



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8EPR-ER

ACTION MEMORANDUM

SUBJECT: Approval and Funding for a Removal Action at the Ogden Swift Building Site in Ogden, Weber County, Utah

FROM: Joyce Ackerman *Joyce Ackerman*
Federal On-Scene Coordinator

THRU: Laura Williams, Unit Leader *Laura Williams* 4/15/19
Emergency Response

Deirdre Rothery, Director *Deirdre Rothery* 4/18/19
Emergency Response & Preparedness Program

TO: Betsy Smidinger
Assistant Regional Administrator
Office of Ecosystems Protection and Remediation

Site ID# B804

I. PURPOSE

The purposes of this Action Memorandum are to document the decision to initiate emergency response actions and request and document approval and funding to continue the emergency removal action described herein for the Ogden Swift Building Site (Site) located in the City of Ogden, Weber County, Utah.

This emergency removal action involves the cleanup and proper disposal of tens of thousands of abandoned containers of chemicals at a former storage facility and chemical manufacturing company. The chemicals include flammables, poisons, water reactives, corrosives, mercury, benzene, potential explosives, and more. One of the buildings at the Site has already been damaged by fire, and all the buildings have missing windows and collapsing floors and ceilings. The Site poses a threat to nearby residents and community members. Conditions at the Site present a threat to public health or welfare or 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 U.S. 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:	Ogden Swift Building Site
Superfund Site ID (SSID):	B804
Operable Unit	00
NRC Case Number:	Not Applicable
CERCLIS Number:	UTN000820951
Site Location:	Ogden/Weber County/Utah
Lat/Long:	42.2242679/-111.9871565
Potentially Responsible Party:	See Confidential Enforcement Memo
National Priority List (NPL) Status:	Non NPL
Removal Start Date:	March 27, 2019

A. Site Description

1. Removal Site Evaluation

The EPA conducted a Targeted Brownfields Assessment (TBA) at the Site in 2018. This assessment was conducted at the request of the City using EPA's Superfund Technical Assessment and Response Team (START) contractor. START identified abandoned containers of hazardous substances in the four buildings at the facility as well as outdoors. START could not access the entire facility due to fallen ceilings, the large amounts of trash and debris blocking access, and other safety issues. However, START did compile a partial inventory of the hazardous substances and estimated that there were more than 40,000 chemical containers present at the Site including potential explosives, compressed gases, flammable liquids, flammable solids, oxidizers, poisons, radiological materials, corrosives, and other chemicals.

Upon receipt of the draft TBA, EPA's Brownfields Unit immediately notified the Utah Department of Environmental Quality (DEQ) and the EPA Emergency Response Unit. On December 4, 2018, two EPA On-Scene Coordinators (OSCs) conducted a removal site inspection (RSI) at the facility. A City official, a caretaker of the property, the START contractor, EPA's Environmental and Rapid Response Services (ERRS) contractor, and representatives from the Utah DEQ accompanied the OSCs. The team observed the thousands of containers in poor condition, stored in disarray, leaking or without lids, or showing chemical crystallization. This chemical crystallization indicated that the chemicals had the potential to be shock-sensitive and possibly explosive. A spill of elemental

mercury was detected in one of the storage rooms based on air monitoring results obtained during the RSI.

A room in one building had numerous cardboard boxes labeled "calcium hydride," which is a water reactive material. Most of the windows in this room were broken or missing so that rain or snow could enter and impact the boxes of water-reactives. Additional chemicals were stored in the same room, and more pallets of calcium hydride were stored elsewhere in the building.

Another room in one of the basements is labeled as a hazardous waste storage room. This room had numerous drums and other containers, some of which showed spillage or crystallization of their contents. Containers in this room were labeled as flammable, dangerous when wet, corrosives, and metallic mercury. There are also many unlabeled containers.

Another room had crates labeled with explosives markings. The contents of these crates were not observed due to safety concerns and the actual contents are presently unknown.

The TBA and RSI showed an urgent need for action at the Site. Accordingly, the City signed a Consent for Access to the property on March 19, 2019, allowing EPA to take a response action at the Site. EPA directed its contractors to initiate preparations beginning the week of March 25, 2019, for an emergency response removal action. On-Site actions began on March 27, 2019, including delivering equipment and supplies. On April 1, 2019, EPA initiated more detailed assessment activities, clearing of debris, and setting up staging areas to inventory and sample chemical containers.

