



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

MEMORANDUM

DATE: 18 May 2005

SUBJ: Request for a Ceiling Increase for the Emergency Removal Action at the Inter Royal Site, Plainfield, Windham County, Connecticut - **Action Memorandum**

FROM: Frank Gardner, On-Scene Coordinator (OSC) *DMcIntyre*
Emergency Response and Removal Section II

THRU: David McIntyre, Chief *DMcIntyre*
Emergency Response and Removal Section I

Arthur V. Johnson III, Chief *AVJ*
Emergency Planning & Response Branch

TO: *SS* Susan Studlien, Director *SS*
Office of Site Remediation and Restoration

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the proposed ceiling increase for the removal action at the Inter Royal Site (the Site), which is located at 20 Reservoir Street, Plainfield, Windham County, Connecticut. Hazardous substances present at the Site, and most immediately on the surface of the ground at the Site, if not addressed by completing the response actions approved previously in the Action Memorandum dated 29 April 2005 and Action Memorandum Addendum dated 2 May 2005, will continue to pose a threat to human health and the environment.

This site is an emergency removal action initiated on 28 April 2005 using warrant authority delegated to On-Scene Coordinators. There are no nationally significant or precedent-setting issues associated with this Site at this time.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID#: CTD045110913
SITE ID#: 012U
CATEGORY: Emergency

A. Background

Information presented below is new or changed information about the site. For previously established information about the removal site evaluation, other actions to date, and state and local authorities' roles, please refer to the original, attached Action Memorandum dated 29 April 2005 and Action Memorandum Addendum dated 2 May 2005.

B. Current Situation

- Response personnel have completed cleaning up fire debris that had been deposited by the fire (approximately 681 residential properties).
- Limited response personnel remain available to clean up fire debris on an as-needed or call-back basis in the event additional debris is found at residences in the affected area.
- A guard service is providing site security.
- The ERRS contractor is currently demolishing the remaining portions of the fire-damaged structure which are structurally unstable, so that sampling crews can safely enter the area to assess whether hazardous substances may be present in debris, ash, and firefighting water.
- As demolition activities have progressed, four wall-mounted electrical transformers have been recovered from the building ruins. The transformers appear to be intact and are not leaking. They have been staged for characterization.

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

Threats to Public Health or Welfare

The following facts about asbestos are widely published. Asbestos fibers may enter the body by inhalation or ingestion, exposure to asbestos is associated with asbestosis, a chronic and debilitating lung disease, as well as the development of mesothelioma, a form of cancer. Asbestos-related malignancies may exhibit a latency period of up to forty years, so the effect of exposure may not be immediately apparent.

Receptors include the nearby community. The estimated population within a one-quarter mile radius of the Site is 589 people, and within a one-mile radius, 2973 people. The fire deposited asbestos-containing debris on public and private property up to five miles away from the facility.

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)];

Direct contact with friable asbestos is likely to occur because it is present in residential and public areas. Exposure scenarios include mowing lawns contaminated with pieces of friable asbestos-containing material. Walking, biking, driving, or similar activities on asbestos-containing debris may contribute to its degradation, and thereby increase its ability to become airborne. Contact in this manner may also result in tracking asbestos directly into private residences.

Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release [§300.415(b)(2)(iii)];

Four wall-mounted electrical transformers were found in the ruins of the three-story building. These transformers are intact and may contain PCBs. If so, the PCBs could potentially be released if the transformers were left at the Site. PCBs have been found to be a probable carcinogen in humans. Direct contact and ingestion of PCB - contaminated soil and inhalation of PCBs in dust may cause liver and kidney damage, liver cancer, growth retardation during gestation and reproduction failure. Additional toxic effects in humans include chloracne, pigmentation of the skin and nails, excessive eye discharge, swelling of eyelids, distinctive hair follicles, and gastrointestinal disturbances.

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)];

Asbestos is a hazardous substance found in the ash from the fire at the Site. Seventeen of thirty-three samples collected from debris found lying on the surface of the ground have been found to contain asbestos at a concentration exceeding one percent (1%), and as high as eleven percent (11%). The exposed, asbestos-containing debris present over a wide area is friable, meaning it will crumble under hand pressure. Human activity or windy conditions may result in the migration of this material over a wider area.

Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released; [§300.415(b)(2)(v)];

Debris with the hazardous substance asbestos has floated more than a mile from the facility, and is present on the surface of the ground over a wide area. Wind may cause this contaminated debris to migrate. Exposure to cycles of wetting and drying may hasten its degradation, and thereby the potential to become airborne.

The availability of other appropriate Federal or State response mechanisms to respond to the release; [§300.415(b)(2)(vii)];

Neither the local nor the state government has the resources to complete the response action necessary to protect human health at this Site.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.¹

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The actions proposed below in this ceiling increase request remain unchanged from the original action memorandum, except for the additional task associated with the transformers. The “current situation” section, above, provides an outline of the progress made in meeting these objectives.

