



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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Ref: 8EPR-ER

**ACTION MEMORANDUM**

SUBJECT: Approval and Funding for an Emergency Removal Action at the Norris Lab Site in Norris, Madison County, Montana pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104.

FROM: Martin McComb *mmcComb*  
Federal On-Scene Coordinator

THRU: Laura Williams, Unit Leader *Thru for L.W.*  
Emergency Response

David A. Ostrander, Director *David A. Ostrander*  
Emergency Response & Preparedness Program

TO: Betsy Smidinger, Assistant Regional Administrator  
Ecosystems Protection and Remediation

Site ID# A8V6

**I. PURPOSE**

The purpose of this memorandum is to document the decision to initiate emergency response actions described herein for the Norris Lab Site (Site) located in Norris, Madison County, Montana, pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104. This emergency removal action involves the collection and disposal of hazardous chemicals as well as the excavation and disposal of contaminated soil. Conditions existing at the Site present a threat to public health and the environment and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the National Contingency Plan (NCP).

This removal action involves no nationally-significant or precedent-setting issues. This emergency removal action will not establish any precedent for how future response actions will be taken and will not commit the US Environmental Protection Agency (EPA) to a course of action that could have a significant impact on future responses or resources.

## II. SITE CONDITIONS AND BACKGROUND

Site Name:	Norris Lab
Superfund Site ID (SSID):	A8V6
NRC Case Number:	Not applicable.
CERCLIS Number:	MTN000820831
Site Location:	Norris, Madison County, Montana
Latitude/Longitude:	45.5706769 / -111.6914714
Potentially Responsible Party (PRP):	Norris Lab
NPL Status:	Non NPL
Removal Start Date:	07/09/2018

### A. Site Description

#### 1. Removal Site Evaluation

Norris Lab performed assay tests and other chemical analyses for the mining industry until recently when it was closed after an inspection by the Occupational Safety and Health Administration (OSHA). There are hundreds of improperly stored and abandoned containers of hazardous substances at the facility. Many of these containers contain highly volatile compounds and several are exposed to the elements. The soil around the facility is contaminated with byproducts from the laboratory and a storm drain from the facility leads directly to the creek. There are also reports that liquid wastes were flushed down the drain into a septic system that is on the property near the creek.

#### 2. Physical Location

The Site is located at 100 Sterling Road in Norris, Madison County, Montana. The population of Norris is approximately 137 people<sup>1</sup>.

#### 3. Site Characteristics

Norris Lab is located in a residential area at the center of town. It is along the banks of Hot Springs Creek upstream of its confluence with the Madison River. There is a public hot springs and campground approximately ¼ mile downstream.

#### 4. Release or Threatened Release into the Environment of a Hazardous Substance, Pollutant, or Contaminant

Various containers inside and outside of both the laboratory and a nearby historic homestead structure contain acids, oxidizers, peroxides, flammables, corrosives, heavy metals and other hazardous substances. To date, 338 different chemicals have been identified in roughly 500 different containers. Most are listed hazardous substances per 40 CFR §302.3 and CERCLA §101(14). An additional 400 containers and bottles contain unknown compounds.

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<sup>1</sup> <https://www.bestplaces.net/people/zip-code/montana/norris/59745>

Several of the containers contain perchloric and picric acid and crystals have formed in them. Both acids in crystalline form are shock sensitive and can decompose at atmospheric pressure with explosive violence. These hazardous crystals can be formed due to condensation inside ventilation hoods or in bottles stored for extended periods. Explosions have occurred in storage when near organic materials and in use when solvents or other reactive materials are stored near the work area.

#### **5. NPL Status**

This Site is neither on nor currently being considered for inclusion on the NPL.

#### **6. Maps, Pictures, Other Geographic Representations**

A map of the Site is available as Attachment 1. Relevant Site photos are available in Attachment 2 of this document.

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

#### **1. Previous Actions**

There have been no previous removal actions on the Site.

#### **2. Current Actions**

There are no current removal actions on the Site.

