

PUBLIC HEARING
 CONCERNING THE PROPOSED REMEDIAL ACTION PLAN
 &
 PROPOSED SETTLEMENT AGREEMENTS

FOR

Seaboard Chemical Corporation and Riverdale Drive Landfill Site; Jamestown, NC

November 5, 2008

List of Attendees (if no comments received)

NAME	ADDRESS	ORGANIZATION
Amos C. Dawson III	William Muller P.O. Drawer 19764 Raleigh, N.C. 27619-9764	Seaboard Group II
Z. Vance Jackson, Jr.	401 OBERLIN RD, STE 150 RALEIGH, NC 27699-1646	NCDWM
Cathy Akroyd	401 Oberlin Rd., Ste. 150 Raleigh, NC 27699-1646	NCDWM
STEVE EMER	SMITH MOORE LEATHERWOOD, LLP PO BOX 21927 GREENSBORO, NC 27420	CITY OF HIGH POINT
W. CHRIS THOMPSON	211 S. HAMILTON ST. HIGH POINT, N.C. 27260	CITY OF HIGH POINT PUBLIC SERVICES
Fred P. Baggett	211 S. Hamilton St High Point NC 27261	City of High Point City City
JOHN KIME	2216 W Meadowview Rd Greensboro NC	Piedmont TRIAD WATER AUTHORITY

**NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD AND
SUMMARY
OF PROPOSED REMEDIAL ACTION PLAN
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION
1646 MAIL SERVICE CENTER
RALEIGH, NORTH CAROLINA 27699-1646
(919) 508-8400**

The North Carolina Division of Waste Management ("Division") of the North Carolina Department of Environment and Natural Resources hereby gives notice of a public hearing and public comment period on a proposed Remedial Action Plan ("Proposed RAP") for a Site located in Jamestown, Guilford County, North Carolina. The Site consists of the former Seaboard Chemical Corporation Facility, the City of High Point's Riverdale Drive Landfill, the City Materials Recovery Facility adjacent to the Landfill, any property that has been or may be acquired for purposes of performing a remedial action program at the Site and the groundwater contamination originating from these source areas. The purpose of the Proposed RAP is to contain and remediate contaminated soils and groundwater at the Site. A summary of the Proposed RAP appears at the end of this notice.

In addition, the Division hereby gives notice of a public hearing and public comment period on a proposed Remedial Action Settlement Agreement and a proposed De Minimis Settlement Administrative Order on Consent (collectively "Proposed Settlement Agreements"). The Division proposes to enter into the Remedial Action Settlement Agreement with certain Settling Remediators, as defined in the Remedial Action Settlement Agreement, to provide for the implementation of an effective remedial program at the Site and the payment of past costs incurred by the Division at the Site. The Division proposes to enter into the De Minimis Settlement Administrative Order on Consent with persons who arranged for disposal or treatment or transport for disposal or treatment of no more than 85,000 gallons of hazardous substances at the Site. The De Minimis Settlement Administrative Order on Consent provides a method whereby each De Minimis Settlor may substantially resolve its liability to the State for implementation of a remedial action program at the Site and the payment of past costs incurred by the Division at the Site.

The public hearing on the Proposed RAP and Proposed Settlement Agreements will be held on Wednesday, November 5, 2008, at 7:00 p.m. in the High Point City Council Chamber on the third floor of City Hall, 211 South Hamilton St., High Point, North Carolina. The doors will open by 6:30 p.m. All interested parties will have an opportunity to present oral and written statements concerning the Proposed RAP and Proposed Settlement Agreements. Five (5) minutes will be allotted per speaker.

The public comment period on the Proposed RAP and Proposed Settlement Agreements will begin on October 1, 2008, and extend through November 30, 2008. All comments received during the public comment period and at the public hearing will be considered in the formulation of a final decision by the Division on the Proposed RAP and Proposed Settlement Agreements. Written comments should be sent to the following address by November 30, 2008:

Mr. Vance Jackson
Hazardous Waste Section
N. C. Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699-1 646

The Division will mail documents constituting the Proposed RAP and Proposed Settlement Agreements to each public library in Guilford County, with a request that each library maintain a copy of the documents for review and copying from October 1, 2008, through November 30, 2008. The City of High Point will also maintain a copy of the documents at the High Point Public Library, 901 North Main Street, High Point. No appointment is necessary to review documents at Guilford County libraries or the High Point Public Library during normal business hours.

