



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

NOV 29 2011

ACTION MEMORANDUM

SUBJECT: Action Memorandum for a Removal Action at the Byasse Drive Drum Site pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104.

FROM: James O. Silver, On-Scene Coordinator
Emergency Response and Removal South Branch

TO: Scott Hayes, Chief
Emergency Response and Removal South Branch

I. Purpose

The purpose of this Action Memorandum is to document the decision to initiate an emergency removal action described herein for the Byasse Drive Drum Site located in Hazelwood, St. Louis County, Missouri, pursuant to the On-Scene Coordinator's delegated authority under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104. The U. S. Environmental Protection Agency's Criminal Investigation Division (CID) was notified by a concerned citizen that containers of hazardous waste were located in a trailer on a lot on Byasse Drive. In June 2011, CID along with the Missouri Department of Natural Resources (MDNR) sampled 17 drums found in the trailer, and laboratory analysis showed that the drums contained a characteristic hazardous waste (i.e. the sample flashed at a temperature less than 60° C).

II. Site Information

A. Site Description

Site Name: Byasse Drive Drum Site
Superfund Site ID (SSID): B735
NRC Case Number: N/A
CERCLIS Number: MON000706324
Site Location: Hazelwood, Missouri
Lat/Long: 38.764245 , -90.360555
Potentially Responsible Party (PRP): No viable PRP
NPL Status: Not an NPL site
Removal Start Date: November 20, 2011

B. Site Background

1. Removal Site Evaluation

In December 2009, Michael Redding, owner of R&I Consulting, acquired equipment and assets inside the former buildings of Kohler Print Group, 9400 Page Avenue, St. Louis, Missouri. Kohler Print Group had declared bankruptcy and was closed by their bank. The bank subsequently sold the assets/equipment inside the buildings and Redding became responsible for liquidating/cleaning out the buildings. As part of Redding's agreement with the bank, the buildings at the site of Kohler Print Group were to be returned to the bank empty and clean.

Inside one of the buildings were 55-gallon drums labeled as both non-hazardous and hazardous waste, and pallets of printing ink. When the buildings were to be returned to the bank, Redding acquired several tractor trailers from the company Motor Services Incorporated. These tractor trailers were to serve as temporary storage for assets remaining in the buildings. The tractor trailers were loaded and stored at the site of Motor Services Incorporated. The containers of hazardous waste were placed in the nose of the trailer and other items were arranged in such a manner that the containers were not easily visible. Employees at Motor Services Incorporated later discovered that drums and pallets of ink labeled as hazardous and non-hazardous waste were being stored in the tractor trailers.

Redding had rented these units around April 2010, and had made one payment to Motor Services Incorporated in May 2010. He has made no subsequent payments. Motor Services Incorporated is currently owed more than \$7,700.00 in back rent and despite numerous attempts, including certified mail, they have received no correspondence with Redding since the aforementioned payment.

The EPA's CID became aware of the trailer and its contents from information provided by a concerned citizen. CID made contact with Redding and advised him that he was responsible for the disposal of the containers. Redding stated that he was bankrupt, was losing his house and would not dispose of the containers.

On June 3, 2011, CID and MDNR sampled the contents of 17 drums in the abandoned trailer. Sixteen of the samples were found to be characteristic hazardous waste, due to ignitability.

CID requested assistance from the EPA in disposing of the drums. The EPA visited the site on November 10, 2011, and discovered, along with the drums, there were thirteen pallets containing five gallon buckets of ink, and five pallets of ink in five pound containers.

A number of hazardous substances were identified by laboratory analysis, including:

Analyte	Concentration
1,2,4-Trimethylbenzene	29,100,000 ug/kg
Cromium	TCLP 4.99 mg/L
1,3,5-Trimethylbenzene	15,200,000 ug/kg
Flash point	23.5 ° C
Flash point	25° C

2. Physical location and Site characteristics

The trailer containing the hazardous waste is located on a gravel lot at 103 Byasse Drive, Hazelwood, Missouri. The area is mostly commercial and industrial, with a few residences. It is within one-half mile of Lambert International Airport.

3. Release or threatened release into the environment of a hazardous substance, pollutant or contaminant.

Laboratory analysis shows that the contents of the drums are a characteristic ignitable hazardous waste according to 40 CFR part 261 subpart C.

III. Threats to Public Health Welfare or the Environment

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

The trailer containing the hazardous waste was abandoned by the owner of the waste in April 2010, more than 18 months ago.

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. Selected Removal Action and Estimated Costs

A. Situation and Removal Activities to Date

1. Current Situation.

The trailer is abandoned on a lot accessible to vandals and trespassers. There is considerable traffic in and out of the lot where the trailer is staged.

2. Removal activities to date:

a. State/local

MDNR provided assistance in sampling of the drums and provided laboratory analysis of the contents. MDNR does not have funding available for disposal of the waste.

b. Federal Government/Private Party

The EPA's CID conducted an investigation and tracked the waste from its source to the trailer. The EPA will arrange for the disposal of the waste.

B. Estimated Costs*

Contractor costs	\$12,787
Other Extramural Costs (Strike Team, other Fed Agencies)	
Contingency costs (20% of subtotal)	\$ 2,557
Total Removal Project Ceiling	\$15,344

*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. "

V. Expected Change in the Situation Should Action Be Taken or Not Be Taken

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

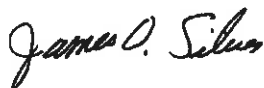
VI. Outstanding Policy Issues

None

VII. Approvals

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 action and through this document I am approving the proposed removal actions. The total project ceiling is \$15,344; this amount will be funded from the Regional removal allowance.



James O. Silver,
Federal On-Scene Coordinator

11-16-11
Date

**VIII. ENDANGERMENT DETERMINATION UNDER CERCLA SECTION 106:
HAZARDOUS SUBSTANCES**

“Actual or threatened releases of hazardous substances from this site may present an imminent and substantial endangerment to public health, or welfare, or the environment.”



Scott Hayes, Chief
Emergency Response and Removal South Branch

11/29/11

Date