via solubilization in water.

No known releases from the drum storage areas occurred. These areas were clean-closed in accordance with an MDE approved closure plan in April 1992.

A description of exposure pathways for all releases and potential releases;

Prior to clean closure, exposure pathways for potential releases included air, surface water, ground water and on-site soils.

A summary of existing investigative information;

The only investigative information of these storage areas is the closure plan and the closure certification document submitted to MDE. The closure plan, written by RSA, was submitted to the MDE in October 1990, and includes a more detailed description of the unit than provided herein. The closure certification document, authored by RSA, was submitted to the MDE in April 1992. Approval of the clean-closure certification was granted by the MDE in correspondence dated May 18, 1992.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

Since these two units were clean-closed in 1992 and no releases were identified associated with these units, no further exposure pathways exist.

Caustic Storage Tank (Closed and Removed)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

This 9,740-gallon above ground steel tank with a fiberglass coating (T-27) was utilized to store caustic solution (50% sodium hydroxide or 75% sodium hypochlorite) at the facility. The caustic solution was piped to the cleaning rack to neutralize chlorine in railcars. The tank area was bermed and lined with a chlorinated polyethylene liner.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past would have consisted of caustic soda solution or sodium hypochlorite solution. No known releases occurred.

A description of exposure pathways for all releases and potential releases;

Prior to removal from service, exposure pathways for potential releases included surface water, ground water and on-site soils.

A summary of existing investigative information;

There were no investigations conducted relative to the caustic storage tank. Use of this tank ceased in 1988.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

The caustic storage tank was drained of its content (6,000 gallons) and then pressure washed. The contents and wash water were disposed of off-site. The tank was certified clean with a rinse water pH of 5 standard units (s.u.) in January 1989. No further pathways exist.

Underground Fuel Storage Tank (Closed and Removed)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

This closed 20,000-gallon steel tank (T-26), used for boiler fuel, was clean-closed by excavation and removal of the tank and piping in December 1988.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past could have consisted of Number 2 fuel oil. No known releases occurred.

A description of exposure pathways for all releases and potential releases;

Prior to clean closure, exposure pathways for potential releases could have included air, surface water, ground water and on-site soils.

A summary of existing investigative information;

The only investigative information regarding the UST is the closure report prepared by RSA dated January 21, 1989, and the MDE approval letter dated January 26, 1989. These documents both state that no holes were observed in the tank upon removal and no contaminated soils were noted in the excavation.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

This tank was clean-closed in 1988 so exposure pathways do not exist.

Solvent/Detergent Storage Tank (Closed and Removed)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

This 500-gallon aboveground steel tank (T-30) was used to mix solvents and detergent solutions for the railcar cleaning process and was located in the utility building.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past could have included solvent vapors to the air, or solvent/detergent solutions. No known releases occurred from this unit.

A description of exposure pathways for all releases and potential releases;

Prior to removal from service in 1988, exposure pathways could have included air, surface water, ground water, and on-site soils.

A summary of existing investigative information;

No investigative information exists for this unit. Use of this tank ceased in 1988.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

This tank was removed from site in 1989 so exposure pathways do not exist.

Flare System (Dismantled and Transferred Offsite)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

A flare tower was utilized in the railcar cleaning process at the facility. An 18,253-gallon LPG steel tank provided auxiliary fuel. The flare vent piping was equipped with a knock-out-pot ("KOP") to remove liquids from the vent stream. The KOP liquids were routed to the cleaning rack trench system.

A description of known releases and potential releases at each SWMU and AOC;

LPG was routinely used to fuel the flare and products of incomplete combustion including LPG and residual commodity vapors were emitted to the air.

Potential releases in the past from the KOP could have included residual commodities containing VOCs or hydrocarbons in water. No known releases occurred from the KOP.

A description of exposure pathways for all releases and potential releases;

Prior to removal of the flare system, exposure pathways for the flare itself were to the air, while exposure pathways from the KOP could have included, air, surface water, ground-water, and on-site soils.

A summary of existing investigative information;

No investigative information exists. Operation of the flare ceased in1988.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

The LPG tank was rendered inert with nitrogen and vapors removed via vacuum truck with contractor certification that tank was non-explosive. The tank was then pressure washed and the wash water disposed off-site. The flare was dismantled for use at another facility.

Laboratory (Decommissioned)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

A laboratory was maintained on site to perform basic chemical tests on commodities and wash waters, i.e., titration, solubility, reactivity and ignitability. Small quantities of chemical reagents were stored in the laboratory to support these testing procedures, e.g., acids, bases, and colorimetric indicators.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past could have included small amounts of laboratory chemicals. No known releases occurred from the lab.

A description of exposure pathways for all releases and potential releases;

Prior to closure of the laboratory, releases within the lab could have remained in the building. Vapors could have been released to the air through the vent-hood.

A summary of existing investigative information;

Laboratory chemicals were removed from site in 1989. No other investigative information exists.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

Chemicals were removed and disposed of off-site.

Cleaning Rack Trench System (Cleaned and Backfilled)

A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater, and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of concern [AOCs]);

The cleaning rack was installed in 1980 to remove residual commodity from railroad tank cars. The system consisted of five cleaning stations and associated piping contained mostly within a below grade, concrete, secondary containment system described as trenches 1 through 4 (TR-1, TR-2, TR-3, and TR-4) The two stations located along TR- 2 serviced pressure railcars in conjunction with the caustic system and flare tower. TR-1 contained the piping, which transferred gases and caustic solutions between these cleaning components.

The three stations located along TR-3 were equipped with steel drip pans for collection of residual commodities and washwater during the cleaning process. The drip pans drained into a lateral trough then into a six inch corrugated pipe located underground for discharge into sump SU#1, located at the east end of TR-4. A sump pump transferred the material to storage tanks in the Stainless Steel or T-22 tank farms.

In early 1982, the drain pan piping was reported to be corroded and clogged and was taken out of service, although the pipes were not removed. The collection system was modified to use TR 3 for spill collection instead of just secondary containment. This was accomplished by installing three concrete walls at the south end of TR3 at the connection with TR4. The drip pans were modified by sealing the laterals from the underground piping and were allowed to discharge into TR3. A sump pump was installed in the TR3 to transfer material to the tank farms. The remaining trenches were pressure washed and cleaned to allow collected rainwater to be discharged to the NPDES outfall.

A description of known releases and potential releases at each SWMU and AOC;

Potential releases in the past could have included volatile organic constituents VOCs, SVCs, metals, and various PHFs. Releases of these constituents would have been via solubilization in water or as free-phase products. VOCs may also have been released as vapors into the atmosphere.

Subsurface releases may have occurred from the underground corrugated pipes since the pipes were corroded and clogged and they were not removed at the time of site closure. Surface releases were observed at cleaning rack as indicated by stained soil around the drip pans and along the tracks. Facility documents indicate that overflow of the trenches occurred during periods of high rainfall.