- Secure the site with a fence and/or guard personnel.
- Post warning signs.
- Use heavy equipment for the purposes listed below, and other related purposes.
 - Extinguish the fire completely by moving smoldering rubble so it can be flushed with water, thereby preventing the migration of additional asbestos-containing material away from the Site.
 - Knock down unstable portions of the building to make the scene safe for fire officials to completely extinguish the fire, allow cleanup personnel to remove asbestos deposited outside the building by the fire, and assess the building remains.
- Collect asbestos-containing debris deposited by the fire on many public and private properties. This may include picking up debris by hand, using water to flush debris off surfaces such as roofs, vacuuming up pieces of debris on outdoor surfaces such as lawns, pools, and roads.
- Store contaminated debris at the site temporarily.
- Dispose of asbestos at a properly permitted, off-site disposal facilities.
- Characterize and dispose of PCB-containing electrical transformers recovered during demolition activities.
- Provide analysis of air, soil, water, and waste samples.

¹ In accordance with OSWER Directive 9360.0-34, an endangerment determination is made based on collaboration with trained risk assessors and relevant action levels or cleanup standards promulgated by the federal government or applicable state.

2. Community relations

EPA's has conveyed information about the Site to the community by participating in multiple press briefings, and providing interviews to the local news media, including television stations. EPA has identified a Public Information Officer for the Site. Pollution Reports will be available on the Agency's Removal Action web site, www.epaosc.org/interroyalfire, and distributed directly to federal, state, and local officials.

3. Contribution to remedial performance

The response action proposed in this Action Memorandum is designed to mitigate the threats to human health and the environment posed by the Site. The actions taken at the Site would be consistent with and will not impede any future responses.

4. Description of alternative technologies

Use of alternative technologies is not expected.

5. Applicable or relevant and appropriate requirements (ARARs)

During the emergency phase of this action, state ARARs listed previously are more appropriately categorized as relevant and appropriate rather than applicable as described in the original action memorandum.

6. Project schedule

This emergency removal action at the Inter Royal Site began on 28 April 2005. At this time, the projected duration of this response action is three months.

B. Estimated Costs

Below is the independent government cost estimate to initiate the proposed actions outlined above. Additional funding may be necessary to complete the proposed response actions.

COST CATEGORY		CURRENT	INCREASE	NEW CEILING
<i>REGIONAL REMOVAL ALLOWANCE COSTS:</i>				
ERRS ² Contractor		\$750,000.00	250,000.00	1,000,000.00
Interagency Agreement		\$ 0.00	\$ 0.00	\$ 0.00
<i>OTHER EXTRAMURAL COSTS NOT FUNDED FROM THE REGIONAL ALLOWANCE:</i>				
START ³ Contractor		\$400,000.00	00.00	\$400,000.00
Extramural Subtotal		\$1,150,000.00	\$250,000.00	\$1,400,000.00
Extramural Contingency	10%	\$115,000.00	\$25,000.00	\$140,000.00
TOTAL REMOVAL ACTION CEILING		\$1,265,000.00	\$275,000.00	\$1,540,000.00

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

In the absence of the response action described herein, conditions at the Site will persist. Asbestos will remain on-site, and continue to pose the threats to public health, welfare, or the environment outlined above.

VII. OUTSTANDING POLICY ISSUES

There are no precedent-setting policy issues at this Site at this time.

VIII. ENFORCEMENT -- Enforcement Strategy Attached for Internal Distribution Only

Given the exigency of the situation, an enforcement strategy is not available at this time.

² Emergency Rapid Response Services

³ Superfund Technical Assistance and Response

The total EPA costs for this removal action based on full-time accounting practices that will be eligible for cost recovery are estimated to be \$1,540,000.00 (extramural costs) + \$300,000.00 (EPA intramural costs) = \$1,840,000.00 X 1.3151 (regional indirect rate) = **\$2,419,784.00**⁴.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Inter Royal Site in Plainfield, Connecticut, developed in accordance with CERCLA, as amended, is not inconsistent with the National Contingency Plan. The Agency will document the basis for this decision in the administrative record within sixty days from 28 April 2005.

Conditions as the Site meet the NCP Section 300.415 (b) (2) criteria for a removal action as outlined below.

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)];

Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may 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)];

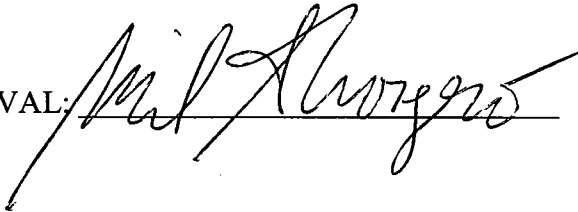
Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released; [§300.415(b)(2)(v)]; and,

The availability of other appropriate Federal or State response mechanisms to respond to the release; [§300.415(b)(2)(vii)].

⁴ Direct Costs include direct extramural costs \$1,540,000.00 and direct intramural costs \$300,000.00. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific costs [31.51% x \$1,840,000.00 = 579,784.00], consistent with the full 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.

I recommend that you approve the proposed removal action. The total removal action project ceiling if approved will be \$1,540,000.00. Of this total, no more than \$1,140,000.00 comes from the Regional removal allowance.

APPROVAL: _____



DATE: _____

5-19-05

DISAPPROVAL: _____

DATE: _____