2. Physical Location

The Site is located at 390 West Exchange Road in Ogden, Weber County, Utah. It is approximately seven acres in area and bounded on the west by the Weber River and industrial facilities and on the east by a major railroad corridor and Highway 89. There is a residential neighborhood 1/10th of a mile southwest of the Site and Fort Buenaventura Park 1/10th of a mile south of the Site.

In 2010, the City population was 82,825 with a population density of 2,899 people per square mile. Ogden is a principal city in the Ogden-Clearfield Utah Metropolitan Area. The 2010 Census placed the population of this metro area as 597,159.

Elevations in the city range from approximately 4,300 to 5,200 feet above sea level. Summers are hot and dry with highs frequently reaching 95 degrees fahrenheit. Winters are cool and snowy. Average annual precipitation is 19.15 inches.

3. Site Characteristics

The Site was developed in the 1930s as a meat processing facility associated with the historic Ogden Stock Yard. The property was purchased in the 1960s by a company associated with acquiring military surplus items and chemicals. A portion of the Site was also leased to a chemical manufacturing company, Industrial Research, which eventually went bankrupt, leaving supplies and inventory at the facility. The owner of the property died, and the City of Ogden (City) purchased the property in 2017 to address its blighted condition and conduct redevelopment.

The property consists of four buildings ranging from one to five stories each with most having basements. There are considerable amounts of trash, debris and other materials stored at the Site. These other materials include military surplus items (clothing, food, ammo cans, helmets, survival kits, furniture), equipment and machinery, and other abandoned inventory from the buildings' former occupants. These materials are strewn about in every room and likely concealing additional chemical containers.

All the buildings at the facility are structurally deteriorating. Floors and roofs are collapsing, walls are no longer structurally sound, and windows are missing or damaged. The property is fenced but has been regularly accessed in the past by trespassers and vandalized as evidenced by graffiti and indiscriminate salvaging.

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

There are numerous contaminants of concern at the Site including, but not limited to, benzene, mercury, hydrofluoric acid, hydrochloric acid, sulfuric acid, ammonium hydroxide, calcium hydride, rat poison, isopropyl alcohol, a radiological source (cesium 137), as well as containers of unknowns labeled flammable, corrosive, or explosive. Several of these chemicals are specifically listed hazardous substances in 40 CFR § 302.4 and pursuant to Section 101(14) of CERCLA (e.g., benzene, mercury, hydrofluoric acid, hydrochloric acid, ammonium hydroxide). Other abandoned chemicals at the Site would likely exhibit the characteristics of ignitability (flammables, isopropyl alcohol), corrosivity, and reactivity (calcium hydride), pursuant to the Resource Conservation and Recovery Act (RCRA) and therefore meet the definition of RCRA hazardous wastes. RCRA hazardous wastes are CERCLA hazardous substances as defined by Section 101(14) of CERCLA.

All these chemicals are considered toxic or harmful to human health and the environment. Benzene can enter the body through the lungs, gastrointestinal tract and across the skin. Exposure, dependent on concentration and time, can cause vomiting, irritation of the stomach, dizziness, sleepiness, convulsions,

rapid heart rate, coma and death. Long-term exposure to benzene can cause cancer of the blood-forming organs. Mercury vapors are colorless and odorless. According to the federal Agency for Toxic Substances and Disease Registry (ATSDR) 1999 Toxicological Profile for Mercury, the major target organs of elemental mercury-induced toxicity are the kidneys and the central nervous system.

The acids and corrosives at the Site (hydrofluoric, hydrochloric, sulfuric, ammonium hydroxide) would be severe dermal hazards and some may also pose inhalation hazards if reacted with incompatible materials, including water, which are present at the Site. The wastes which exhibit the characteristics of ignitability and reactivity pose a threat of fire and explosion which could cause physical hazards as well as generating hazardous fumes which could impact nearby populations.

The hazardous substances at the Site have been released or pose a substantial threat of release into the environment. The chemical containers are abandoned and many are damaged, open, and/or leaking.

An inventory of chemicals abandoned at the facility will be compiled as EPA's response action progresses.

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 in Attachment 1 and photos are available in Attachment 2.