A description of exposure pathways for all releases and potential releases;

Exposure pathways could have included air, surface water, groundwater, and on-site soils. As explained below, no further exposure pathways exist for this unit.

A summary of existing investigative information;

No investigations of the cleaning rack trench system area were undertaken.

A description of all exposures pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the environmental indicators;

In 1989 during site decommissioning activities, the trench system was closed by removal of piping and sludge from TR3 and power washing the trench walls. Electrical, air and clean water piping was left in TR1, TR2, and TR4. All trenches were backfilled with 2 feet of sand for drainage to SU #1 and then filled and capped with clay rich soils. SU#1 was equipped with a sump pump and allowed to discharge via the NPDES outfall.

The drip pans were also removed during this time but the laterals were left in place as a cap for the underground drainpipe. The six-inch corrugated drainpipe that served the drip pans was also capped at the locations where it entered TR4. The pipe that is parallel to the west side of TR3 entered the west end of TR4 and the pipe that is parallel the east side of TR3 entered the north side of TR4. Both pipes entered TR4 at approximately 3 feet below grade and drawings indicated that the pipes are approximately 5 feet from the edge of TR3.

The following sections provide a brief description of additional AOCs. No investigations were conducted relative to any of these AOCs and no known releases occurred except as otherwise noted below.

Main Repair Shop Building

This building was the primary repair shop at the facility and was located between and attached to the main office and the paint shop building. This building was used to repair damaged railcars and was approximately 160 feet long by 100 feet wide. The building had concrete floors, which contained 4 rail spurs. The eastern most rail spur was constructed with a locomotive repair pit. The pit was covered with steel plates and was of unknown dimensions but appeared to extend nearly the full length of the building. The floor drains in the main shop are reported to lead to the repair pit, which discharges, via underground pipe to the Central Drainage Ditch east of the paint shop.

In the northwest corner of the building was the tool room where railcar parts and equipment were issued as needed. South of the tool room was the welding room which contained welding materials and supplies. Waste oil was found to be stored in the tool room during site closure. Stained concrete was observed in this area. The oil was removed and recycled off-site. Minor amounts of paint and thinner were located in the welding room. These materials were also removed and recycled during site closure.

The southeast corner of this main shop contained an air compressor. The concrete around the compressor was oil stained. Replacement oil was stored near by in 55-gallon drums. Facility personnel removed the compressor and oils. Oil releases may have occurred on the south side of the building.

The main repair shop was dismantled after site closure. Today, the concrete slab still exists and the trenches have been backfilled with soil.

Satellite Repair Shop Building

This building was located northwest of the main shop and was approximately 30 feet wide and 195 feet long. The building was serviced by one rail line and used to repair boxcars. The building was on a concrete slab and contained an air compressor of fairly large capacity in the southeast corner. Oil releases from the compressor may have occurred.

This building was dismantled by shop personnel and removed to another GE Railcar facility. Today, only the concrete slab remains.

Northern and Middle Warehouse Buildings

These two buildings were of cinder block construction and wood framing. The buildings had concrete flooring and were reported to have been built during the 1940's when the Navy occupied the site. During railcar operations these buildings were used to store metal sheeting, wheel parts and drums containing products and liquid wastes. The products included absorbents for spills grit blast material and a transformer. All products and waste were removed and disposed of off-site.

These building were dismantled and removed as debris. Today, the concrete slabs still exist at the site.

Office Storage Building

This building was located in the southwest corner of the property and was approximately 25 feet by 30 feet. The building was constructed of cinder block and wood framing. The building was the original office prior to construction of the main shop area. The building was last used to store old files and furniture.

This building was dismantled and removed as debris. Today, the concrete slab still exists at the site.

Blue Paint Warehouse Building

This building was located west of the front gate at the facility and was approximately 40 feet by 45 feet. The building had a concrete floor and was of sheet metal construction. The building was used to store paint and thinner products in one to 55 gallon containers. The building was also found to contain paint waste in 55-gallon containers during site closure. All products and wastes were removed and disposed of off-site.

Paint stains were noted on the concrete slab and potential releases could have occurred.

This building was dismantled and removed as scrap. Today, the concrete slab still exists at the site.

Potential releases in the past from this building may have if the spill was near the edge of the concrete foundation. No known releases were reported.

Above-Ground Fuel Storage Tanks

Facility documents indicate that four above-ground storage tanks were used for fuel storage; a 250- gallon fuel oil tank outside the old office, a 1,000 gallon diesel fuel tank, a 5,000 gallon gasoline tank and a 250 gallon fuel oil tank for the paint line furnace. Schagringas Co removed these leased tanks as part of site decommissioning activities. Other tanks for fuel oil, diesel, and unleaded gasoline were removed by Southern States Co. but no records exist as to their nature or location.

Paint Shop and Paint Storage

Railcar spray painting occurred in a lean-to building attached to the east side of the main repair shop. The paint shop had one rail spur running the entire length of the building and an asphalt floor. No curbs existed around the perimeter of the asphalt floor. During operations, up to four railcars could be in the paint shop at various stations. Potential releases could have included paints and thinners and waste paint and thinners from the satellite accumulation areas within the paint shop.

The building was dismantled and removed during site decommissioning activities. Today, the asphalt floor still exists.

Paint was stored in a railcar boxcar immediately south of the paint shop. The boxcar was removed during site decommissioning activities. Potential releases could have included paints and thinners.

Sand Blast Area

Prior to painting, railcars were blasted in an area just north of the paint booth. Spent sand was pushed into piles adjacent to the blast area. Spent sand from sandblasting operations was analyzed for the RCRA EP toxicity characteristics and found to be non-hazardous. Most of the spent sand was either disposed offsite at a local landfill or used as backfill within the industrial park by Trinco.

Central Drainage Ditch

Surface water runoff during rainfall events entered this ditch from the cleaning rack trench system. Potential releases from the blast area, paint and main repair shop buildings could have occurred in the past.

7. Up-to-date information about Corrective Action goals previously accomplished at your facility.

As explained in letters of December 31, 1998 and January 15, 1999 from Michael C. O'Toole of GE Railcar to Denis M. Zielinski of EPA (see Attachments #4 and #6), there has been no RCRA corrective action authority over the facility since 1992. Thus there are no longer any "corrective action goals" for the facility, as we understand the term.

As explained further in the December 31, 1998 letter referenced above, we are aware of two environmental conditions for which further response may someday be warranted. These are the soil residues from the so-called "Galaxy stillbottom" removal and the possible area-wide soil and groundwater effort that MDE has been pursuing. As also explained in the December 31, 1998 letter, neither of these environmental conditions would be appropriately handled pursuant to RCRA corrective action, so for this additional reason we do not believe the term "corrective action goals" has any meaning or applicability with respect to our facility.

