



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105

MEMORANDUM

DATE:

SUBJECT: Request for Ceiling Increase and Exemption from the \$2 Million Statutory Limit, and Exemption from the One-Year Statutory Limit to Continue the Removal Action at the Waymire Drum Vapor Intrusion Site, Los Angeles County, CA

FROM: Ben Castellana, On-Scene Coordinator
 Emergency Response Section II (SFD-9-2)

PETER GURIA
 Digitally signed by PETER GURIA
 Date: 2020.09.03 11:56:08 -07'00'

TO: Enrique Manzanilla, Director
 Superfund & Emergency Management Division

THRU: Kelly Manheimer, Acting Assistant Director
 Emergency Response, Planning & Preparedness Branch

Kelly Manheimer
 Digitally signed by KELLY MANHEIMER
 Date: 2020.09.03 09:34:41 -07'00'

I. PURPOSE

The purpose of this memorandum is to request and document your approval of (1) a change in the scope of the Waymire Drum Vapor Intrusion Site ("Waymire Site" or "Site"), (2) an increase of the project ceiling from \$1,020,000 to \$2,700,000 in direct extramural costs, and 3) a waiver of the 12-month statutory limit on removal actions, to mitigate threats to human health and the environment posed by uncontrolled hazardous substances (namely trichloroethylene (TCE), tetrachloroethylene (PCE), vinyl chloride (VC), and their degradation compounds) in soil and soil vapors associated with the former drum recycling facility located at 7702 Maie Avenue, Los Angeles, CA.

On August 14, 2019, the United States Environmental Protection Agency (EPA) approved a time-critical removal action at the Waymire Drum Vapor Intrusion Site to install vapor mitigation systems in five residences and three business spaces known to be affected by vapor intrusion from the Site. On December 12, 2019, the EPA approved the ceiling increase for the response adding \$564,000 in direct extramural funding to cover six additional homes and two additional business spaces found to be affected by vapor intrusion. On February 12, 2020, the EPA approved another ceiling increase to add \$426,000 in direct extramural costs to cover the costs of more complicated vapor extraction design, as well as carbon treatment systems for the exhaust at the large business spaces. These memoranda are included as Attachment A to this memorandum.

The time-critical removal action is being taken pursuant to Section 104(a)(1) of the

Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. § 9604(a)(1), to mitigate threats to human health and the environment posed by the presence of chlorinated volatile organic compounds (VOCs) in soils at an industrial property bordering a residential neighborhood. A project ceiling increase beyond the \$2 million limit and an extension of operations beyond the 12-month limit are justifiable under the criteria of 40 C.F.R. § 300.415(b)(5)(i), which allows for a waiver of the statutory limitations when: 1) there is an immediate risk to public health or welfare or the environment; 2) continued response actions are immediately required to prevent, limit, or mitigate an emergency; and 3) such assistance will not otherwise be provided on a timely basis.

The additional time, funding and the change in scope requested in this memorandum are necessary to remove the former clarifier on the Site that is believed to be the source of contamination, as well as to construct a pilot system for the *in-situ* treatment of contaminated soils under the Site. This action will help mitigate the source of the vapor intrusion threat on-Site. EPA has coordinated with the California Regional Water Quality Control Board (RWQCB) to address any remaining contamination or post-removal Site concerns following the completion of EPA’s intended response action.

II. SITE CONDITIONS AND BACKGROUND

Site Name: Waymire Drum Vapor Intrusion Site

CERCLIS ID: CAN000903041

SSID: A9CF

Site Location: 7702 Maie Avenue, Los Angeles, CA

Removal Category: Time Critical

NPL Status: Non-NPL

The Waymire Drum Vapor Intrusion source property is located at 7702 Maie Avenue, Los Angeles, California (33° 58' 12.02" North latitude and 118° 14' 38.07" West longitude). The Site description and background are described in more detail in previous memoranda (Attachment A). The source property is 2.3 acres in a mixed urban industrial and residential area of Los Angeles County. The soil and groundwater at the source property are contaminated with PCE, TCE, and VC, likely derived from drum recycling activities at the Site circa 1940s to 1990s. These contaminants have migrated off-site and are causing a vapor intrusion hazard (primarily TCE) in the surrounding residences and businesses.

Previous response activities at the Site include the installation of vapor mitigation systems in eleven homes and six commercial spaces on, and off-Site. EPA began installing vapor mitigation systems in September 2019 and completed the work on July 27, 2020.

