



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 11 2012

ENFORCEMENT ACTION MEMORANDUM

SUBJECT: Request for a Removal Action at the American Electric/Ellis Road Site

FROM: Terrence Byrd, On-Scene Coordinator
Emergency Response and Removal Branch

THRU: Shane Hitchcock, Chief *KA*
Emergency Response and Removal Branch

TO: Franklin E. Hill, Director
Superfund Division *Franklin E. Hill*

SITE ID#: 049W

I. PURPOSE

The purpose of this Action Memorandum, pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), is to request and document approval of the proposed enforcement-lead removal action described herein for the American Electric/Ellis Road Site (the Site), located in Jacksonville, Duval County, Florida. The Site poses a threat to public health and the environment that meets the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) section 300.415(b)(2) criteria for removal actions. The Site was a former staging and re-packaging facility for the disposal of polychlorinated biphenol (PCB) transformers. A Steering Committee has been developed for the various Responsible Parties identified for this Site. This removal action is anticipated to be enforcement-lead pursuant to a Settlement Agreement and Administrative Order on Consent (AOC).

II. SITE CONDITIONS AND BACKGROUND

This time-critical removal has a listed CERCLIS ID: FLD981931827

A. Site Description

1. Removal Site Evaluation

From October 5 through 8, 2009, EPA/R4 and START OTIE conducted a Removal Site Evaluation (RSE) at the site, as well as neighboring properties. A total of 88 soil and sediment samples, including duplicates, were collected for polychlorinated biphenyls (PCBs) and metals analysis. In addition, eight soil samples were also collected for dioxin analysis. The analytical results indicated that 14 samples exceeded the residential Florida Department of Environmental Protection Soil Cleanup Target Level (SCTL) for arsenic, two samples exceeded the EPA Removal Management Level (RML) for aroclor

1260, 15 samples exceeded the residential FDEP SCTL for Total PCBs, and three samples exceeded both the EPA residential RML and the residential FDEP SCTL for total PCBs. All but one EPA RML exceedance were found on 475 and 495 Ellis Road. These included: 2 RML exceedances for aroclor 1260 with results of 24,000 ug/kg and 33,000 ug/kg, 2 RML exceedances for total PCBs with results of 30,200 ug/kg and 33,000 ug/kg, and 1 exceedance of dioxin Total Equivalent Quotient, Preliminary Remediation Goal (TEQ PRG) of 1,000 ng/kg with a result of 1,790 ng/kg. The remaining dioxin results ranged from .427 ng/kg to 14.5 ng/kg. The only other noted EPA RML exceedance was on 5554 Tyler Avenue, located adjacent to 475 Ellis Road. This exceedance was for total PCBs measuring 25,600 ug/kg.

Florida SCTL total PCB exceedances were noted on the 475 and 495 Ellis properties (690 – 8,100 ug/kg). Florida SCTL PCB total exceedances (590 ug/kg) were also noted on the 523 Ellis Road, the property just south of 495 and a parcel being noted as part of the original American Electric Site. Furthermore, Florida SCTL PCB total exceedances were noted in seven sediment samples. Two SCTL PCB sediment exceedances were from samples that were taken on the northern portion of the 475 Ellis Road (1,300 & 2,000 ug/kg). Four SCTL PCB sediment exceedances were located on the northern and southern portions of Harriet Avenue between the 495 and 523 Ellis Road properties (750 – 2,300 ug/kg). One SCTL PCB sediment exceedance was located north of 5546 Harriet Avenue. All of the sediment samples were taken in ditches, some of which contained water.

Florida SCTL arsenic exceedances were noted at various locations throughout the 475, 495, and 523 Ellis Road properties. These exceedances were above the Florida SCTL of 2.1 mg/kg (2.2 mg/kg - 3.7 mg/kg). One property was noted to have a somewhat higher exceedance of the Florida SCTL for arsenic. This property was located at 492 Harriet Avenue and it is geographically located at the furthest extent west of the American Electric Corporation (AEC) properties.