However, for the sake of completeness, provided below is a listing of the individual areas of the facility where action was taken in response to the MDE or as a result of ceasing business operations. Please note that more detailed information for each areas listed below has been provided earlier in this response.

- T-22 Hazardous Waste Tank Farm (4 tanks) — Tanks cleaned and removed from the facility and clean closure completed in 1990.

- Commodity Storage Tank Farm (12 tanks) — Tanks cleaned and removed from the property and clean closure completed for nine tanks in 1990 and the remaining three tanks in 1992.

- Washwater Tanks (3 tanks) — Tanks cleaned and removed from the property and clean closure completed in 1992.

- Bermed and Concrete Drum Storage Areas (2 units) — Units excavated and disposed offsite. Clean closure completed in1992.

- Caustic Storage Tank (1 tank) — Tank cleaned and removed from the property. Clean closure completed in1989.

- Underground Fuel Storage Tank (1 tank) — Tank excavated and removed from the property. Tank integrity found to be sound and no contaminated soils noted. Closure completed in 1988.

- Solvent/Detergent Storage Tank (1 tank) — Tank removed from the property in 1989.

- Flare System — The system was dismantled and removed from the property in 1989.

- Laboratory — All chemicals were removed and disposed offsite in 1989.

- Cleaning Rack Trench System – Trenches were cleaned and backfilled with two feet of sand and capped with clay rich soils in 1989.

8. Your views as to how Corrective Action can proceed at your facility.

As explained in our response to #7 above, we do not believe there is any RCRA corrective action authority over the facility. Moreover, for the conditions at the facility that may have any remaining environmental interest, RCRA corrective action would not be the appropriate way to address them in any event. We believe that any additional investigation or remedial activities that may be required in the future should be completed in cooperation with the State of Maryland's efforts to jointly investigate a group of properties referred to as the Cecil Industrial Park Site ("Site"), which includes the GE Railcar Elkton property. (We included a reference to this effort in our response to #1 above. See Attachment #1)

Cecil Industrial Park is a collection of properties covering approximately 1300 acres in the northeastern portion of Cecil County. The name Cecil Industrial Park has been identified by MDE to denote a group of 70 individual properties. The Site includes the properties that were part of the former Trinco Industrial Park and existing Triumph Industrial Park. The individual properties have been combined to facilitate the discussion and investigation to address the environmental problems at the Site in a coordinated manner.

9. Any other issues that you would like to discuss

There are no additional issues for which we want to discuss.

7. Up-to-date information about Corrective Action goals previously accomplished at your facility.

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Cecil Industrial Park is a collection of properties covering approximately 1300 acres in the northeastern portion of Cecil County. The name Cecil Industrial Park has been identified by MDE to denote a group of 70 individual properties. The Site includes the properties that were part of the former Trinco Industrial Park and existing Triumph Industrial Park. The individual properties have been combined to facilitate the discussion and investigation to address the environmental problems at the Site in a coordinated manner.

9. Any other issues that you would like to discuss

There are no additional issues for which we want to discuss.

MARYLAND DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway • Baltimore, Maryland 21224
(410) 631-3000

Attachment 1

William Donald Schaefer
Governor

Robert Perciasep
Secretary

August 10, 1993

Mr. Michael C. O'Toole, Director
Environmental Health and Safety Programs
GE Railcar Services Corp.
33 West Monroe Street
Chicago, IL 60603

Dear Mr. O'Toole:

I am writing to invite you to a meeting that the Maryland Department of the Environment (MDE) will be conducting at 1:00 p.m on Tuesday, August 24, 1993, regarding the Cecil Industrial Park site. The meeting will be held at the Cecil County Health Department, Conference Rooms B and C, 401 Bow Street in Elkton, Maryland.

As you know, the Cecil Industrial Park site is currently being investigated under MDE's Environmental Response and Restoration Program. The agenda for the meeting includes an overview of the known problems associated with contamination at the site, MDE's conceptual plan of action, and a discussion of the role individuals and firms identified as Potentially Responsible Parties (PRPs) may play in carrying out that plan.

This meeting is not intended to debate questions of individual liability. Rather, our goal is to begin discussions with the PRPs to explore options for the coordinated effort to address environmental problems at the site. Your participation would be invaluable in this endeavor, and I strongly encourage you to attend. The success of this undertaking clearly hinges on the cooperation and effort of all participants.

I look forward to a frank, productive discussion on August 24 that will serve as the beginning of our concerted efforts to address this site. If you have comments or questions, I invite you to contact me at (410) 631-3305, or Robert A. DeMarco, Program Administrator, Environmental Response and Restoration Program, at (410) 631-3437.

Sincerely,

James Pittman, Deputy Director
Waste Management Administration

JP:rl
Enclosure

cc: Richard Collins

CECIL INDUSTRIAL PARK SITE
Elkton, Cecil County

WHAT IS THE ISSUE?

The Maryland Department of the Environment (MDE) is investigating environmental contamination involving a group of properties near Elkton, Maryland, referred to as the Cecil Industrial Park Site. Starting in the early 1930s, a variety of industrial and manufacturing firms have been located on these properties. Environmental concerns are the impacts on soil and ground water contamination from compounds used and/or disposed of on-site. MDE is currently working with several present and former property owners to fully investigate and clean-up the site.

SITE DESCRIPTION

Cecil Industrial Park is a collection of properties covering approximately 1,300 acres in the northeastern portion of Cecil County. The name "Cecil Industrial Park" is used by MDE to denote this collection of more than 70 individual properties and does not refer to a former or existing industrial complex. However, the site does include properties that were part of the former Trinco Industrial Park and the existing Triumph Industrial Park in Elkton. The individual properties have been combined to facilitate the environmental investigation. MDE is beginning discussions with a core group of Potentially Responsible Parties (representing approximately 450 acres) to explore options for addressing environmental problems at the site in a coordinated manner. Adjoining properties within the Park will also be addressed.

The site is roughly three miles west of the Maryland-Delaware state line and straddles the northwestern border of Elkton. The bulk of the site lies west of Blue Ball Road and extends north from Route 40. The remainder of the site includes properties along the northern side of Route 279 between its intersections with Route 545 and Route 213 (see map).

Four waterways are located on the site. Gravelly Run flows through the northeastern corner of the site. Laurel Run runs along the site's western edge, and Dogwood Run passes through the eastern portion of the site. These three runs feed into Little Elk Creek, which flows west to east in a winding path through the middle of the site west of Blue Ball Road. Less than one mile southeast of the site, Little Elk Creek joins Big Elk Creek, a tributary of the Elk River that flows into the Chesapeake Bay. Like most areas of Maryland, ground water flow is complicated and difficult to predict.

SITE HISTORY

The Cecil Industrial Park Site and its adjoining properties began its transformation from farmland to industrial property in the early 1930s. The first tenants of the property, and the first known generators of hazardous substances, were fireworks companies. During World War II, the Triumph Fusee and Fireworks Company expanded its operations to include the manufacture of munitions, explosives and other ordnance products. As wartime demands increased, especially after the United States entered the war, Triumph turned to full-time munitions production. Between 1940 and 1944, the company's land holdings increased from 271 acres to 1,225 acres.