In order to characterize the source of the vapor intrusion issue, EPA conducted a removal assessment at the Site in February 2020. EPA advanced a membrane interface hydraulic profile tool (MiHPT) probe to approximately 40-foot depths at 33 locations on a systematic grid at the Site, as well as five step-out locations using the MiHPT to depths up to 65 feet, and co-located borings to collect confirmation soil samples for laboratory analyses. The MiHPT probe includes

photon ionization detector and flame ionization detector sensors that respond to a wide range of VOCs, as well as two sensors that respond specifically to chlorinated VOCs.

Concentrations of TCE in soil samples were highly variable, ranging from <10 µg/kg to 900,000 µg/kg in soil samples. Taken together with MiHPT sensor information, results indicate chlorinated solvent contamination in interbedded low permeability lithologies (silt to clay) at various thicknesses between 1-10 feet and depths down to approximately 37 feet below ground surface (bgs), the thickest contamination lenses appearing at depth. Chlorinated solvents were detected through the entire sampling range to 65 feet bgs and are likely present in all vadose-zone soils beneath the Site, with groundwater at approximately 105 feet below ground surface.

Based on the distribution of MiHPT borings across the Site, chlorinated VOC concentrations indicate a higher impact area surrounding a former clarifier located in the southwest portion of the Site (Figure 1). The MiHPT data are corroborated by laboratory analysis of soil samples, with concentrations of TCE, PCE, and VC in soil.

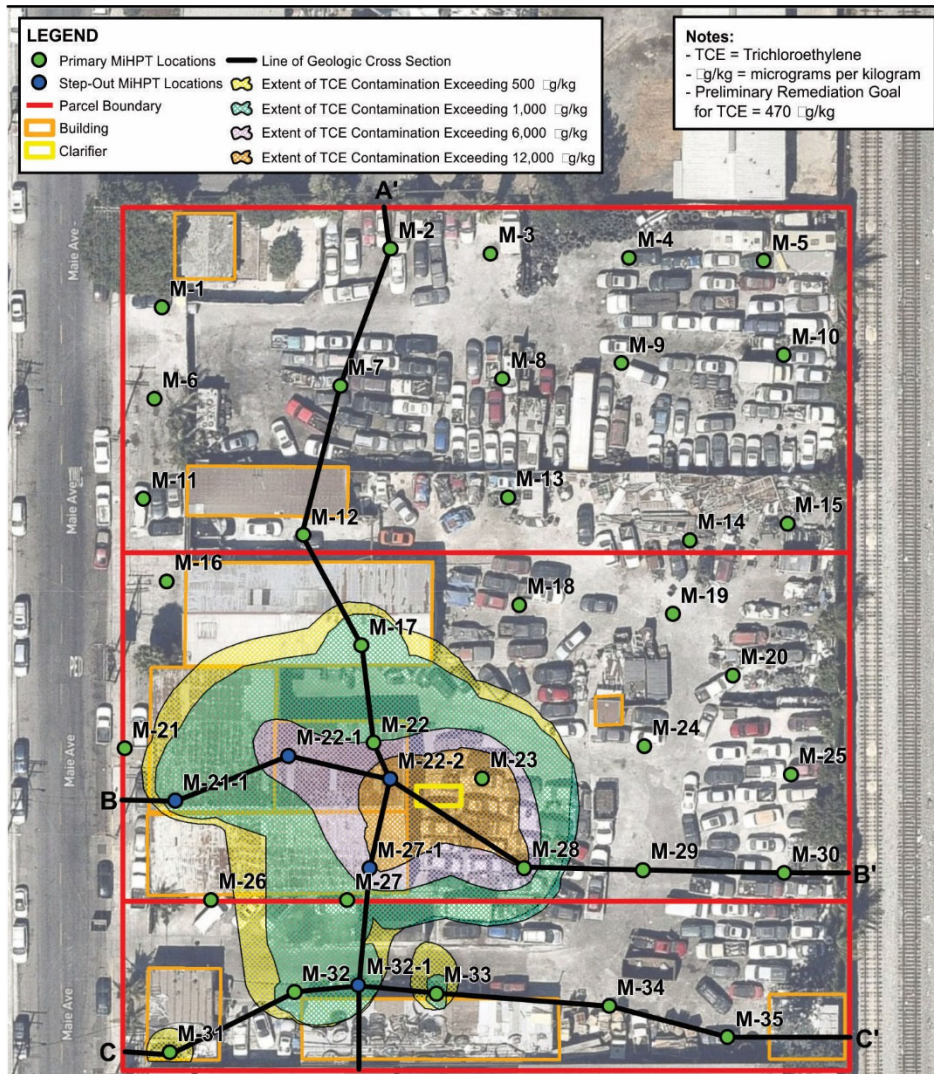


Figure 1 – MiHPT map of chlorinated VOC plume at the Site, with respect to clarifier and other site elements. Cross Sections are presented in the Figures Attachment.

