



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue, Suite

OFFICE OF  
ENVIRONMENTAL CLEANUP

13 July 2011

SUBJECT: 2<sup>nd</sup> Amendment to the Action Memorandum for a Emergency Removal  
Action at the Orofino Asbestos Site, Orofino, Clearwater County, Idaho

FROM: Earl Liverman, Federal On-Scene Coordinator *Ch D Field*  
Emergency Response Unit

THRU: Chris D. Field, Manager *Ch D Field*  
Emergency Management Program

TO: Daniel D. Opalski, Director  
Office of Environmental Cleanup

## I. PURPOSE

The purpose of this Action Memorandum Amendment is to request and document approval of the selected removal action described herein, which is a change in the scope of the response, for the Orofino Asbestos Site (Site) in Orofino, Clearwater County, Idaho.

The proposed removal action is expected to be a potentially responsible party (PRP) lead action. The PRPs are Owyhee Construction, Riverside Water and Sewer District, and Riverview Construction. The removal action is expected to be conducted by the PRPs in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) with oversight by the U.S. Environmental Protection Agency (EPA).

## II. SITE CONDITIONS AND BACKGROUND

The CERCLIS ID No. is IDN001002885 and the Site ID No. is 10JN.

### A. Site Description

#### 1. Removal site evaluation

The original Action Memorandum (dated 09/30/2010) identified seven locations, including property also known as the Riverview Construction Asbestos Site. The project ceiling for this action is \$840,000. During conduct of this removal action, the U.S. Environmental Protection Agency (EPA) identified an additional fourteen locations<sup>1</sup>

<sup>1</sup> Note: This number has changed since the 1<sup>st</sup> amendment to the Action Memorandum. See the Site Characteristics section below for explanation.

where asbestos contaminated soil was placed as fill material (or was suspected to have been placed) as part of the 2008 Phase II and 2009 Phase III construction of waterline improvements for the Riverside Water and Sewer District (District) in the City of Orofino and Clearwater County, and EPA discovered many scattered pieces of suspected asbestos cement pipe (ACP) laying on the ground surface along public rights-of-way (ROW) where the Phase II and Phase III waterline improvements occurred.

The Ceiling Increase and Change in the Scope of Response Amendment (signed/approved 05/18/2011) to the original Action Memorandum enabled EPA to continue cleanup of the known and newly discovered locations where asbestos contaminated soil was placed as fill material or discarded along public ROWs. The project ceiling was increased to \$1,176,000. To date, cleanup work was completed at 12 locations, interim gravel barriers were constructed at five locations, and work was postponed at four locations because the landowners could not be contacted or because the encroaching fall and winter weather prevented removal of the contaminated materials.

The purpose of this Amendment is to enable completion of the five locations where interim gravel barriers were constructed and where work was postponed until 2011 at the other four locations because the landowners could not be contacted or because of inclement weather.

The status of all currently known locations is summarized below in Table 1.

<b>Table 1</b>		
<b>Summary – Orofino Asbestos Locations</b>		
<b>07/22/10 AM Location</b>	<b>2010 Work</b>	<b>2011 Work</b>
12976 Highway 12	Interim Cover	X
<b>09/30/10 AM Locations</b>	<b>2010 Work</b>	<b>2011 Work</b>
12586 Hartford Avenue	X	
14228 Highway 12	X	
256 2 <sup>nd</sup> Street	X	
131 122 <sup>nd</sup> Street	X	
291 118 <sup>th</sup> Street	Interim Cover	X
4753 Transfer Station Road	Interim Cover	X
<b>Locations Discovered During Fall 2010 Cleanup</b>	<b>2010 Work</b>	<b>2011 Work</b>
12140 Hartford Avenue	Interim Cover	X
12170 Hartford Avenue		X
12453 Hartford Avenue		X
12517 Hartford Avenue	Interim Cover	X
12611 Hartford Avenue	X	
12719 Hartford Avenue		X
12742 Hartford Avenue		X
12154 Indio Avenue	X	
12252 Indio Avenue	X	
12253 Indio Avenue	X	

12474 Indio Avenue	X	
12742 Jerome Avenue	X	
119 <sup>th</sup> Street	X	
10820 Highway 12	X	

## **2. Physical location**

All locations where soil containing ACP was placed as fill material are located within the City of Orofino or immediately outside the City limits in Clearwater County (Figure 1).