### **C. State and Local Authorities' Role**

#### **1. State and Local Actions to date**

The Summit Valley Volunteer Fire Department has placed a "Do Not Respond" order on the Site and the Madison County Office of Emergency Management is concerned about the risks posed by the facility to the public health of the nearby community. The Montana Department of Environmental Quality (MDEQ) worked with the property owner to explore clean-up options but the owner is financially unable to fund the effort.

#### **2. Potential for Continued State/Local Response**

MDEQ and the Madison County Office of Emergency Management are unable to facilitate comprehensive response activities and have requested assistance from USEPA's Emergency Response Program.

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

Conditions at the Site present a threat to public health and the environment, and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the NCP.

EPA has considered all the factors described in 40 CFR 300.415(b)(2) of the NCP and determined that the following factors apply at the Site.

“(i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, or pollutants or contaminants:”

All three individuals living on the property have elevated levels of heavy metals (lead and arsenic) in their blood.

The containers are exposed and located in two derelict buildings that are unsecured. The OSC has witnessed animal activity, tourist interest (one of the buildings is a historic attraction), there are children in the neighborhood and there has been recent criminal activity which indicates that the Site is being visited at night.

There is a storm drain within 20 feet of the facility that leads directly to Hot Springs Creek. The storm drain is surrounded by contaminated soil.

“(iii) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release:”

To date, 338 different chemicals have been identified in roughly 500 different containers in and around the facility. An additional 400 containers and bottles contain unknown compounds.

“(iv) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate:”

The soil around the facility is contaminated with heavy metal byproducts from the laboratory.

“(vi) Threat of fire or explosion;”

There are approximately 50 containers of perchloric acid and picric acid that have been exposed to the elements at the Site. These containers are decades-old and are showing the development of crystals which is a sign of explosive instability.

“(vii) The availability of other appropriate federal or state mechanisms to respond to the release.”

MDEQ and the Madison County Office of Emergency Management are unable to comprehensive response activities and have requested assistance from USEPA’s Emergency Response Program.

#### **IV. SELECTED REMOVAL ACTIONS AND ESTIMATED COSTS**

##### **A. Planned Actions**

###### **1. Planned Actions**

USEPA plans to remove and dispose of the following categories of hazardous substances:

1. Hi-hazard items that are highly volatile and/or exposed to the elements. These items may require on-site incineration using controlled explosives.
2. Laboratory hazardous waste that has accumulated on-site and is exposed to the elements.
3. Improperly stored and abandoned containers of hazardous substances found in the laboratory.
4. Electronic waste and circuitry that has accumulated on-site and is exposed to the elements.
5. Soil around the facility that is contaminated with byproducts from the laboratory.
6. Un-analyzed portions of soil samples found at the facility.

All hazardous substances will be removed and properly disposed of at an appropriately licensed disposal facility. Off-site disposal shall comply with the off-site Rule 40 CFR 300.440.

## **2. Contribution to Remedial Performance**

This effort will, to the extent practical, contribute to any future remedial effort at the Site. However, no further federal action is anticipated at this time.

## **3. Engineering Evaluation/Cost Analysis (EE/CA)**

An EE/CA is not required for an emergency response action.

## **4. Applicable or Relevant and Appropriate Requirements (ARARs)**

This Action Memorandum addresses the proposed emergency response actions at the Norris Labs Site. Acids, oxidizers, peroxides, flammables, corrosives, heavy metals and other hazardous substances are the principal contaminants of concern. Emergency response actions conducted under CERCLA are required, to the extent practicable considering the exigencies of the situation, to attain ARARs. In determining whether compliance with an ARAR is practicable, EPA may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted. To date, no ARARs have been identified for this Site.

## **5. Project Schedule**

This removal action started on July 9, 2018, and on-site activities are planned through July 21, 2018. Final disposal of the chemicals is projected to be completed by the end of August, 2018.