Facilities to produce ammunition for the U.S. Navy, particularly 40-millimeter shells, were constructed in 1941 on Triumph's property west of Blue Ball Road, which eventually came to be known as "the Navy side." The Navy was involved as a result of a presidential order which authorized its takeover of the plant during the war. Across the road, on the so-called Army side, Triumph employees were occupied with completing U.S. Army contracts. During the war, the compound *trichloroethylene* (TCE) was widely used in military munitions and explosives

manufacturing because it burns only at high temperatures. In addition, Triumph is known to have dumped or burned waste materials and off-spec explosives on its lands.

After the war the fireworks companies were largely replaced by chemical companies and other industries, including explosives manufacturers, a carbon battery firm, pesticide producers, a rocket propellant manufacturer and a phosgene and aluminum chloride manufacturer, many of which are known to have used TCE in their operations. It is also known that the two pesticide concerns disposed of waste pesticide products at the site by burying or burning them or spreading them on the ground.

Light industry at the site included a cork processing plant, a paving and roadwork company, a specialty paint plant and a railcar cleaning facility. The paving company stored road building materials on site and may at one time have used TCE to degrease heavy equipment. The specialty paint plant, which is no longer in business, had used many solvents in its operations. The railcar cleaning facility held a permit for storing hazardous materials mostly pumped from railcars on-site. Spills may have occurred during the car washing and cleaning operations.

Other companies purchased former Triumph land in the Trinco Industrial Park. They included: a pesticide formulator, which began production in 1967 and is still in operation; an aluminum chloride manufacturer, which operated from 1968 to 1984 north of Little Elk Creek; a maker of precious metal complexes, which began operating in 1971; a mobile home manufacturer, which operated from 1963 to 1989; an auto repair shop, which opened in 1965 and may have used TCE; a tire retreading facility that opened in 1977; a chemical dye plant, which operated from 1969 to 1972; and a construction company, which opened in 1972 and currently includes a landfill suspected of sitting on a source of TCE.

In the 1980s, Trinco became Triumph Industrial Park, and new light industries moved to the site. The newest residents included a luggage firm that made briefcases, a manufacturer of coated fabric products and a producer of di-isocyanate compounds used in making polyurethane foams.

SITE CONTAMINATION

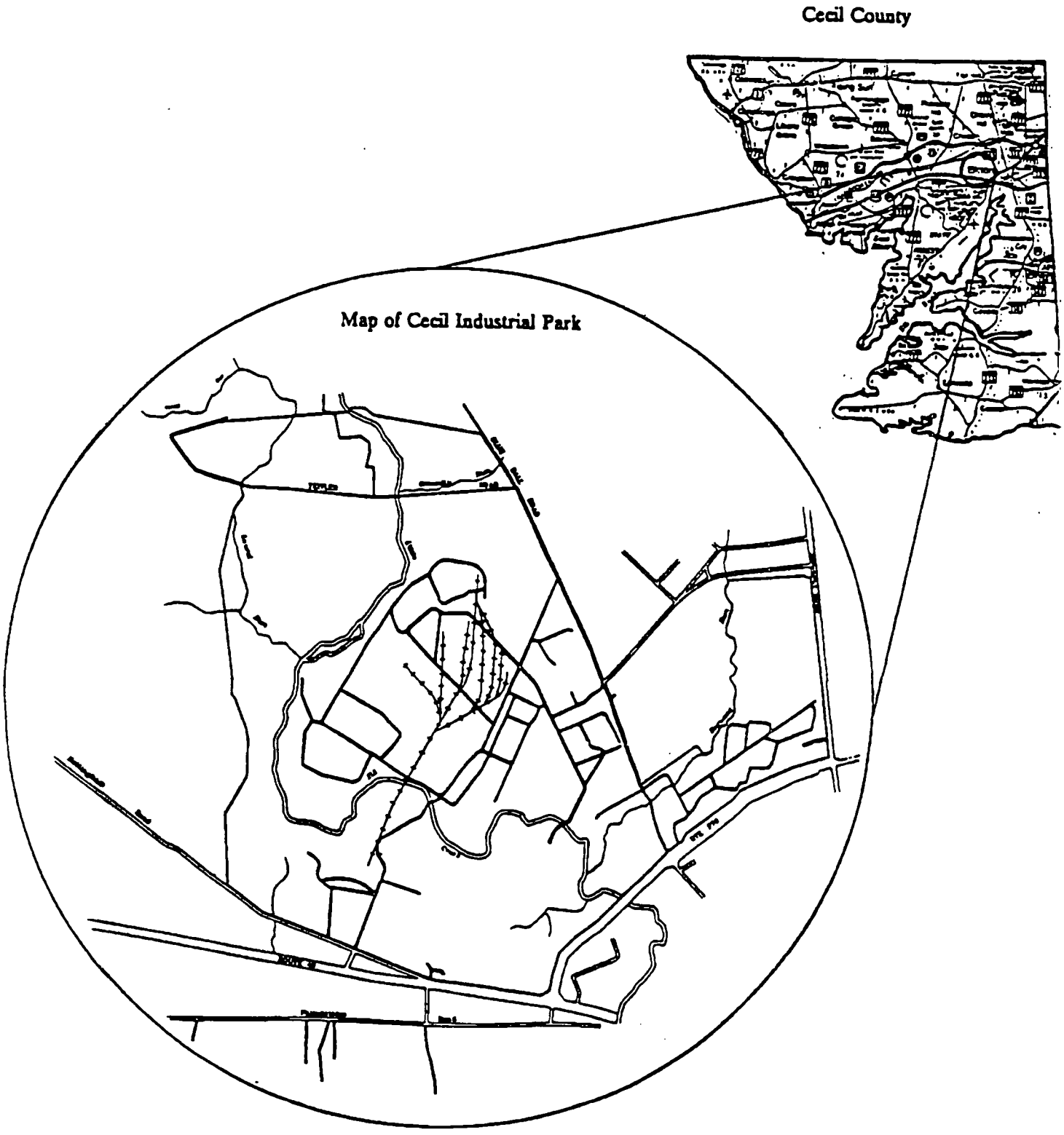
The impacts from soil and ground water contamination are the primary environmental concerns at the site. The soils in several locations are contaminated with metals, pesticides and volatile organic compounds (VOCs) that were manufactured, used or disposed of at the Park. The ground water contaminants of concern are VOCs, primarily *trichloroethylene* (TCE) which is a common industrial solvent used and disposed of on-site by many companies. Several areas of the Park were also used to dump used chemicals, explosives, munitions, still bottoms, pesticides, construction debris and other liquid and solid wastes.

