

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
\$250,000 EMERGENCY ACTION MEMORANDUM**

**Date:** February 3, 2011

**Subject:** Action Memorandum for a Removal Action at the Keeter Road Abandoned Drums Site pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104

**From:** Subash Patel, On-Scene Coordinator  
Emergency Response and Removal Branch

**Thru:** Matt Taylor, Chief  
Emergency Response Section

**To:** Site File  
Chris Masterson, REOC

**I. Purpose**

The purpose of this memorandum is to document the decision to initiate emergency response actions described herein for the Pickens County Drum Site located at 210 Keeter Road, Canton, Cherokee County, Georgia, pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104. Environmental Protection Agency (EPA) Region 4 delegation of authority may be found in "Delegation 14-2. Response, authority to obligate CERCLA funding in the amount of \$250,000 to initiate Removal Actions where site conditions constitute an emergency has been delegated to the On-Scene Coordinator (OSC)."

**II. Site Information**

**A. Site Description**

**Site Name:** Keeter Road Abandoned Drums Site  
**Superfund Site ID (SSID):** B4E5      **NRC Case No:** 966176  
**CERCLIS No:** GAN000410655      **Site Location:** Canton, GA  
**Lat/Long:** 34.1030000/-84.3138000      **NPL Status:** Non-NPL  
**Removal Start Date:** 1/31/11

## **B. Background**

### 1. Removal Site Evaluation

On January 31, 2011, an NRC report was submitted stating there were twenty abandoned drums containing unknown material on vacant property. A local bank owns the property through a foreclosure. The bank was contacted and gave written access permission to EPA to address the drums.

EPA OSC Subash Patel, START Contractor TTEMI, and ERRS Contractor ER met on-scene with the local bank personnel. Twenty-one drums were located at the scene. The scene was documented prior to any response actions. The drums were unsecured and assessable to trespassers. The property is adjacent to residential homes and the drums were located within ten feet of a vegetable garden. Numerous children were seen in the area playing in the vicinity of the drums. The drums were also within ten feet of a drainage ditch.

The drums were inventoried. Drums with similar contents were grouped together. Several drums consist of similar contents found in other recent drum sites in the North Georgia area which contained flammable, acid, and caustic materials. Samples were collected for laboratory analysis. Samples of each potential waste stream were collected based on the classifications.

Based on the release of hazardous substances to the environment, OSC Patel determined that conditions at the Site meet criteria listed under 40 CFR Part 300.415 for initiation of an emergency removal action.

### 2. Physical Location and Site Characteristics

The Site is located in a residential area located at 210 Keeter Road, Canton, Cherokee County, Georgia. The Site is adjacent to residential homes.

### 3. Release or Threatened Release into the Environment of a Hazardous Substance, or Pollutant or Contaminant

The site consists of twenty-one drums that were abandoned and unsecured. The drums vary in condition and quantity of material. Several drums consist of similar contents found in other recent drum sites in the North Georgia area which contained flammable, acid, and caustic materials. The presence of this material constitutes a release into the environment of a hazardous substance.

### III. Threats to Public Health, Welfare, or the Environment

#### A. Nature of Actual or Threatened Release of Hazardous Substances, Pollutants or Contaminants

The drums containing unknown substances were located in the backyard of a residential property adjacent to a creek. The presence of these unknowns in an unsecure area presents a threat to public health and the environment. Children have been seen near the drums.

#### B. Applicable factors which were considered in determining the appropriateness of a removal action:

x 300.415(b)(2)(i) "Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants."

The drums are located in a residential area. Children were found playing near the drums. A vegetable garden is located within ten feet of the drums. Several drums consist of similar contents found in other recent drum sites in the North Georgia area which contained flammable, acid, and caustic materials. The presence of these substances in a public area creates an actual exposure threat to nearby human populations.

x 300.415(b)(2)(iii) "Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release."

Many drums were deteriorating which may result in a release of its content to the soil and drainage ditch. Several drums were rusted and had to be overpacked.

x 300.415(b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released."

Rain events may cause released material to migrate to a larger area along the surface water pathway. The drums were adjacent to a drainage ditch.

x 300.415(b)(2)(vi) "Threat of fire or explosion."