In addition, the Division will make all documents constituting the Proposed RAP and Proposed Settlement Agreements available for review at its offices located at 401 Oberlin Road, Suite 150, Raleigh North Carolina. Documents are available for review at this location from 9:00 a.m. to 4:00 p.m. on Monday through Friday. An appointment should be made to review documents at this location by calling the Division at (919) 508-8400, extension 8564.

After the expiration of the public comment period on November 30, 2008, the Division will make and document its final decision regarding the Proposed RAP and Proposed Settlement Agreements. The Division will place a copy of the final decision in the repository at the 901 North Main Street branch of the High Point Public Library and in its permanent files for the Site at its offices at 401 Oberlin Road in Raleigh, North Carolina. The Division will also mail a copy of the final decision to all persons who record their names and addresses on the sign-up sheet at the public hearing.

Summary of Proposed RAP

The Proposed RAP consists of the Remedial Action Settlement Agreement, its appendices and the Remedial Recommendation Document, which is incorporated into the Remedial Action Settlement Agreement by reference. The Remedial Recommendation Document is available for review on the North Carolina Division of Waste Management website at URL: http://wastenot.enr.state.nc.us/Hwhome/remedyRecommendation_seaboard.pdf. The Proposed RAP takes into consideration the findings of the Remedial Investigation, the Feasibility Study, the Baseline Risk Assessment and the currently known technical limitations on remediation of dense, non-aqueous phase liquids in fractured bedrock. The Proposed RAP includes engineering and institutional controls along with leachate collection, groundwater extraction and treatment for plume containment and contaminant reduction. The Proposed RAP will control the potential for off-site migration of impacted groundwater and leachate into the Deep River and the Randleman Reservoir.

The Proposed RAP addresses these objectives through the following components:

1. Isolation of Landfill leachate and leachate-impacted groundwater to prevent its migration to the waters of the Deep River and the Northern and Southern Intermittent Streams;
2. Stabilization of Landfill slopes and enhancement of the existing caps at the Landfill and the Seaboard Site;
3. Extraction of groundwater to contain plume migration and capture impacted groundwater recharge into the Deep River and the Northern and Southern Intermittent Streams.

4. Treatment of extracted groundwater to reduce contaminant mass;
5. The use of natural treatment processes, including constructed wetlands and upland phytoremediation systems, to provide sustainable and cost-effective treatment of extracted groundwater;
6. Physical and chemical treatment, including air stripping, aeration and ozoneoxidation methods, to supplement the natural treatment processes. A HiPOx treatment system which uses hydroxyl radicals formed by the reaction of ozone with hydrogen peroxide to treat organic contaminants in the groundwater to a performance standard of <10 ug/l or an equivalent system with an equal or greater performance standard is proposed for use at the Site. This system will provide effective treatment during periods of time when the natural treatment systems are not operational or are not effective in treating contaminated groundwater.
7. Continued use and maintenance of fences and warning signs at the Site to restrict unauthorized access;
8. Permanent land use restrictions on the Site and the property immediately across the Deep River from the Site to prevent future uses of impacted groundwater or activities which could result in unacceptable risk exposures;
9. Long-term, periodic site inspections and agency reviews; and
10. Long-term, periodic groundwater and surface water monitoring.

The Proposed RAP also includes a Statement of Work that establishes time frames for implementation of the Proposed RAP, if approved by the Division after public comment. The Statement of Work provides, among other things, for a review of the effectiveness of the remedy no less than every five years after commencement of the remedial action systems.

PUBLIC HEARING
CONCERNING TERMINATION OF RCRA INTERIM STATUS
FOR
Seaboard Chemical Corporation
November 5, 2008

List of Attendees (if no comments received)

NAME	ADDRESS	ORGANIZATION
E Vance Jackson, Jr.	401 OBERLIN RD, STE 150 RALEIGH, NC 27699-1646	NCDWM
Cathy Akroyd	401 Oberlin Rd., Ste. 150 Raleigh, NC 27699-1646	NCDWM

NOTICE OF PUBLIC HEARING FOR
PROPOSED TERMINATION OF RCRA INTERIM STATUS
SEABOARD CHEMICAL CORPORATION

This is to notify the public of the North Carolina Hazardous Waste Section's intent to issue a termination of Interim Status under the Resource Conservation and Recovery Act (RCRA) for the Seaboard Chemical Corporation facility located at 5899 Riverdale Drive, Jamestown, Guilford County, North Carolina. Seaboard Chemical Corporation and the City of High Point's Riverdale Drive Landfill will enter into a Remedial Action Settlement Agreement and a De Minimis Settlement Administrative Order on Consent for further corrective action of any groundwater contamination originating from these two source areas and any property that has been or may be acquired for the purpose of performing a remedial action program at the Site prior to the proposed termination of Interim Status.

