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West Virginia Department of Environmental Protection  
Public Information Office  
601 57th Street SE  
Charleston, WV 25304  
304-926-0440

**PUBLIC NOTICE OF VOLUNTARY REMEDIATION PROGRAM SITE CLEANUP METHOD**

**PUBLIC NOTICE NO.:** VRP #24019

**NEWSPAPER:** The Spirit of Jefferson

**PUBLIC NOTICE DATE:** December 25th, 2025, and January 1st, 8th and 15th, 2026.

The Office of Environmental Remediation (OER) at the West Virginia Department of Environmental Protection has approved a cleanup method to address environmental conditions at Birdhill Subdivision (Site) under the Voluntary Remediation Program (VRP #24019). The applicant, U.S. Home, LLC, has been working with the WVDEP since negotiating a Voluntary Remediation Program Agreement on July 2, 2024.

The Site is located at an unspecified address off Kearneysville Pike (Middleway District Map No.3, Parcel No.29), Kearneysville, Jefferson County, West Virginia, and is approximately 196 acres in size. The VRP investigation addresses surface soil, subsurface soil, and groundwater. This publication is to notify the public of the 30-day comment period regarding the development of soil remediation goals on portions of the Site that exceed both the site-specific background concentration, and an excess lifetime cancer risk of  $1 \times 10^{-6}$  (the applicable target for residential/recreational properties), based on exposure to arsenic.

Representative concentrations of arsenic exceed both the site-specific background concentrations and risk-based concentrations that reflect a target risk of  $1 \times 10^{-6}$  (1 in 1,000,000) in the Stormwater Management and Recreational/Residue Areas, thus requiring a public notice and public meeting in accordance with the Voluntary Remediation and Redevelopment Rule, §60-3-7.12. In addition, institutional controls will also be used to manage human health risks at the Site to achieve remedial action objectives and will include a Land Use Covenant (LUC) to be recorded in the Jefferson County Clerk's Office. The intent of this LUC is to prohibit the development or use of the Stormwater Management and Recreational/Residue Areas of the site for residential purposes. Upon completion of remediation, the applicant will submit a Final Report, documenting that all work is complete.

**Applicant:**

U.S. Home, LLC  
14280 Park Meadow Sr, Suite 108  
Chantilly, VA 20151

**Site Location:**

Kearneysville Pike  
Kearneysville, Jefferson County, WV

**Current Site Use:**

The site is primarily fallow land. Historically, the land was used for agricultural purposes, including growing crops. Approximately 35 acres of orchards were identified on the central and northern portions of the Site from at least 1944 through the early 1970s. Site-wide environmental assessment was performed between March 2023 and January 2025 to identify and delineate Contaminants of Potential Concern.

**Contaminants of Concern:**

Contaminants of concern (COC) are limited to arsenic and lead in soil at the Site. Potential sources of these contaminants in soil may include historical pesticide application (arsenic) and household debris or lead-based paint (lead).

**Remediation Standards and Exposure Control Methods:**

A human health risk assessment has been conducted to evaluate the potential for adverse human health effects that may result from exposure to COCs in soil under current and planned future use. For lead, the evaluation indicated acceptable results in all areas of the Site, and no exposure restrictions were warranted. For arsenic, representative soil concentrations from Residential Areas, the Stormwater Management Area, and Recreational/Residue Areas were compared to site-specific background values and site-specific risk-based target concentrations. Since background concentrations of arsenic are shown to result in risks greater than  $1 \times 10^{-6}$ , the site-specific risk-based concentrations were based on a target risk of  $1 \times 10^{-4}$ , which is an approach that is acceptable under the VRP. Arsenic was determined to meet site-specific background levels in the Residential Areas, and acceptable site-specific risk-based concentrations in the Stormwater Management and Recreational/Residue Areas. However, because the site-specific concentrations reflect a cancer risk greater than  $1 \times 10^{-6}$  (1 in 1,000,000), a public notice and public meeting are required in accordance with the Voluntary Remediation and Redevelopment Rule, §60-3-7.12. Institutional controls will also be used to manage human health exposure at the Site to achieve remedial action objectives and will include a Land Use Covenant (LUC) to be recorded in the Jefferson County Clerk's Office. The intent of this LUC is to prohibit the development or use of the Stormwater Management and Recreational/Residue Areas of the site for residential purposes. Upon completion of remediation, the applicant will submit a Final Report, documenting that all work is complete.

**Site Documents Availability:**

Interested individuals may review and/or copy the site documents at the following locations:

WVDEP – Office of Environmental Remediation  
601 57th Street SE  
Charleston, WV 25304  
Phone: 304-926-0499

**Questions or Comments:**

A 30-day comment period will start December 25, 2025 and end January 24, 2026. A public meeting will be held at Shepherdstown Public Library, 145 Higbee Lane, Shepherdstown, WV 25443 on January 13, 2026 at 12:00pm.

Comments regarding the site or this notice should be directed to either:

W. Matthew Gadd, WVDEP  
131A Peninsula Street  
Wheeling, WV 26003  
Phone: 304-926-0499, ext. 00097

or

Andrew S. Hendricks, P.G., Licensed Remediation Specialist  
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Sterling, VA 20166  
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12/25/24