## **3. Site characteristics**

The original Action Memorandum identified off-Site disposal as the method of disposal for the asbestos-contaminated soil. The proposed change in the scope of involves consolidation of asbestos-contaminated soil on-Site beneath a protective barrier because of the large quantity of contaminated soil that would have to be transported off-Site for disposal. Institutional controls will be imposed to ensure the continued protection of human health and the integrity of the cleanup action and the action is cost-effective. Additionally, the 130 122<sup>nd</sup> Street location was previously included in the 1<sup>st</sup> Amendment to the original Action Memorandum, but is not included in this amendment because the asbestos-containing cement or transite appears to be unrelated to the waterline improvements.

## **4. Release or threatened release into the environment of a hazardous substance, or pollutant, or contaminant**

Refer to original Action Memorandum.

## **5. NPL status**

Refer to original Action Memorandum.

## **6. Maps, pictures, and other graphic representations**

Refer to attached Figure 1 (Property Status at the End of 2010).

## **B. Other Actions to Date**

### **1. Previous actions**

Refer to original Action Memorandum and 1<sup>st</sup> Amendment to the original Action Memorandum.

### **2. Current actions**

Interim gravel barriers have been constructed at 5 locations pending final cleanup actions to be conducted during 2011.

**C. State and Local Authorities' Roles**

**1. State and local actions to date**

Refer to original Action Memorandum.

**2. Potential for continued State/local response**

Refer to original Action Memorandum.

**3. Government-to-Government Consultation with the Nez Perce Tribe**

Representatives of the Nez Perce Tribe were informed of the response action on 21 December 2010, and an offer to initiate government-to-government consultation was extended on 14 April 2011. A written response has not been received from the Tribe nor has there been any staff-to-staff exchange.

**III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES**

Refer to original Action Memorandum.

**IV. ENDANGERMENT DETERMINATION**

Refer to original Action Memorandum.

**V. CLEANUP ACTIONS AND ESTIMATED COSTS**

**A. Proposed Actions**

Consistent with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) [40 CFR 300.415(n)(3)], EPA has conducted community interviews with local officials, community residents, and other interested or affected parties, to solicit their concerns. Based on these interviews and other NCP considerations, EPA has determined that certain properties will be capped and other properties will be fully excavated, as indicated herein. In either case, EPA believes that human health will be protected and other removal criteria will be met.

**1. Cleanup Action Description**

The removal will address asbestos-containing material at the Site, including the following individual locations.

### *Individual Locations*

#### **a. 12976 Highway 12**

The interim crushed rock barrier constructed over the asbestos contaminated soil placed as fill material at 12976 Highway 12 will be amended with an additional 8 to 12 inches of similar crushed rock, the existing fence limiting access to the property will be maintained, and institutional controls (ICs) will be imposed to prohibit activities that may interfere with maintenance and monitoring or may result in the release of asbestos that was contained as a part of the cleanup action. The current and reasonably anticipated future land use for this private location is commercial and the cleanup action will likely not impede this use.

#### **b. 4753 Transfer Station Road**

The interim crushed rock barrier constructed over the asbestos contaminated soil placed as fill material at 4753 Transfer Station Road will be removed, the contaminated soil will be excavated to the underlying native material, and the crushed rock and excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the materials will be consolidated beneath an asphalt protective barrier. Large pieces of asphalt and/or concrete commingled with the contaminated soil may be removed and left on-Site provided the pieces are appropriately decontaminated. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. Only the over-excavated material will be backfilled with clean material such as gravel or soil; the excavated contaminated material will not be replaced. Disturbed areas will be graded to ensure proper surface water drainage and seeded. This location is public property owned and administered by Clearwater County.

#### **c. 12140 Hartford Avenue**

The interim crushed rock barrier constructed over the asbestos contaminated soil placed as fill material at 12140 Hartford Avenue will be removed, the contaminated soil will be excavated to the underlying native material, and the crushed rock and excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the materials will be consolidated beneath an asphalt protective barrier. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. The excavation will be backfilled with clean material to pre-existing dimensions, grade, and lines to eliminate safety concerns associated with leaving a rough, uneven soil surface. The clean material will be graded to ensure proper surface water drainage and seeded. The current and reasonably anticipated future land use for this private location is residential and the cleanup action will likely not impede this use.