To summarize, the following EPA RML exceedances for aroclor 1260, PCBs and dioxin identified at the Site are noted. Two samples for the EPA RML for aroclor 1260 were exceeded on the 475 and 495 Ellis Road properties. EPA RMLs for total PCBs were exceeded on the 475 and 495 Ellis Road properties at two locations, as well as on the 5554 Tyler Avenue property at one location. An EPA RML exceedance for dioxin was noted on the 475 Ellis Road property. A table summarizing the combined soil and exceedances is shown below.

CONTAMINANT	RANGE	EPA RML	FL SCTL	Exceedances
Arsenic	2.2 – 24 mg/kg	39 mg/kg	2.1 mg/kg	14
Aroclor 1260	24,000 – 33,000 ug/kg	22,100 ug/kg	500 ug/kg	2
PCB	530 – 33,000 ug/kg	24,300 ug/kg	500 ug/kg	15
Dioxin (TEQ)	17,900 ng/kg	1,000 ng/kg	7 ng/kg	1

Table 1. Soil and Sediment Exceedances at the AE/Ellis Road Site

PCBs were noted at different locations throughout both the 475 and 495 Ellis Road properties, as well on the 523 Ellis Road property and the 5554 Tyler Avenue property. PCBs were also noted in sediment samples north of the 475 Ellis Road property, south of the 495 Ellis Road property, north of the 523 Ellis Road property, and north of the 5546 Harriet Avenue property (directly adjacent to the 523 property). Although the levels in sediment did not exceed the EPA RML for PCBs, the presence of PCBs in the sediments indicates that the hazardous substance may be migrating from the properties that encompass the original American Electric/Ellis Road Site.

2. Physical Location

The Site is located at 495 and 523 South Ellis Road in Jacksonville, Duval County, Florida and the areal extent of soil contamination emanating from the property on which AEC operated. The geographic coordinates are 30° 19' 08" north latitude and 81° 44' 37" west longitude. The property location is approximately 2 acres in size and is divided into a northern and a southern portion by Harriet Avenue. Due to a "mixed use" zoning designation, residents occupy some of the buildings at the site. Furthermore, residential properties surround the site to the north, south, and east, and commercial properties are located to the west. There are drainage ditches in the proximity of the Site that pose a risk of transporting contaminants through sediments.

There are populations that may be particularly vulnerable or sensitive, based on an analysis of potential environmental justice concerns. The analysis is included as an attachment.

3. Site Characteristics

AEC operated at the Site from 1981 to 1984 as a staging and re-packing facility for the disposal of PCB transformers. The company also provided for the transportation and disposal of others wastes. In 1984, a fire at the facility contributed to the spreading of contamination throughout the Site. Portions of the Site are open to the public and have residential dwellings located on the property. Although previous removal actions were conducted, as noted above, hazardous substances still remain on site.

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

The results of the 2010 RSE published in the Removal Investigation Report (RI) indicate the presence of PCBs at the Site. PCBs are hazardous substances as defined by §101 (14) of CERCLA. The EPA and the International Agency for Research on Cancer (IARC) have determined that PCBs are probable carcinogens to humans. PCBs, if released from the Site, have the capability of presenting a potential hazard to the occupants of the property and potentially to neighboring properties. The threat comes primarily from human exposure to the PCB contamination in surface soil through residential traffic and land use over the contaminated areas of the property. Direct contact, ingestion, and inhalation of PCBs are the primary pathways of exposure. Continued exposure of PCBs in surface soils may cause chronic health effects to the occupants of the property.

5. NPL Status

The Site is not on the National Priorities List (NPL).

6. Maps, pictures, and other graphic representations

Maps, pictures, and other graphics will be made available upon request.