B. Other Actions to Date

1. Previous Actions

In 2018, the EPA initiated a Targeted Brownfields Assessment (TBA) at the request of the City. Upon receipt of the draft TBA, the Brownfields Unit immediately notified the Utah DEQ and the EPA Emergency Response Unit, which in turn contacted the City. The City shared the draft TBA and inventory with the local fire department and had them visit the property the same day it was received.

2. Current Actions

EPA's on-Site actions began on March 27, 2019, with the delivery of equipment and supplies. On April 1, 2019, EPA began conducting more detailed assessment activities, clearing of debris, and setting up staging areas to inventory and sample chemical containers.

C. State and Local Authorities' Role

1. State and Local Actions to date

Local authorities provided access and logistical support at the Site.

2. Potential for Continued State/Local Response

State and local entities do not have the resources or authority to fully conduct this removal action.

The City of Ogden has agreed to manage all non-hazardous trash and debris that are removed from work areas by EPA during this removal action under the direction of the EPA OSCs.

The Utah DEQ and City are involved in a consultation role and the Ogden Fire Department will provide logistical and rescue support.

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:”

The large number of chemical containers which are corroded, leaking, and/or damaged threaten people at surrounding businesses, residences, and transportation corridors by posing an inhalation threat from potential fire or explosions at the Site. In addition, trespassers or visitors accessing the Site could be exposed to physical, dermal, inhalation, or toxic hazards posed by the numerous acids, corrosives, reactives, and toxic chemicals at the Site. Trespassers have vandalized the facility in the past as evidenced by graffiti and indiscriminate salvaging.

There is a residential neighborhood southwest of the Site and Fort Buenaventura Park, which offers outdoor recreational amenities for the public, south of the Site. The Site is bounded on the west by the Weber River and industrial facilities, and on the east by a major railroad corridor and Highway 89.

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

The facility consists of four buildings ranging from one to five stories each, most with basements. There are abandoned containers of chemicals in all four buildings and outdoors. The TBA documented that compressed gases, radiological materials, and containers labeled as containing flammable liquids, flammable solids, oxidizers, poisons, radiological materials, and corrosives are all present at the Site. It is estimated that more than 40,000 chemical containers exist at the Site and more containers may be concealed by fallen ceilings or other obstructions. Containers are deteriorated, leaking, stored in disarray, and show crystallization.

“(v) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released:”

The interior of the facility is exposed to precipitation due to missing windows and heavy structural damage from previous fires. The air- and water-reactive nature of many of the hazardous substances in the building could create a situation that would catastrophically release hazardous substances into the environment and expose nearby populations.

“(vi) Threat of fire or explosion:”

The facility is accessible to trespassers and exposed to weather events. Trespassers could cause a fire or other situation that would catastrophically release hazardous substances into the environment and expose nearby populations. Similarly, the air- and water-reactive nature of many of the hazardous substances in the building could create a situation that would catastrophically release hazardous substances into the environment and expose nearby populations.

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

Local and state governments do not have the capability to conduct the removal action in a timely or technically proficient manner.

IV. SELECTED ACTIONS AND ESTIMATED COSTS

A. Planned Actions

1. Planned Action Description

Continued removal assessment and response action activities will occur simultaneously at the Site due to:

- The size of the facility;
- The volume, variety and unknown nature of hazardous substances; and
- The large amounts of trash and debris that are blocking access to the containers of chemicals which must be removed.

The response action will include the following tasks:

- Mobilizing resources and equipment;
- Securing the Site and establishing work zones;
- Clearing pathways of debris and creating safe access throughout the facility;
- Staging chemical containers; sampling and characterizing wastes;
- Conducting compatibility testing and bulking like materials;
- Conducting bench-scale testing and treating reactive chemicals on-Site in a controlled procedure;
- Overpacking and lab-packing deteriorated, leaking containers in preparation for disposal;
- Providing for final transportation and disposal of chemical containers and bulked liquids according to waste streams and in compliance with the off-site rule, 40 CFR 300.440; and
- Demobilizing resources.

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)

Removal 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, the lead agency may consider appropriate factors, including the urgency of the situation and the

scope of the removal action to be conducted. A discussion of identified ARARs is included in Attachment 3.

5. Project Schedule

This removal action started as an emergency response action on March 27, 2019 and is expected to be completed by November 30, 2019.

B. Estimated Costs*

	Estimated Costs
ERRS contractor	\$ 1,350,000
START contractor	300,000
SUBTOTAL	\$1,650,000
Contingency costs (20% of subtotal)	\$ 330,000
Total Removal Project Ceiling	\$ 1,980,000

*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 to provide a confidential summary of potential enforcement activities.