Contaminants were first discovered at the site in 1984, when three pesticides (DDT, DDE, and DDD) were discovered on a 75-square-foot patch of land in the southwestern portion of the site. A previous owner of that property, which manufactured agricultural chemicals, was known to have used this property as a disposal area.

Tests conducted by the property owner on three wells confirmed suspicions that groundwater was contaminated with elevated levels of pesticides. However, those tests also detected unusually high levels of another contaminant--TCE. Subsequent sampling at the site, conducted by MDE and the U.S. Environmental Protection Agency (EPA), showed TCE levels of up to 15,000 parts per billion (ppb). MDE and EPA's recommended maximum level of TCE in drinking water is five ppb. Further evidence of a "TCE plume" in the groundwater was discovered during the state's testing of nearby residences.

Residents were advised by MDE in 1986 to begin using bottled water to avoid problems associated with what was believed to be widespread contamination of groundwater with TCE. A Potentially Responsible Party (PRP), under a consent order with the state, installed carbon filter units in 16 homes. Under a 1989 Consent Order with MDE, two PRPs assumed responsibility for installing a new water line along Route 40 for residents. That water line was completed in December 1990.

The source and extent of TCE contamination is not yet fully known. Subsequent investigations have not found a source, although investigators concurred that it is likely that there is no obvious single source of contamination. TCE, which was a popular industrial cleaning agent during the 1940s through the 1970s, is known to have been used in a number of industrial operations at the site into the 1970s.



CURRENT STATUS

In August 1991, MDE's Waste Management Administration requested information on the generation and disposal of wastes to a list of nearly 50 PRPs. Approximately 12 additional PRPs were identified during the review of these responses and additional letters requesting information were sent.

MDE has completed a detailed review of industrial activities at the site, including reported and alleged spills and discharges, available environmental monitoring data, and site investigation reports. MDE has determined that further investigations are needed regarding the extent of ground water contamination and delineation of contaminant sources at the site. MDE is currently reviewing options for working in a cooperative fashion with willing PRPs to investigate sources and migration pathways. These investigations will likely include the installation of monitoring wells, various types of geophysical testing to determine areas of contamination, analysis of groundwater, surface water, sediment, and soil to characterize the specific type of contaminants, potential waste sources, and potential migration pathways.

MDE TO HOLD PUBLIC MEETING

MDE has scheduled a public meeting to inform the community about recent and future environmental activities a the Cecil Industrial Park Site. This will include an overview of the known problems associated with contamination at the site and a presentation of MDE's conceptual plan of action regarding the site investigation. The meeting will be held at 7:00 p.m. on Thursday, September 23, at the public library, 301 Newark Avenue in Elkton, Maryland.

8/9/93

NORTH AMERICAN CAR CORPORATION
CAR REPAIR DIVISION
CAR CLEANING METHOD

ALPHABETICAL INDEX
ELKTON

Acetone	UN-1090-El
Acrylic Latex	NR-0126-EL
Acrylic Latex Emulsions	NR-0126-EL
Activated Carbon	UN-1362-EL
Adipic Acid	NA-9077-EL
Alkyd Resin Solution	NA-1993A-EL
Alkylbenzene Sulfonic Acid	NA-2584-EL
Alpha-Picoline	UN-2313-EL
Alumina Trihydrate	NR-0112-EL
Aluminum Phosphide (Phostoxin)	XUN-1397-EL
Aluminum Sulfate Solution	NA-1760-EL
Amine-Misture, Ancor 210	NR-0160-EL
Ammonium Hydroxide	NA-2672-EL
Ammonium Nitrate Prills Fertilizer Grade	UN-2067-EL
Ammonium Sulfate	NR-0148-EL
Anhydrous Ammonia	UN-1005-EL
Anhydrous Monomethylamine	UN-1061-EL
Anhydrous Trimethylamine	UN-1083-EL
Aniline Oil	UN-1547-EL
Anisole	UN-2222-EL
Asphalt	UN-1999-EL
Benzene	UN-1114-EL
Black Liquor Soap Skimmings	NR-0154-EL
Burnable Wastes	UN-1993-EL
Butadiene, Inhibited	UN-1010-EL
Butanol	UN-1120-EL
Butyramidine	UN-1987A-EL
Calcium Oxide	UN-1910-EL
Calcium Phosphate (mono, di Tribasic)	NR-0178-EL
Chlorine	UN-1017-EL
Chlorosulfonic Acid (Only if thoroughly flushed with 66 be Sulfuric Acid by Customer)	UN-1754-EL
Clay Slurry	NR-0123-EL
Coal Tar Naphtha	UN-1138-EL
Colloidal Silica	NR-0184-EL
Crude Oil	UN-1267-EL
Cyclohexanone	UN-1915-EL
Defoaming Compound L570 Food Grade-Drew Chemical Co.	NR-137-EL
Dibutylphthalate (DBP, Resin Plasticizer)	NR-0134-EL
3, 4 Dichloroaniline	NA-2811-EL
Diisodecylphthalate (DIDP)	NR-0135-EL

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Dimethyl Hydroxyamine	UN-1992-EL
Dimethyl Sulfate (Only if decontaminated with caustic soda and rinsed with water by customer)	UN-2595-EL
Dimethyl Terephthalate	NR-0113-EL
Dimethylamine, Aqueous	UN-1160-EL
Dimethylacetamide	NR-0107-EL
Dimethylformamide	NR-0108-EL
Diundecyl Phthlate	NR-0185-EL
Dylox 1.5 Oil	NA-1783-EL
Elvace (Dupont Vinyl Acetate/ Ethylene Copolymer Water Emulsion	NR-0100-EL
Ethanol (Ethyl Alcohol)	UN-1170-EL
Ethyl Ether	UN-1155-EL
Ethylene Glycol	UN-1188-EL
Ferric Cnloride Solution	UN-2582-EL
Ferrous Sulfate	UN-0145-EL
Formaldehyde Solution	UN-1198-EL
Freon-12 (Dichlorodifluoromethane)	UN-1028-EL
Fuel Oil, #2 Diesel	NA-1993-EL
Gasoline	UN-1203-EL
Glyoxal	NR-0157-EL
Hexamethylene Diamine Solution	UN-1783-EL
Hexylene Glycol	NR-0190-EL
Hydan-Feed Supplement	NR-0186-EL
Hydrochloric Acid Note: 22 be (35.2% HC1) Maximum grade	UN-1789-EL
Hydroflurosilicic Acid	NA-1778-EL
Hydrogenated Resin	UN-0147-EL
Hydroxyacetic Acid	UN-1760A-EL
Isobutane	UN-1969-EL
Isophorone	NR-0159-EL
Isoprene	UN-1218-EL
Isophthalic Acid	NR-0105-EL
Lubricating Oil	NA-1270-EL
Liquified Petroleum Gas	UN-1075-EL
Maleic Anhydride	UN-2215-EL
Methacrylic Acid	NR-0129-EL
Methanol	UN-1987-EL
Methyl-Ethyl Ketone	UN-1193-EL
Methyl Methacrylate Monomer	UN-1247-EL
Mill Bond (A.O. Smith Rust Preventative)	NR-0131-EL
Mineral Oil	NR-0119-EL
Molasses	NR-0111-EL
Nalkylene	NR-0181-EL