A public hearing will be held on Wednesday, November 5, 2008 at 8:00 p.m. in the High Point City Council Chamber on the third floor of City Hall at 211 South Hamilton St. in High Point, North Carolina. All attendees will have the opportunity to present five minute oral statements and/or submit written comments and questions regarding the proposed termination of Interim Status.

Written comments regarding the proposed termination of Interim Status can also be sent to the following address during the public comment period of October 1, 2008 – November 30, 2008:

Elizabeth Cannon
Hazardous Waste Section
Division of Waste Management, NCDENR
MSC 1646
401 Oberlin Rd. Suite 150
Raleigh, NC 27699-1646

All data submitted by the applicant is part of the administrative record and is available for your review Monday through Friday during office hours (9:00 a.m. to 4:00 p.m.). Copies of assessment and remediation reports, ground water data, proposed remediation plans and agreements, and a summary Fact Sheet are available at the Hazardous Waste Section, located at 401 Oberlin Road, Suite 150 in Raleigh, North Carolina. Call (919) 508-8564 for an appointment.

A brief summary of the facility follows: The Seaboard Chemical Corporation (Seaboard) is a former treatment, storage and disposal (TSD) facility that is bankrupt and undergoing closure. The Seaboard facility is comprised of 13 acres, of which approximately 5 acres were developed for plant and office use. The facility is bordered to the north, west, and east by a closed municipal solid waste landfill owned by the City of High Point (Riverdale Landfill).

Between 1974 and 1989, Seaboard conducted solvent recovery and fuel-blending operations at the facility. Seaboard was granted Interim Status as a TSD under RCRA in 1982. Seaboard submitted a RCRA Part B permit application in September 1984. However, deficiencies in the application were never adequately resolved and the State issued a denial of the permit application in November 1989. Seaboard ceased all operations at the facility in 1989 and declared bankruptcy. The property is currently owned by the bankruptcy estate of Seaboard Chemical Corporation and administered by a trustee.

All chemicals and wastes stored aboveground, along with certain tanks and equipment, were removed during 1990 - 1992 by a group of potentially responsible parties (PRPs), Seaboard Group I, under a State-approved work plan. Following completion of removal activities, this group was dissolved.

Subsequent to the removal, another group of PRPs, Seaboard Group II, was formed to perform a remedial investigation, prepare a baseline risk assessment, develop a flow and solute transport model, develop a conceptual remedy, and produce a feasibility study for implementation of the selected remedy. Seaboard Group II entered into an agreement with the City of High Point to perform these tasks jointly for the Riverdale Landfill due to its close proximity to the Seaboard Chemical Corporation facility. As a result of these studies, the Seaboard Chemical Corporation and the City of High Point's Riverdale Drive Landfill will enter into a Remedial Action Settlement Agreement and a De Minimis Settlement Administrative Order on Consent for further corrective action of any groundwater contamination originating from these two source areas and any property that has been or may be acquired for purposes of performing a remedial action program. The Hazardous Waste Section proposes to terminate RCRA Interim Status based upon the continuing remedial action requirements contained in these agreements.

All comments received during the public comment period or at the hearing will be considered in the decision regarding the termination. Comments received after the end of the public comment period, November 30, 2008, will not be considered. The statutory authority for calling this public hearing is G.S. §130A-294(f). Applicable state rules are found in the North Carolina Hazardous Waste Management Rules 15A NCAC 13A .0105, .0109, and .0113. These rules adopt the requirements of the Federal Resource Conservation and Recovery Act as amended by the Hazardous and Solid Waste Amendments of 1984.

Anyone desiring additional information may contact Vance Jackson at:

Hazardous Waste Section
Division of Waste Management, NCDENR
MSC 1646
401 Oberlin Rd., Suite 150
Raleigh, NC 27699-1646
Telephone (919) 508-8545.