B. Other Actions to Date

1. Previous Actions

In October 1988, the EPA conducted removal activities at the Site. The removal consisted of consolidating 15 vertical above ground storage tanks (ASTs) containing PCB-laden oil into three smaller above ground storage tanks. The emptied ASTs were demolished and disposed. The three ASTs were emptied and the PCB contaminated liquids were properly disposed of by the contractor. Further removal activities included the demolition of 3 smaller ASTs and the removal of contaminated soil located near the ASTs.

2. Current Actions

Currently, there are neither governmental nor private sector actions taking place.

C. State and Local Authorities' Role

1. State and Local Actions to Date

The Site was referred to the EPA by FDEP. FDEP continues to monitor the Site and requests to be kept informed of cleanup activities.

2. Potential for Continued State and Local Response

It is not anticipated that FDEP will perform any response activities at the Site. EPA will continue to coordinate with FDEP during the removal activities.

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

A. Threats to Public Health or Welfare

PCBs present in sediments, surface and subsurface soils pose the following threats to public health or welfare as listed in Section 300.415 (b)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP):

Section 300.415 (b)(s)(i): Actual or potential exposure to nearby populations, animals, or the food chain from hazardous substances or pollutants or contaminants. Residents were noted living on-site during the removal site evaluation. The results of the 2009 RSE indicated the presence of hazardous substances.

Section 300.415 (b)(s)(iv): High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate. Sample analysis has identified that surface soils exceed the RMLs for PCB/Aroclor, which is a hazardous substance.

Section 300.415 (b)(s)(v): Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released. The Site is located in an area that experiences seasonal torrential rains due to its location near the Atlantic Ocean. Due to erosion from the rains, it is foreseeable that the hazardous substances may migrate off site.

Section 300.415 (b)(s)(vii): Availability of other appropriate federal or state response mechanisms to respond to a release. State funds are insufficient to conduct a removal action at this time. No other government entity has funds available to conduct the necessary removal

activity as well. However, this is anticipated to be a Potentially Responsible Party (PRP) led response.

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, welfare or the environment.

V. PROPOSED ACTIONS

A. Proposed Actions

1. Proposed action description

The actions to be implemented generally include, but are not limited to, the following:

- a. Prepare a Sampling and Analysis Plan (SAP) to conduct soil and sediment sampling at the Site to characterize the nature and extent of the contamination for PCBs, dioxins, and arsenic.
- b. Excavate surficial contaminated soils and sediments which exceed EPA residential RMLs for total PCBs (24,300 ug/kg), arsenic (39 mg/kg) and dioxin TEQ, EPA PRG (1,000 ng/kg) at a minimum.
- c. Evaluate treatment and disposal options for the contaminated soils and sediments.
- d. Dispose of all hazardous substances, wastes, and materials generated as a result of the above actions at an EPA-approved facility in accordance with the procedures for planning and implementing off-site response actions in 40 CFR §300.440, commonly known as the "Off-Site Rule".
- e. Perform post-excavation confirmation sampling to ensure removal of all contaminated materials as specified in this Action Memorandum.
- f. Backfill and mitigate the disturbed areas to their original condition to the fullest extent possible.
- g. Implement post removal site controls, as necessary, for properties where material remains above residential SCTLs.

2. Contribution to remedial performance

The proposed removal action is warranted to address the threats discussed in Section III, which meet the NCP Section 300.415 (b)(2) removal criteria. The removal action contemplated in this Action Memorandum would be consistent with any remedial action.

3. Description of alternative technologies

A complete evaluation of all alternative technologies will be made prior to the disposal/treatment phase of this removal.

4. Engineering Evaluation and Cost Analysis (EE/CA)

This proposed action is time-critical and does not require an EE/CA.

