



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 W. JACKSON BLVD

CHICAGO, IL 60604

17 MAY 2011

EPA Region 5 Records Ctr.



388929

MEMORANDUM

SUBJECT: Action Memorandum: Request for a Removal Action at the Packard Plant Site (SSID # B5ZR) located in Detroit, Wayne County, Michigan.

FROM: Brian Kelly, OSC
Emergency Response Section 2

THRU: Beverly Kush, Chief
Emergency Response Section 2

TO: Jason H El-Zein, Chief
Emergency Response Branch 1

I. Purpose

The purpose of this Action Memorandum is to request and document approval of the selected removal action described herein for the Packard Plant Site located in Detroit, Wayne County, Michigan and a ceiling amount not to exceed \$35,508.

The property consists of 6 buildings on both sides of East Grand Boulevard. The Packard Motor Car Company built the complex in 1907 for automobile and truck manufacture. The company went out of business in 1956. Most buildings are in severe disrepair. During the EPA site evaluation, seven drums were found partially buried in the northwest corner of the site. EPA sampled four of these drums, one of which showed a flash point of 93 degrees Fahrenheit (°F), which according to 40 CFR 261.21 Characteristic of Ignitability, a waste with a flash point less than 140 °F is a hazardous waste. The drums are rusted, two of them are breached, and the drums are exposed to the elements and can be accessed by anyone entering the site. There is extensive evidence of graffiti and arson at the site. The OSC proposes to sample, secure, and remove the drums for off site disposal.

II. Site Information

A. Site Description

Name: Packard Plant Site

Superfund Site ID (SSID): B5ZR

CERCLIS Number: MIN000510528

Site Location: 1539 E. Grand Blvd., Detroit, Michigan
Lat/Long: 42.381, -83.030
Potentially Responsible Party (PRP): Bioresource
NPL Status: Non NPL
Removal Start Date: TBD
Project Schedule: 10 working days

B. Site Background

1. Removal Site Evaluation

On March 28 and 31, 2011, EPA, at the request of the City of Detroit Environmental Affairs, conducted a site evaluation of the abandoned Packard Plant. During the evaluation, seven drums were found partially buried in the northwest corner of the site. EPA sampled four of these drums, one of which showed a flash point of 93 degrees Fahrenheit (°F). According to 40 CFR 261.21 Characteristic of Ignitability, a waste with a flash point less than 140 °F is a hazardous waste. The drums are rusted, two of them are breached, and the drums are exposed to the elements and can be accessed by anyone entering the site. There is extensive evidence of graffiti and arson at the site.

2. Physical location and site characteristics

The Packard Plant is located at 1539 E. Grand Blvd., Detroit, Michigan, 48211. The 35 acre facility has been nearly abandoned since the 1950s. To the north, west, and south the site is boarded by industrial facilities; to the east by residential. I-94, a major expressway, is less than 250 feet from the location of the drums.

The Packard Plant is located at the intersection of East Grand Boulevard and Concord Avenue in Detroit, Michigan. The property consists of 6 buildings on both sides of East Grand Boulevard. The Packard Motor Car Company built the complex in 1907 for automobile and truck manufacture. The company went out of business in 1956. Most buildings are in severe disrepair.

In 1996, U.S. EPA conducted a PCB cleanup in the southern end of the property owned by Berger Corporation.

In January of 1999, MDEQ conducted an interim response to remove asbestos, debris, and hazardous material. The response was halted in April of 1999, due to a court issued injunction by a party claiming a mortgage interest..

In 2001, MDEQ conducted an emergency removal waste stored during the 1999 work phase.

3. EJ Analysis

The area surrounding the Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ Assist Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT)). Census tracts with a score of 1, 2, or 3 are considered

to be high-priority potential EJ areas of concern according to EPA Region 5. This Site is in a census tract with a score of 1 (Attachment 2). Therefore, Region 5 considers this site to be a high-priority potential EJ area of concern. Please refer to the attached analysis for additional information.

III. Threats to Public Health Welfare or the Environment

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

During the evaluation, seven drums were found partially buried in the northwest corner of the site. U.S. EPA sampled four of these drums, one of which showed a flash point of 93 °F. According to 40 CFR 261.21 Characteristic of Ignitability, a waste with a flash point less than 140 °F is a hazardous waste. The drums are rusted, two of them are breached, they are exposed to the elements, and can be accessed by anyone entering the site. There is extensive evidence of graffiti and arson at the site.

B. Check applicable factors (from 40 CFR 300.415) which were considered in determining the appropriateness of a removal action:

- ☒ Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)].
- ☐ Actual or potential contamination of drinking water supplies or sensitive ecosystems [300.415(b)(2)(ii)].
- ☒ Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415(b)(2)(iii)].
- ☐ High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate [300.415(b)(2)(iv)].
- ☒ Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415(b)(2)(v)].
- ☒ Threat of fire or explosion [300.415(b)(2)(vi)].
- ☒ The availability of other appropriate federal or state response mechanisms to respond to the release [300.415(b)(2)(vii)].
- ☐ Other situations or factors that may pose threats to the public health or welfare of the United States or the environment [300.415(b)(2)(viii)].