**d. 12517 Hartford Avenue**

The interim crushed rock barrier constructed over the asbestos contaminated soil placed as fill material at 12517 Hartford Avenue to construct a parking lot will be removed, the contaminated soil will be excavated to the underlying native material, and the crushed rock and excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the materials will be consolidated beneath an asphalt protective barrier. The existing structural concrete retaining wall will be dismantled and set aside. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. The excavation will be backfilled with clean material to pre-existing dimensions, grade, and lines to restore the parking lot and to eliminate safety concerns associated with leaving a rough, uneven soil surface. The retaining wall will also be reconstructed to pre-existing dimensions, grade, and lines using the original concrete components. A 4-inch layer of crushed gravel will be placed over the clean backfill material. The current and reasonably anticipated future land use for this location is private religious and the cleanup action will likely not impede this use.

**e. 12719 Hartford Avenue**

All asbestos contaminated soil placed as fill material to construct an access ramp at 12719 Hartford Avenue will be excavated to the underlying native material, and the excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the material will be consolidated beneath an asphalt protective barrier. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. Only the over-excavated material will be backfilled with clean material such as gravel or soil; the excavated contaminated material will not be replaced because the ramp provides only secondary access to the property. Disturbed areas will be graded to ensure proper surface water drainage and seeded. The current and reasonably anticipated future land use for this private location is residential and the cleanup action will likely not impede this use.

**f. 12453 Hartford Avenue**

All asbestos contaminated soil placed as fill material at 12453 Hartford Avenue will be excavated to the underlying native material, and the excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the material will be consolidated beneath an asphalt protective barrier. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches

to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. Only the over-excavated material will be backfilled with clean material such as gravel or soil; the excavated contaminated material will not be replaced because the material is piled and has not been spread. Disturbed areas will be graded to ensure proper surface water drainage and seeded. The current and reasonably anticipated future land use for this private location is residential and the cleanup action will likely not impede this use.

**g. 12170 Hartford Avenue**

All asbestos contaminated soil placed as fill material at 12170 Hartford Avenue will be excavated to the underlying native material, and the excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the material will be consolidated beneath an asphalt protective barrier. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. The excavation will be backfilled with clean material to pre-existing dimensions, grade, and lines to eliminate safety concerns associated with leaving a rough, uneven soil surface. The clean material will be graded to ensure proper surface water drainage and seeded. The current and reasonably anticipated future land use for this private location is residential and the cleanup action will likely not impede this use.

**h. 12742 Hartford Avenue**

All asbestos contaminated soil placed as fill material at 12742 Hartford Avenue will be excavated to the underlying native material, and the excavated material will be transported to 291 118<sup>th</sup> Street, Orofino, where the material will be consolidated beneath an asphalt protective barrier. The native material will be determined visually, and the excavated area will be over-excavated by no more than an additional 6 inches to ensure that all asbestos was removed. One or more composite random soil samples will be collected and analyzed using Polarized Light Microscopy analysis to confirm removal of asbestos. The excavation will be backfilled with clean material to pre-existing dimensions, grade, and lines to eliminate safety concerns associated with leaving a rough, uneven soil surface. The clean material will be graded to ensure proper surface water drainage and seeded. The current and reasonably anticipated future land use for this private location is residential and the cleanup action will likely not impede this use.

**i. 291 118<sup>th</sup> Street**

All asbestos contaminated soil excavated as part of this cleanup action will be consolidated within an engineered structure designed and constructed to contain the asbestos contaminated soil and to prevent the release of the contaminated materials

contained as part of the cleanup action to ensure the continued protection of human health and the environment. The design will include placement of excavated asbestos contaminated soil, construction of a 4-inch asphalt barrier, construction of a modular concrete retaining wall, and appurtenant storm and surface water drainage features. Certain preliminary/intermediate design phase submittals such as drawings and specifications and maintenance and repair (M&R) requirements must be completed and approved before successive design phase documents are begun. Following the preliminary/intermediate phase, final construction drawings and specifications and O&M requirements will be submitted and approved before initiating construction activities. ICs will be imposed to prohibit activities that may interfere with maintenance and monitoring or may result in the release of asbestos that was contained as a part of the cleanup action. The current and reasonably anticipated future land use for this location is private religious and the cleanup action will likely not impede this use