5. Applicable, or Relevant and Appropriate Requirements (ARARs)

In accordance with 40 *Code of Federal Regulations* (C.F.R.) §300.415(j) of the National Oil and Hazardous Substances Pollution Contingency Plan removal actions conducted under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, are required to attain applicable or relevant and appropriate requirements (ARARs) to the extent practicable, considering the exigencies of the situation. In determining whether compliance with ARARs is practicable, the lead agency may consider appropriate factors, including: 1) the urgency of the situation and 2) the scope of the removal action. Even if compliance with ARARs is practicable, compliance may be waived if the requirements under CERCLA Section 121(d)(4) are satisfied. ARARs include only federal and state environmental or facility siting laws/regulations; they do not include occupational safety or worker protection requirements. Per 40 C.F.R. §300.405(g)(3), other advisories, criteria, or guidance may also be considered.

The OSC has the authority to use best professional judgment to determine whether an ARAR is relevant and appropriate under the circumstances of the release of contamination. A letter was sent to the State of Florida on June 13, 2012 to identify any additional state ARARs prior to the initiation of on-site activities. The State responded on June 28, 2012 and identified state ARARs for this response, including Target Cleanup Levels under Chapter 62-777 of the Florida Administrative Code.

6. Project schedule

Removal activities are anticipated to begin within three months of approval of this Action Memorandum. It is anticipated that once activities begin, this removal action will take no more than 12 months to complete.

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

If this response action is significantly delayed or not taken, ongoing migration of hazardous substances into the environment will continue, increasing the possibility of exposure to the public, groundwater, and the environment.

VII. OUTSTANDING POLICY ISSUES

No outstanding policy issues have been determined at this time.

VIII. ENFORCEMENT

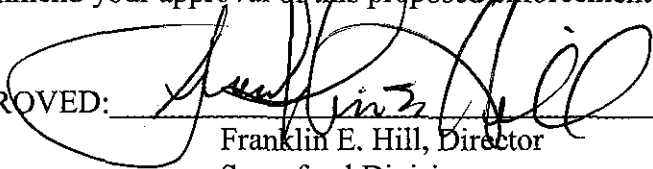
Enforcement activities have been initiated and are ongoing. PRPs have been identified and have agreed to perform this response promptly and responsibly.

IX. RECOMMENDATION

This decision document presents the selected removal action for the American Electric/Ellis Road Site, located in Jacksonville, Duval County, Florida, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan (NCP). The document is based on the administrative record for the Site.

Conditions at the Site meet the NCP Section 300.415 (b)(2) criteria for a removal action, and I recommend your approval of this proposed enforcement removal action.

APPROVED: _____


Franklin E. Hill, Director
Superfund Division

DATE: _____



DISAPPROVED: _____

DATE: _____

Franklin E. Hill, Director
Superfund Division

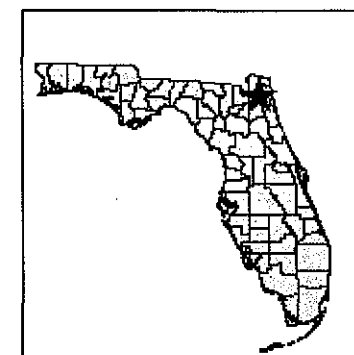
Attachment:

Environmental Justice (EJ) Map

Appendix A

Environmental Justice (EJ) Map

POTENTIAL EJ AREAS AROUND AMERICAN ELECTRIC SUPERFUND SITE, FLORIDA



- ★ Site Location
- 1, 2, 3mi. Buffer Zones
- Railroads
- Major Streams
- County Boundaries
- Indian Lands
- Potential EJ Areas
- Low Income
- Minority
- Minority/Low Income
- Non-EJ Areas



0.6 0 0.6 Miles

Source: 2000 U.S. Census Population and Housing Summary Tape File 3 (STF3) Data.
Aggregated to Block Group Level.

Relative State Minority Threshold: 41.50 %
Relative State Low Income Threshold (20K): 27.95 %



EPA REGION 4
OFFICE OF ENVIRONMENTAL ACCOUNTABILITY