IV. Endangerment Determination

Given the site conditions, the nature of the suspected hazardous substances on-site, and the potential exposure pathways described in Section III above, actual or threatened releases of hazardous substances from this site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare, or the environment.

V. Selected Removal Action and Estimated Costs

A. Situation and Removal Activities to Date

1. Current situation

The drums are unsecured, two of them are breached, and the drums are exposed to the elements and can be accessed by anyone entering the site. The City of Detroit has requested EPA assistance in addressing environmental hazards at the site.

2. Removal activities to date

None

3. Enforcement

Where the responsible parties are known, an effort initially shall be made, to the extent practicable, to determine whether they can and will perform the necessary removal action promptly and properly.

B. Planned Removal Actions

1. Proposed action description

The OSC proposes to undertake the following actions to mitigate the potential threats posed by the presence of hazardous substances at the site:

- a. Develop and implement a health and safety plan;
- b. Secure the drums in a lockable on-site storage unit;
- c. Characterize, remove, and properly dispose of the drums and associated contaminated soil and debris located at the site in accordance with U.S. EPA's Off-Site Rule (40 CFR § 300.440).

2. Contribution to remedial performance

No remedial action is anticipated.

3. Post-Removal Site Control

The removal action will be conducted in a manner not inconsistent with the NCP. In accordance with 40 C.F.R. §300.415(l), EPA will pursue appropriate arrangements for post-removal site controls to ensure the long-term integrity

of the removal. Complete removal of the hazardous substances; however, is expected to eliminate the need for post-removal site controls.

4. ARARs

Federal ARARs for this site primarily include 40 CFR 300.415(b)(2), 40 CFR Part 260, and 40 CFR 300.440. A letter was sent to the Michigan Department of Environmental Quality asking them to identify State ARARs. State ARARs identified in a timely manner will be complied with 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

5. Estimated Costs*

<u>Extramural Costs:</u>	
<u>Regional Removal Allowance Costs:</u>	\$24,960
Cleanup Contractor Costs	
<u>Other Extramural Costs Not Funded from the Regional Allowance: START</u>	\$7,320
Subtotal	\$32,280
Contingency costs (10% of Subtotal)	\$ 3,228
Total Removal Project Ceiling	\$35,508

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA as set forth in Section 107 of CERCLA. "

6. Disproportionate Finding

The response actions described in this memorandum directly address the actual or threatened release at the site of a hazardous substance, which may pose an imminent and substantial endangerment to public health, welfare, or the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

7. Project Schedule

The project will require approximately 10 working days to complete.

VI. 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 health, welfare, or the environment.

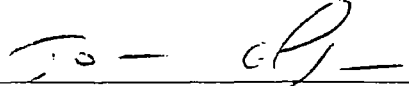
VII. Outstanding Policy Issues

None

VIII. Recommendation

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. Conditions at the site meet the NCP section 300.415(b) criteria for a removal action.

This decision is based on the administrative record (Attachment 1) for the site and your approval is recommended. If approved, the total project ceiling will be \$35,508, of which an estimated \$28,188 comes from the Regional Removal Allowance. Approval may be indicated by signing below.

APPROVE:  DATE: 5-17-11
Jason H. El-Zein, Chief
Emergency Response Branch 1

DISAPPROVE: _____ DATE: _____
Jason H. El-Zein, Chief
Emergency Response Branch 1

Enforcement Addendum

- Attachments
1. Administrative Record Index
 2. Region 5 EJ Analysis
 3. Independent Government Cost Estimate

cc: S. Fielding U.S. EPA, 5203-G, fielding.sherry@epa.gov
M. Chezick, U.S. DOI, w/o Enf. Addendum, michael_chezick@ios.doi.gov
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ENFORCEMENT CONFIDENTIAL ADDENDUM

**PACKARD PLANT SITE
DETROIT, WAYNE COUNTY, MICHIGAN**

MAY 12, 2011

(REDACTED 1 PAGE)

**ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY**

ATTACHMENT 1

ADMINISTRATIVE RECORD
FOR
PACKARD PLANT SITE
DETROIT, MICHIGAN

ORIGINAL
MAY 2011

<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1	05/15/10	Weston Solutions, Inc.	Kimble, J., U.S. EPA	Memorandum re: City of Detroit Wind Survey Conducted at 1539 E. Grand Boulevard	2
2	01/28/11	Weston Solutions, Inc.	U.S. EPA	Property Ownership Map: Former Packard Plant Site Assessment	1
3	04/11/11	Weston Solutions, Inc.	File	Data Validation Report for the Packard Plant Site	28
4	04/28/11	Michigan Dept. of Licensing & Regularity Affairs	File	Corporate Identity Details for Bioresource, Inc.	1
5	05/13/11	Scott, R., City of Detroit	Kelly, B., U.S. EPA	E-mail Message re: Request for U.S. EPA Assistance with Removal of Hazardous Materials from City of Detroit Owned Parcels	1
6	00/00/00	Kelly, B., U.S. EPA	El-Zein, J., U.S. EPA	Action Memorandum: Packard Plant Site (PENDING)	