#### *Long-term Monitoring and Maintenance*

A long-term maintenance and repair (M&R) program is expected to be conducted by the owners of property at 12976 Highway 12 and 291 118<sup>th</sup> Street where asbestos contaminated soil will remain on-Site, and subject to oversight under restrictive covenants consistent with state law. The M&R program is required to ensure the continued protection of human health of the cleanup action. ICs will be imposed to prohibit activities that may interfere with maintenance and monitoring or may result in the release of asbestos that was contained as a part of the cleanup action.

#### *Removal of ACP from Public ROWs*

The public ROWs where the District constructed the 2008 Phase II and 2009 Phase III waterline improvements will be surveyed to ensure that all ACP laying on the ground surface has been removed. Any found ACP will be removed and disposed of along with other contaminated material as described above.

#### *Best-Management Practices (BMPs):*

Temporary Best Management Practices (BMPs) will be implemented during cleanup activities to protect workers and the public from short-term construction impacts such as erosion, fugitive dust, and other similar potential impacts.

#### *Greener Cleanup Best Management Practices*

Appropriate and practicable greener cleanup BMPs will be encouraged during cleanup activities, including, but not limited to, minimizing energy consumption (e.g., using new and well-maintained equipment), minimizing generation and transport of fugitive dust (e.g., implementation of construction BMPs), minimizing waste generation through reuse (e.g., concrete and riprap) and recycling (e.g., recovered free product), minimizing impacts to water resources (e.g., implementation of construction stormwater and surface water BMPs), minimizing areas requiring activity or use limitations (e.g., source

removal), minimizing unnecessary soil and habitat disturbance, and minimizing lighting and noise disturbance (e.g., implementation of construction BMPs).

## **2. Contribution to remedial performance**

Refer to original Action Memorandum.

## **3 Applicable or relevant and appropriate requirements (ARARs)**

Refer to original Action Memorandum.

## **4. Project schedule**

Cleanup activities will likely begin August 2011, and are expected to require 4 to 6 weeks to complete all activities.

## **B. Estimated Costs**

The proposed removal action is expected to be a PRP-Financed action. However, if the PRPs are unwilling or unable to conduct the proposed removal, and EPA must do so, the EPA extramural costs for conducting the removal action described herein are estimated at \$700,000, which is in addition to the \$1,176,000 approved in the 1<sup>st</sup> Amendment (signed/approved 05/18/11). The project ceiling of \$1,876,000 does not include estimates of other costs such as intramural direct labor, travel, indirect costs, and subsequent enforcement costs that are recoverable under Section 107 of CERCLA.

## **VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN**

Refer to original Action Memorandum.

## **VII. OUTSTANDING POLICY ISSUES**

None.

## **VIII. ENFORCEMENT**

Refer to attached confidential enforcement addendum.

## **IX. RECOMMENDATION**

This decision document sets forth the selected removal action for the Orofino Asbestos Site located in Orofino, Clearwater County, Idaho, that has been developed in accordance with CERCLA, and is consistent with the NCP. This decision is based on the administrative record for the Site.

Conditions at the Site continue to meet the NCP 40 C.F.R. § 300.415(b) criteria for a removal action and I recommend your approval of the recommended removal action. The recommended removal action is expected to be conducted by the PRPs with oversight by EPA. However, if the PRPs are unwilling or unable to conduct the recommended removal action, and EPA must undertake all removal action work, the total project ceiling is currently estimated to be \$1,876,000.

**X. APPROVAL/DISAPPROVAL**

☒ Approval

  
\_\_\_\_\_  
Daniel D. Opalski, Director  
Office of Environmental Cleanup

7/15/11  
Date

☐ Disapproval

\_\_\_\_\_  
Daniel D. Opalski, Director  
Office of Environmental Cleanup

\_\_\_\_\_  
Date

**XI. ATTACHMENTS**

- Figure 1
- Confidential Enforcement Addendum
- Original Action Memorandum and 1<sup>st</sup> Amendment to the original Action Memorandum