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Naphtha, Petroleum	UN-2553-EL
Naphalene	UN-1334-EL
Nitric Acid 35% Max. Conc.	UN-1760-EL
Nitrobenzene	UN-1662-EL
Nitrogen Fertilizer Solution	NR-0117-EL
Nonene	UR-1993B-EL
Ortho-Chlorotoluene	UN-2238-EL
PACM-20 Bis (P-aminocyclohexyl) Methane	NR-01010-EL
Paint Increasing Compounds	UN-1993A-EL
Paraffin Wax	NR-0103-EL
Pentene	UN-1108-EL
Petroleum Naphtha	UN-1255-EL
Phenol	UN-1671-EL
Phthalic Anhydride	NR-0114-EL
PICCO-6140-60 MS Hercules Resin Solution	NR-0130-EL
Phosphoric Acid 75% Conc.	UN-1805-EL
Polyacrylamide in aqueous soln.	NR-0158-EL
Polyether Glycols	NR-0173-EL
Polyvinyl Chloride (PVC) Resin	NR-0109-EL
Potassium Chloride	NR-0104-EL
Potassium Phosphate Mono, Di & Tri Basic	NR-0138-EL
Potassium Silicate	NR-0142-EL
Propane/Phenol Mixture	UN-1075A-EL
Propylene	UN-1077-EL
Santosol 150 (Aromatic Hydrocarbon)	NA-1993B-EL
Soapstock	NR-0120-EL
Sodium Hydrosulfide Solution	NA-2922-EL
Sodium Hydroxide Solution	UN-1824-EL
Sodium Nitridte Solution	UN-1500-EL
Sodium Silicate	NR-0167-EL
Sodium Xylenesulfonate	NR-0169-EL
Soltrol 100 (Aliphatic Hyrocarbon)	UN-1993B-EL
Sorbitol	NR-0152-EL
Sulfamic Acid	UN-1760-EL
Sulfonic Acid	UN-1760B-EL
Sulfur	NR-0124-EL
Sulfuric Acid	UN-1830-EL
Super Dal-E-Rad-2 Herbicide	XUN-2765-EL
Tall Oil	NR-0110-EL
Tetrahydrofuran	UN-1056-EL
Tetrapotassium Pyrophosphate (TKPP)	NR-0182-EL
Titanium Dioxide	NR-0115-EL

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ELKTON
PAGE FOUR

Michael C. O'Toole
Senior Vice President
Environmental, Health & Safety Programs

General Electric Railcar Services Corporation
A unit of General Electric Capital Corporation
33 West Monroe Street, Chicago, IL 60603
312 853-5591, Fx: 312 853-5489
E-Mail: railcar.motoole@capital.ge.com

December 31, 1998

Via Federal Express

Mr. Denis M. Zielinski
RCRA Senior Project Manager
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Letter of 11/16/98 from Robert Greaves Regarding RCRA Corrective Action Inspection at P & R Railcar Car Site in Elkton, MD

Dear Mr. Zielinski:

Thank you for your assistance last month in forwarding copies of the above-referenced letter to my counsel and me. As you apparently discovered from communications with Maryland Department of Environment (MDE) personnel, General Electric Capital Railcar Services Corporation (GE Railcar) is the current owner of the Elkton site. I am Vice President of Environmental Affairs for GE Railcar, and should be considered the contact person for all communications regarding this matter.

Mr. Greaves' letter says EPA intends (through the Army Corps of Engineers) to inspect our site to determine if RCRA corrective action is necessary. We will be fully cooperative with you and the Corps' inspectors and will arrange an inspection at a mutually convenient time. As explained below, however, we do not believe EPA has RCRA corrective action authority over our site at this time.

We are now assembling the information relating to environmental status indicators in accordance with the format set forth in the bullet points on page two of Mr. Greaves' letter. While this effort will provide a more detailed and comprehensive background, I will summarize a few of the most pertinent points relating to our legal position at this time. I should note that GE Railcar's predecessors owned or operated the facility under several different names over the years, but for convenience and simplicity I will refer to the owner and operator as GE Railcar in the discussion that follows.

In conjunction with its railcar cleaning and repair operations, GE Railcar conducted hazardous waste storage and treatment at the site. Until EPA authorized the Maryland Department of the Environment (MDE) to operate the RCRA permitting program in 1983, EPA and MDE had concurrent jurisdiction over RCRA permitting. Accordingly, in 1980, GE Railcar initiated the RCRA permit process for storage and treatment at both the federal and state levels.

GE Railcar filed Part A and Part B permit applications with Region III in 1980. The Region never issued a permit to the facility, however. Rather, on January 10, 1984, Region III notified the facility that EPA had on November 23, 1983 authorized MDE to operate the RCRA permitting program for storage and treatment, and that RCRA permitting for the facility would accordingly be handled exclusively by MDE.

MDE issued permit A-229 to the facility for hazardous waste storage and treatment on October 15, 1982. This permit was never renewed. Rather, on May 28, 1985, the facility withdrew its pending request for renewal of permit A-229. This withdrawal led to an extensive RCRA closure process.

This process culminated in MDE fully releasing GE Railcar from its hazardous waste permit obligations on May 18, 1992. First, after extensive cleanup and remedial operations had been performed respecting the so-called "T-22" tank farm, MDE confirmed that the tank farm had been sufficiently closed. (See MDE letter of June 14, 1990, Attachment A.) Second, after MDE had identified several additional areas of concern and GE Railcar had addressed them to MDE's satisfaction, MDE sent GE Railcar a final closure letter on May 18, 1992. (Attachment B.)

You will see that in its 1992 letter, MDE found as follows: "HSWMA has determined, after reviewing this report and inspecting the site, that this facility has been closed in accordance with the approved closure plan. Specifically, this formerly permitted facility has been closed in a manner that minimizes the need for further maintenance and minimizes, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste and hazardous waste constituents to the groundwater. This facility is released from its obligations under controlled hazardous substance facility permit number A-229."

We believe the foregoing demonstrates there is no RCRA corrective authority over the site. First, under RCRA §3004(u), EPA's corrective action authority applies only to hazardous waste permits issued after November 8, 1984. MDE issued permit A-229 well before this date and that permit was never renewed. EPA never issued a RCRA permit to the facility. Thus, there can be no corrective action authority over the facility under §3004(u).