**B. Estimated Costs\***

Emergency Response and Rapid Services Team	\$ 175,000
Superfund Technical Assistance and Response Team	\$ 50,000
SUBTOTAL	\$ 225,000
Contingency	\$ 25,000
<b>Total Removal Project Ceiling</b>	<b>\$ 250,000</b>

\*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 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 and/or the environment.

**VI. OUTSTANDING POLICY ISSUES**

None

**VII. ENFORCEMENT**

An investigation to evaluate potential enforcement options will be undertaken. A separate Enforcement Addendum will be prepared if appropriate providing a confidential summary of potential enforcement activities.

**VIII. APPROVALS**

This decision document represents the selected removal action for the Norris Labs Site in Norris, Madison County, Montana, developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. 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 \$250,000; this amount will be funded from special funding provided by USEPA Headquarters.

  
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Martin D. McComb, On-Scene Coordinator  
Emergency Response Unit

8-15-2018  
Date

**Attachments:**

- Attachment 1: Site Map
- Attachment 2: Site Photos

**Attachment 1: Site Maps**

[Detailed Map](#)

General Location Map:



## Attachment 2: Site Photos

Image 1: Site Overview



Image 2: View of the laboratory.



Image 3: Contaminated soil outside the laboratory.



Image 4: Conditions in the laboratory.



Image 5: Conditions in the laboratory.



Image 6: Conditions in the laboratory beneath the fume hood in the lab.



Image 7: Hi-hazard items in laboratory beneath the fume hood in the lab. One is Perchloric Acid others are unknown.



Image 8: Hi-hazard items in laboratory next to the fume hood in the lab. One is presumed Picric Acid.

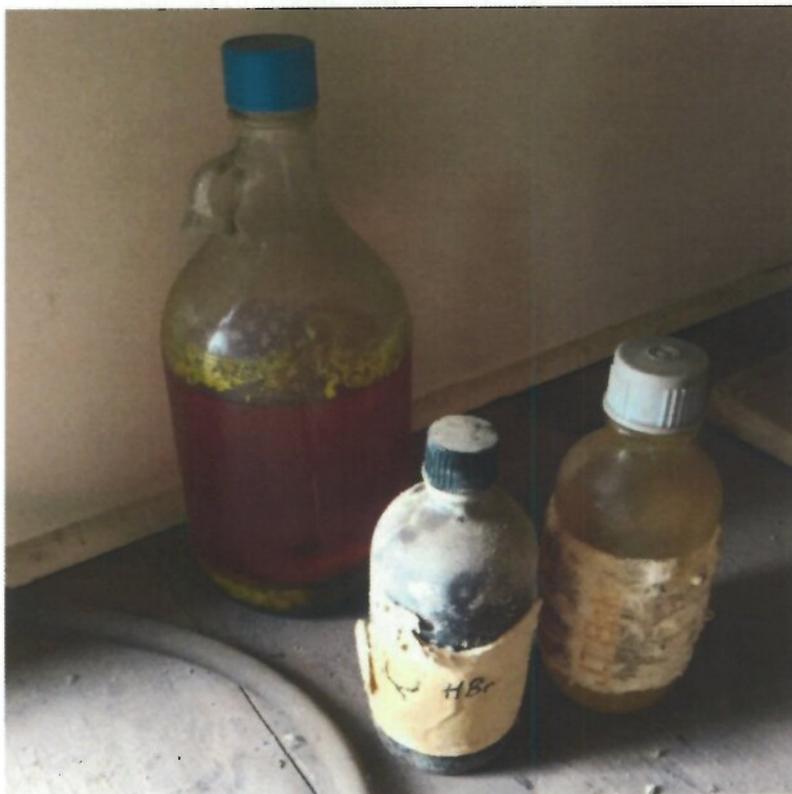


Image 9: Old homestead building where hazardous waste was stored.



Image 10: Four wooden boxes of Perchloric Acid in the homestead that appear to be unopened.



Image 12: Five styrofoam boxes of Perchloric Acid in the homestead. At least one is open with bottles inside.