FACT SHEET

Seaboard Chemical Corporation
5899 Riverdale Drive
Jamestown, North Carolina

The North Carolina Hazardous Waste Section intends to issue a termination of Interim Status under the Resource Conservation and Recovery Act (RCRA) for the Seaboard Chemical Corporation facility located at 5899 Riverdale Drive, Jamestown, Guilford County, North Carolina. Seaboard Chemical Corporation and the City of High Point's Riverdale Drive Landfill will enter into a Remedial Action Settlement Agreement and a De Minimis Settlement Administrative Order on Consent for further corrective action of any groundwater contamination originating from these two source areas and any property that has been or may be acquired for purposes of performing a remedial action program at the Site prior to the proposed termination of Interim Status. North Carolina is authorized by the United States Environmental Protection Agency to administer RCRA, including the Hazardous and Solid Waste Amendments (HSWA) of 1984.

The Seaboard Chemical Corporation (Seaboard) is a former treatment, storage and disposal (TSD) facility that is bankrupt and undergoing closure. The Seaboard facility is comprised of 13 acres, of which approximately 5 acres were developed for plant and office use. The facility is bordered to the north, west, and east by a closed municipal solid waste landfill owned by the City of High Point (Riverdale Landfill).

Between 1974 and 1989, Seaboard conducted solvent recovery and fuel-blending operations at the facility. Seaboard was granted Interim Status as a TSD under RCRA in 1982. Seaboard submitted a RCRA Part B permit application in September 1984. However, deficiencies in the application were never adequately resolved and the State issued a denial of the permit application in November 1989.

Seaboard ceased all operations at the facility in 1989 and declared bankruptcy. The property is currently owned by the bankruptcy estate of Seaboard Chemical Corporation and administered by a trustee.

All chemicals and wastes stored aboveground, along with certain tanks and equipment, were removed during 1990-1992 by a group of potentially responsible parties (PRPs), Seaboard Group I, under a State-approved work plan. Following completion of removal activities, this group was dissolved.

Subsequent to the removal, another group of PRPs, Seaboard Group II, was formed to perform a remedial investigation, prepare a baseline risk assessment, develop a flow-and-solute transport model, develop a conceptual remedy, and produce a feasibility study for implementation of the selected remedy. Seaboard Group II entered into an agreement with the City of High Point to perform these tasks jointly for the Riverdale Landfill due to its close proximity to the Seaboard Chemical Corporation facility. As a result of these studies, the Seaboard Chemical Corporation and the City of High Point's Riverdale Drive Landfill will enter into a Remedial Action

Settlement Agreement and a De Minimis Settlement Administrative Order on Consent for further corrective action of any groundwater contamination originating from these two source areas and any property that has been or may be acquired for purposes of performing a remedial action program. The HWS intends to terminate RCRA Interim Status based upon the continuing remedial action requirements contained in these agreements.

The North Carolina Hazardous Waste Management Rules require that the public be given at least a forty-five (45) day period to comment on the termination of Interim Status. For this facility, the public comment period will be sixty (60) days, commencing on October 1, 2008. The facility records are available for review at the Hazardous Waste Section, located at 401 Oberlin Road, Suite 150 in Raleigh, North Carolina during office hours (9:00 a.m. to 4:00 p.m.) Monday through Friday. Call (919) 508-8564 for an appointment. All data submitted by the applicant are available as part of the administrative record.

Persons wishing to comment on this termination of Interim Status should submit such comments in writing prior to November 30, 2008, which is the end of the public comment period. All comments received within the sixty (60) day public comment period will be considered before the final termination of Interim Status is made. Comments received after the close of the public comment period will not be considered. Comments should be sent to:

Ms. Elizabeth Cannon, Chief
Hazardous Waste Section
Division of Waste Management, NCDENR
MSC 1646
401 Oberlin Rd. Suite 150
Raleigh, NC 27699-1646

A public hearing to receive comments concerning the termination of Interim Status will be held on Wednesday, November 5, 2008, at 8:00 p.m. in the High Point City Council Chamber on the third floor of City Hall at 211 South Hamilton Street in High Point, North Carolina. Attendees may submit a written statement for the official record in addition to their oral statement or they may submit written comments in lieu of making an oral presentation. When a decision is made to issue the termination or to retain Interim Status, notice will be given to the applicant and to each person who has submitted written comments or requested notice of the final decision.