Second, EPA has corrective action authority over certain interim status facilities under RCRA §3008(h). This authority, however, applies only to those facilities that currently have interim status, and our facility does not. Interim status ended when MDE issued permit A-229 in 1982. As recently as two months ago, EPA confirmed that §3008(h) authority no longer exists in such a situation. EPA first stated that such authority terminates "after final disposition of the permit application." 63 Fed. Reg. 56711, col. 3, October 22, 1998. EPA then added, more to the point in our situation, that §3008(h) authority does not apply to "clean closed" facilities where there has been final disposition of a permit application. Id. at 56716, col. 1. Even if one were to argue that issuance of the permit in 1982 was not a "final disposition" of the permit application, the final closure approval and complete release by MDE in 1992 most certainly shows "final disposition" of our permit.[1]

As §§3004(u) and 3008(h) are the only possible sources of RCRA corrective action authority over our facility and neither apply in our situation, we must state as a legal matter that EPA has no RCRA corrective action authority over our site. As noted above, we are willing to go forward with the inspection, but we feel it is necessary to state our legal position for the record at this time.

While corrective action is not applicable, we are aware of certain conditions on or near our facility which may prompt EPA or MDE to seek further information or response. I will summarize these matters below, and we will provide more detailed information in our upcoming response to Mr. Greaves' letter.

(1) Galaxy Stillbottoms. In 1989 we discovered a mass of buried waste material in an isolated corner of our site. Upon investigating the matter with MDE's assistance, we learned that the wastes were stillbottoms from a nearby solvent recycling operation known as the Galaxy Chemical Company. These wastes were totally unrelated to the operations of GE Railcar or any of its predecessors at the site.

GE Railcar entered into a Consent Order with MDE dated January 24, 1991. Pursuant to that Consent Order, GE Railcar arranged for the removal and treatment of the Galaxy stillbottoms. GE Railcar completed the removal and treatment work under that Consent Order in 1991.

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[1] I should note that upon reviewing the complete set of files Region III maintains on our facility – which Region III personnel sent to our counsel on December 15, 1998 -- we have discovered that neither of the above-referenced MDE closure letters are in Region III's files. This may explain why our facility appears on the Region's list of corrective action sites.

Pursuant to the work plan approved by MDE, when we removed the stillbottom material, we did not remove all the soil that had been contaminated with the stillbottoms. Rather, we agreed that the issue of this remaining contaminated soil would be addressed at a later time, because MDE would be pursuing an area-wide remedial investigation of the entire industrial park on which our site was located. (See part (2) immediately below.) Thus, we are aware that these residual contaminated soils remain at our site, but we have always been informed by MDE that they would be addressed with authorities other than RCRA.

(2) Area-Wide Remediation. In discussions respecting the Galaxy stillbottom removal, MDE personnel informed us on numerous occasions they intended to address issues of residual contaminated soil and potential groundwater problems on an area-wide basis. This was because our facility is part of the Cecil Industrial Park (CIP), and MDE believed there were several sources of potential soil and groundwater contamination at the CIP (one of the most significant sources being a munitions plant operated for the U.S. government during World War II).

Consistent with these discussions, MDE official James Pittman sent a letter to a number of parties that currently or formerly own or operate facilities within the CIP. A copy of the letter Mr. Pittman sent to GE Railcar is enclosed. (Attachment C.) Mr. Pittman sent an identical letter to several other parties.

You will note Mr. Pittman invited the parties to a meeting and attached basic information about the CIP and MDE's plans to his letter. MDE was approaching an area-wide soil/groundwater assessment by focussing on an area of approximately 450 acres within the CIP that includes our site. MDE noted it was "currently reviewing options for working in a cooperative fashion with willing PRPs to investigate sources and migration pathways." We indicated our willingness to work with other parties and MDE to pursue such an investigation, and we remain willing to do so.

Thus, we are aware of the potential groundwater problems affecting our site and the area surrounding our site, but we have always assumed (as had MDE) that these issues would not be dealt with in the RCRA context. In fact, as the problem is an area-wide problem, it does not appear that any site-specific RCRA approach could possibly make sense. Moreover, as explained above, there is no RCRA corrective action authority over our site.

I hope this will give you at least an initial picture of the extensive cleanup work at the site over the years and alert you to our fundamental position that RCRA corrective action authority does not exist at the site. I assume I will soon be hearing from EPA or the Corps to discuss a time that would be convenient for the inspection. Thank you for your consideration of these points.

Sincerely,

Michael C. O'Toole/mh

Michael C. O'Toole

MCO:mh

Attachments (3)

ATT A

State of Maryland

DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway, Baltimore, Maryland 21224
Area Code 301 • 631-3304

William Donald Schaefer
Governor

Martin W. Walsh, Jr.
Secretary

June 14, 1990

Mr. Chester Miller
Manager Environmental and Safety Programs
General Electric Railcar Services Corporation
33 West Monroe Street
Chicago, IL 60603

Dear Mr. Miller:

As a result of our meeting on May 14, 1990 and subsequent discussions among the Hazardous and Solid Waste Management Administration staff, I find that we can conclude that the T-22 tank farm at the GE Railcar facility in Elkton, Maryland has been closed in accordance with its approved closure plan. Specifically, I find that GE Railcar has closed the formerly permitted facility in a manner that minimizes the need for further maintenance and minimizes, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste and hazardous waste constituents to the ground water. The facility is released from its obligations under controlled hazardous substance facility permit number A-229.

Please note that this action does not relieve GE Railcar from the obligation to remove the still bottoms from the area up-gradient from T-22. The removal of the material is to be done expeditiously. Also, the closure approval does not affect any involvement of GE Railcar in groundwater remediation activities that are or may be required at the Triumph Industrial Park.

If you have any questions, please contact Mr. Alvin Bowles at (301) 631-3343.

Sincerely,

Ronald Nelson, Director
Hazardous and Solid Waste
Management Administration

RN:lak

cc: Mr. Richard Johnson

ATT B

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway Baltimore, Maryland 21224
(410) 631- 3304

William Donald Schaefer
Governor

Robert Perciasepe
Secretary

May 18, 1992

Mr. Michael C. O'Toole
Vice President
Environmental Programs
General Electric Railcar Services Corp.
33 West Monroe Street
Chicago, IL 60603

Dear Mr. O'Toole:

The Maryland Department of the Environment, Hazardous and Solid Waste Management Administration (HSWMA) has reviewed the "Certification of Final Closure of Hazardous Waste Units, General Electric Railcar Services Corp., Elkton, Maryland Facility," dated April 1992. HSWMA has determined, after reviewing this report and inspecting the site, that this facility has been closed in accordance with the approved closure plan. Specifically, this formerly permitted facility has been closed in a manner that minimizes the need for further maintenance and minimizes, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste and hazardous waste constituents to the groundwater. The facility is released from its obligations under controlled hazardous substance facility permit number A-229.

Please note that this action does not affect any involvement of General Electric Railcar Services Corp. in groundwater remediation activities that are or may be required at the Triumph Industrial Park.

If you have any questions, please contact Mr. Alvin Bowles at (410) 631-3343.