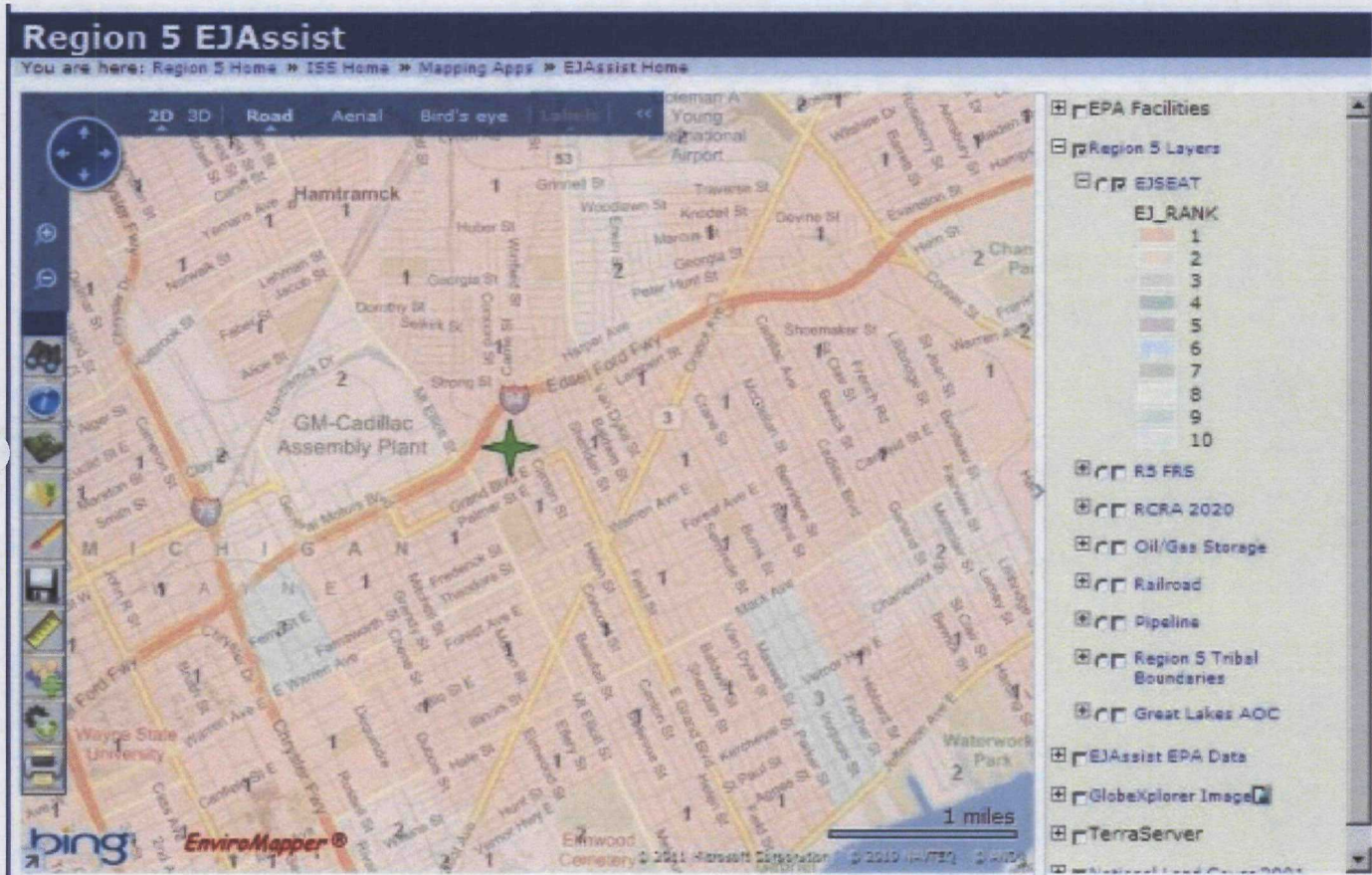
ATTACHMENT 2

EJ ANALYSIS FOR PACKARD PLANT SITE

MAY 2011

The area surrounding the Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ Assist Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT)). Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to EPA Region 5. This Site is in a census tract with a score of 1 (Attachment A). Therefore, Region 5 considers this site to be a high-priority potential EJ area of concern. Please refer to the attached analysis for additional information.

Map Showing EJ SEAT Values For Surrounding Area



ATTACHMENT 3

INDEPENDENT GOVERNMENT COST ESTIMATE

**PACKARD PLANT SITE
DETROIT, WAYNE COUNTY, OHIO**

MAY 2011

NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION

(REDACTED 2 PAGES)