Several drums consist of similar contents found in other recent drum sites in the North Georgia area which contained flammable, acid, and caustic materials. The presence of this material in an unsecure environment creates a threat of fire or explosion.

X 300.415(b)(2)(vii) "The availability of other appropriate federal or state response mechanisms to respond to the release."

At this time there are no State mechanisms that are able to respond to this incident with the resources needed to assume the cleanup.

#### **IV. Selected Removal Action and Estimated Costs**

##### **A. Situation and Removal Activities to Date**

###### 1. Current Situation

The weather is cool in the low 40s with a moderate breeze. There is no media involvement with the Site.

###### 2. Removal Activities to Date

###### a. Federal Government/Private Party

Based upon the conditions of the situation, EPA, ERRS, and START mobilized to stabilize the site. Emergency removal activities include, but are not limited to, the following:

- i. Preparation of a Health and Safety Plan
- ii. Initial air monitoring to determine presence of threats.
- iii. Stabilization of drums.
- iv. Collect samples for analytical testing.
- v. Segregating drums according to compatibility.
- vi. Completing an inventory of drums including number, any identifying labels, drum condition and characteristics, and hazard categorization results.
- vii. Providing analytical for disposal profiling.
- viii. Providing off-site disposal, treatment, or recycling of drums.

b. State/Local

Georgia Department of Natural Resources personnel enlisted the support of EPA Region 4 to manage the clean-up of the abandoned drums.

3. Enforcement<sup>1</sup>

There is currently an investigation underway to determine the responsible party in this case.

**B. Planned Removal Actions**

1. Proposed Action Description

The specific tasks involved in the proposed response to the threats include:

- i. Preparation of a Health and Safety Plan.
- ii. Mobilize manpower and equipment necessary.
- iii. Segregation of highly contaminated items for disposal.
- iv. Transfer materials from suspect containers into suitable containers.
- v. Move viable containers as determined by OSC.
- vi. Completing an inventory of drums.
- vii. Providing analytical for disposal profiling.
- viii. Providing off-site disposal, treatment, or recycling of materials.
- ix. Performing site restoration as necessary.

Any off-site disposal will be in compliance with the CERCLA off-site disposal policy.

2. Contribution to Remedial Performance

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<sup>1</sup> Enforcement strategy is not part of the Action Memo for purposes of NCP consistency.

The proposed actions will, to the extent practicable, contribute to the efficient performance of any long-term remedial action at the site.

### 3. ARARS

Removal actions conducted under CERCLA are required to attain ARARS to the extent practicable. In determining whether compliance with ARARS is practicable, the OSC may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted.

The Federal ARARS identified for the site include:

RCRA Land Disposal Restrictions  
 RCRA Treatment, Storage and Disposal  
 RCRA Transportation  
 DOT  
 OSHA

The State has not provided any ARARS.

### 4. Project Schedule

The removal action is anticipated to be completed within two weeks of the Start Date listed in Section II of this document.

### C. Estimated Costs<sup>3</sup>

	<u>Ceiling</u>	<u>Costs to Date</u>
ERRS - Environmental Restoration .....	\$160,000	\$ ,
START - Tetra Tech .....	\$50,000	\$ ,
Extramural Contingency (20%) .....	<u>\$40,000</u>	<u>\$ ,</u>
<b>TOTAL, Extramural Costs .....</b>	<b>\$250,000</b>	<b>\$ ,</b>
<b>TOTAL REMOVAL PROJECT CEILING .....</b>	<b>\$250,000</b>	<b>\$ ,</b>

<sup>3</sup> Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

**V. Expected Change in the Situation Should Action be Delayed or Not Taken**

A delay in action or no action at this Site would increase the actual or potential threats to the public and the environment.

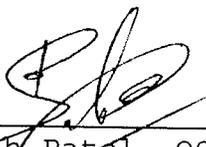
**VI. Outstanding Policy Issues**

None

**VII. Approval**

This decision document represents the selected removal action for this Site, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. This decision is based on the administrative record for the site.

Conditions at the site meet the NCP section 300.415(b) criteria for a removal and through this document I am approving the proposed removal actions. The total project ceiling is \$250,000, of which, an estimated \$160,000 may be funded from the Regional removal advice of allowance.

  
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Subash Patel, OSC  
U.S. EPA, Region 4

2/3/11  
\_\_\_\_\_  
Date