Sincerely,

RWC

Richard W. Collins, Director
Hazardous and Solid Waste
Management Administration

RWC/st

cc: Ann Marie DeBiase, Esquire
Mr. Alvin Bowles
Mr. Harold L. Dye, Jr.
Mr. Arthur O'Connell

Attachment 5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

512 707 -050

November 16, 1998

P&R Rail Car Service Corporation
Plant Manager
Trinco Industrial Park
Elkton, MD 21921

Re: RCRA Corrective Action at P&R Rail Car Service Corporation
EPA ID# MDD 078 288 354

Dear Sir/Madam:

The purpose of this letter is to inform you that the United States Environmental Protection Agency (EPA), Region III, will be conducting a site visit in the next couple of months to determine if RCRA Corrective Action is necessary at your facility.

First, let me inform you why EPA is initiating this inspection at your facility. EPA has set a goal of meeting Environmental Indicators or achieving final remediation at each of the approximately 300 high priority RCRA Treatment, Storage, and Disposal (TSD) Facilities in Region III by the year 2005. Your facility is ranked as one of these high priority facilities. EPA Region III utilized the National Corrective Action Priority System (NCAPS) model to evaluate the relative priority of the Region III TSD universe. The NCAPS model is based on four different exposure pathways: groundwater, surface water, air and on-site (direct contact with hazardous materials or contact with contaminated surface soils). Based upon the NCAPS model, your facility was ranked as a high priority facility. The NCAPS modeling results do not mean that a facility ranked as "high" will, in fact, require large-scale remediation. In some cases, remediation may have already taken place under the State's jurisdiction or as a facility-lead.

EPA Region III is focusing on two interim Environmental Indicators as a result of the Government Performance and Results Act: Human Exposures Controlled and Groundwater Releases Controlled. In general terms, EPA considers the environmental indicators to be met where migration of groundwater releases has been controlled and human exposure pathways controlled or cut off so that the facility poses no unacceptable risk to human health and the environment under existing conditions at the facility. Even if these two Environmental Indicators are met, additional remediation may still be necessary for the final corrective measures.

EPA encourages public involvement in all stages and aspects of the Corrective Action process. Final remedy selection will include a formal decision making process which incorporates public involvement.

EPA Region III recently tasked the U.S. Department of Army, Corps of Engineers, to review file information and conduct a site visit at your facility to gather relevant information for EPA to determine whether the environmental indicators have been achieved. Information which will be discussed at the site visit to determine the status of the environmental indicators may include the following:

- An outline of the operational history of the facility including all wastes generated at the facility and their management;
- A brief description of all areas where hazardous constituents may have been released to the air, soils, groundwater and surface waters (e.g., Solid Waste Management Units [SWMUs] and Areas of Concern [AOCs]);
- A description of known releases and potential releases at each SWMU and AOC;
- A description of exposure pathways for all releases and potential releases;
- A summary of existing investigative information;
- A description of all exposure pathway controls and/or release controls instituted at the facility and how these achieve or contribute toward achieving the two environmental indicators;
- Up-to-date information about Corrective Action goals previously accomplished at your facility;
- Your views as to how Corrective Action can proceed at your facility; and
- Any other issues that you would like to discuss.

EPA or the Corps of Engineers will be contacting you within the next several weeks to set up this site visit.

On behalf of EPA Region III, I thank you in advance for your cooperation during this anticipated site visit. If you have any questions or concerns I encourage you to contact Denis M. Zielinski, RCRA Senior Project Manager, at (215)814-3421.

Sincerely,

Robert E. Greaves, Chief
General Operations Branch

cc: Butch Dye, MDE
Scott Evans, DOA COE
Craig Maurer, DOA COE

TOTAL P.03

GE Capital
Railcar Services

Michael C. O'Toole
Senior Vice President
Environmental, Health & Safety Programs

General Electric Railcar Services Corporation
A unit of General Electric Capital Corporation
83 West Monroe Street, Chicago, IL 60603
312 853 5591, Fx. 312 853-5469
E-Mail: railcar.mtoole@capitalrail.com

January 15, 1999

Via Federal Express

Mr. Denis M. Zielinski
RCRA Senior Project Manager
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Request for Deletion of Facility From Corrective Action Lists

Dear Mr. Zielinski:

On December 31, 1998, I sent you a letter responding to Robert Greaves' letter of November 16, 1998 relating to a facility he referenced as "P & R Rail Car" in Elkton, Maryland. (EPA ID# MDD 078 288 354.) As explained in my response, General Electric Capital Railcar Services Corporation (GE Railcar) is the current owner of that facility.

We have recently learned our facility appears on a list maintained by Region III entitled the "GPRA NAME & ADDRESS LIST" and have obtained a copy. We understand this is the Region's list of high-priority RCRA corrective action facilities. For the reasons set forth in my December 31, 1998 letter, we strongly believe there is no RCRA corrective action authority over the facility.

Accordingly, we hereby request that EPA, at the earliest practicable date, delete the facility from all lists EPA maintains indicating the facility is subject to RCRA corrective action jurisdiction. Our request includes but is not limited to the list entitled "GPRA NAME & ADDRESS LIST" Region III maintains for the State of Maryland. (On the listing for Maryland facilities, our facility is identified as Facility #20.) Our request pertains to all lists that EPA may maintain at both the Regional and Headquarters level.

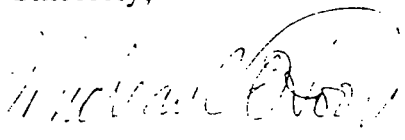
As I stated the facts and legal reasoning for our position in detail in my December 31, 1998 letter, I will merely summarize our position at this time. First, RCRA §3004(u) confers corrective action jurisdiction only over facilities that receive RCRA permits after November 8, 1984. Our facility never received a RCRA permit from the Region, and the only RCRA permit it ever received from the State was issued in 1982. Therefore, RCRA §3004(u) cannot apply.

Second, RCRA §3008(h) confers corrective action jurisdiction only over facilities that currently have interim status, and EPA has recently confirmed such authority does not apply where there has been final disposition of a permit. Our facility's interim status terminated in 1982, when the State issued its RCRA permit. Moreover, in 1992, the State issued the facility not only a final closure approval but also a complete release from all RCRA permit obligations. This most certainly shows final disposition of our permit. As §§3004(u) and 3008(h) are the only possible sources of RCRA corrective action authority over our facility and neither apply in our situation, we must conclude as a legal matter that EPA has no RCRA corrective action authority over our facility.

If you and/or the Corps of Engineers still wish to inspect the facility after considering this request, we will arrange an inspection at a mutually convenient time. In the meantime, however, I will soon be contacting you to discuss how our request for deletion may be expedited and to arrange for a meeting to discuss our request.

Thank you for your consideration of these points, and please let me know if you need any further information at this time.

Sincerely,



Michael C. O'Toole

MCO:mh