VIII. RECOMMENDATIONS

This decision document represents the selected response action for the Ogden Swift Building Site in Ogden, Weber County, Utah, 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)(2) criteria for an emergency response action, and I recommend your approval of the proposed response action. The total project ceiling, if approved, will be \$1,980,000; this amount will be funded from the Regional removal allowance.

APPROVE



Betsy Smidinger
Assistant Regional Administrator
Office of Ecosystems Protection and Remediation

4/18/19
Date

DISAPPROVE

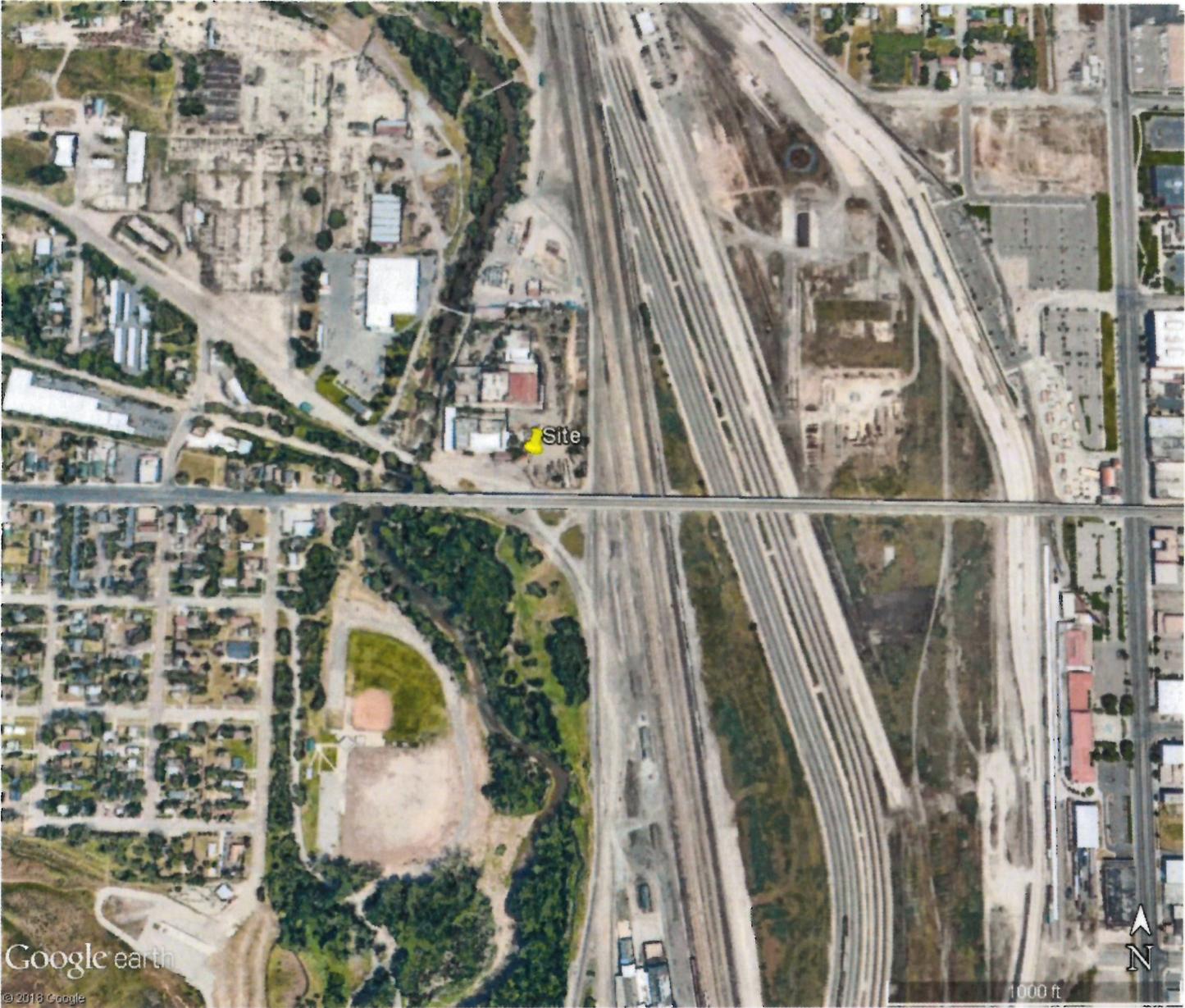
Betsy Smidinger
Assistant Regional Administrator
Office of Ecosystems Protection and Remediation

Date

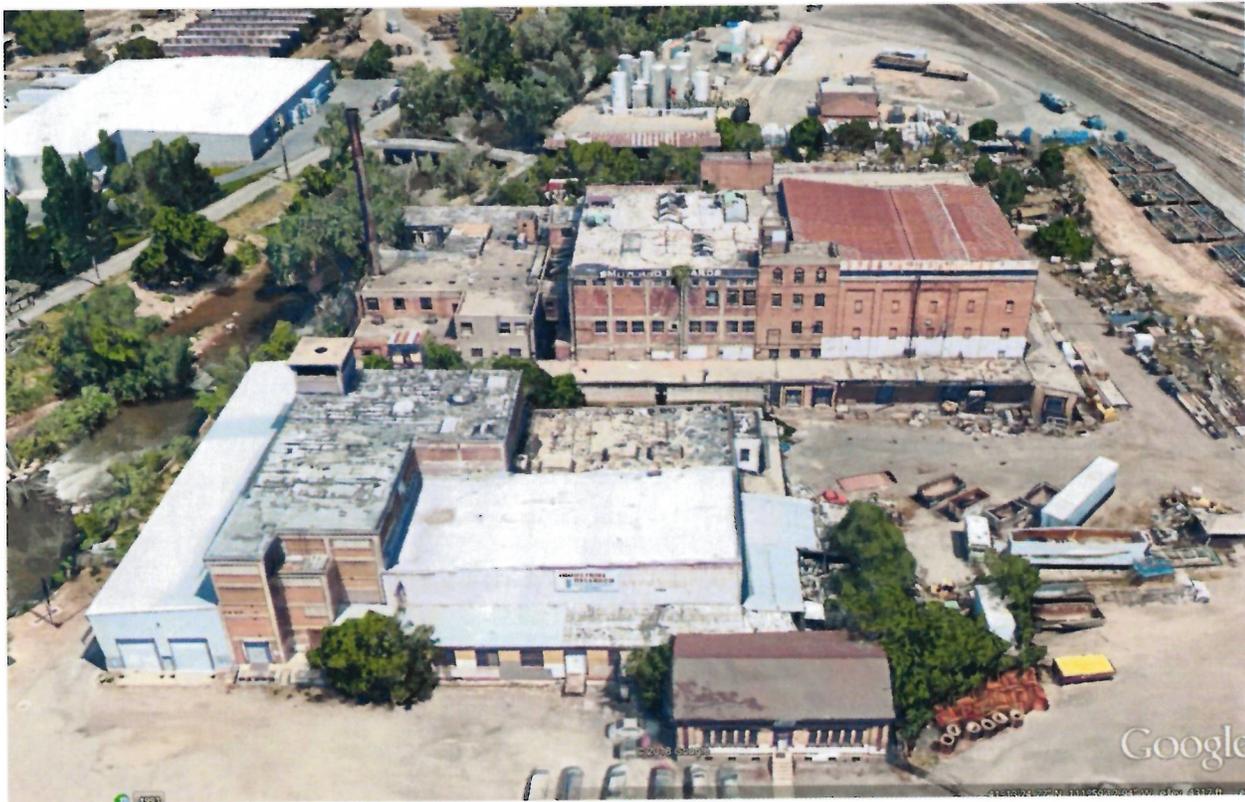
Attachments:

- Attachment 1: Site Map
- Attachment 2: Site Photos
- Attachment 3: ARARs Table

Attachment 1: Site Map



Attachment 2: Site Photos









Attachment 3
ARARs Table

This table contains a listing of potential ARARs for the Ogden Swift Building Site.

Standard, Requirement, Criteria or Limitation	Citation	Description	Applicable or Relevant and Appropriate	Comments
STATE				
Utah Solid and Hazardous Waste Management Act and Rules	UAC Title R315 (261, 262, 264, 268)	Regulates the generation, storage, treatment and disposal of hazardous waste.	Applicable	To be complied with to the extent practicable considering the exigencies of the removal action.

Note: Federal ARARs replaced by State of Utah's direct implementation of RCRA.