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

Conditions at the Site represent a release, and substantial threat of release, of CERCLA hazardous substances threatening the public health, welfare, or the environment based on the factors set forth in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300.415(b)(2). Specific factors of the release, including the potential exposure of hazardous substances to populations, animals, or the food chain, are addressed in previous Action Memoranda.

IV. ENDANGERMENT DETERMINATION

The August 14, 2019 response decision memorandum discusses threats to human health posed by the concentrations of TCE, PCE, and VC in soils at the Site (see Section III of the August 14, 2019 memorandum in Attachment A). EPA has previously determined that these hazardous substances present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. EXEMPTION FROM STATUTORY LIMITS

CERCLA Section 104(c), 42 U.S.C. §9604(c), generally restricts federal fund-financed removal actions that exceed a total extramural direct cost of \$2 million and/or 12-months. Pursuant to EPA Delegations 14-2 and R9 1290.03A, the Superfund and Emergency Management Division directors and branch managers are authorized to determine whether a waiver from this statutory limitation is warranted, so long as the total response costs do not exceed \$6 million. The total response costs for response actions proposed in this memorandum would not exceed \$6 million. On August 28, 2020 the Region consulted with the Office of Site Remediation Enforcement pursuant to the Role Chart.

EPA response staff believe that a waiver from the \$2 million and 12-months limitations is justifiable under 40 C.F.R. § 300.415(b)(5)(i), which provides that an emergency waiver is appropriate when: 1) there is an immediate risk to public health or welfare or the environment; 2) the response actions are immediately required to prevent, limit, or mitigate an emergency; and, 3) such assistance will not otherwise be provided on a timely basis. As stated in the preceding Action Memorandums, and this memorandum, there is an immediate risk posed by the conditions at the Site and an emergency waiver to the \$2 million and 12-month statutory limits is necessary to abate these threats. There continues to be an immediate risk posed by the conditions at the Site, including no source of non-federal response funds, and the approval of this ceiling increase and one-year limit is necessary to abate these threats.

VI. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

The former clarifier at the Site should be removed to mitigate the primary source of soil gas migration. In addition, this action will address associated shallow contaminated soils in the vicinity of the former clarifier. This activity will require shoring up the foundation of the adjacent building with sheet piling or removing the building. The concrete clarifier will be broken up *in-situ* and the resulting concrete rubble will be stockpiled, tested, and removed. The associated soils will also be stockpiled, tested, and removed. A vapor barrier will be installed at the base of the excavation before backfilling to grade.

EPA also proposes to conduct a vapor extraction pilot study at the location of the former clarifier. The vapor extraction system will be expanded to cover the footprint of the soil vapor plume. EPA has coordinated with the RWQCB to take over future operations and maintenance of the soil vapor extraction system, and an agreement is in negotiation.

These removal actions will attain the ARARs and TBCs previously identified by EPA and RWQCB and listed in the August 14, 2019 response memorandum.

B. Estimated Costs with Ceiling Increase

<u>Regional Removal Allowance Costs</u>	<u>Current Ceiling</u>	<u>Proposed Increase</u>	<u>Proposed Ceiling</u>
ERRS	\$1,020,000	\$550,000	\$1,570,000
START	\$380,000	\$300,000	\$680,000
Extramural Subtotal	\$1,400,000	\$850,000	\$2,250,000
Extramural Contingency (20%)	\$280,000	\$170,000	\$450,000
Total Removal Action Project Ceiling	\$1,680,000	\$1,020,000	\$2,700,000

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

A delay in action or no action at this Site would allow for the continued exposure of the public to high levels of VOC contaminated vapors. TCE is known to be carcinogenic to humans by all routes of exposure. If this hazardous substance is not addressed by implementation of the removal action proposed in this memorandum, it will continue to present an imminent and substantial endangerment to public health or welfare.

VIII. OUTSTANDING POLICY ISSUES

None.

IX. ENFORCEMENT

Please see the attached Confidential Enforcement Addendum for a discussion regarding potentially responsible parties and enforcement. If the removal action is conducted by the potentially responsible party(ies), an enforcement cost recovery action may recover oversight costs and currently incurred site assessment costs. If EPA conducts the removal action, an enforcement cost recovery action may recover the extramural response costs plus the intramural costs.

<u>Intramural Costs</u>	<u>Original Cost</u>	<u>Additional Costs</u>	<u>Total Costs</u>
U.S. EPA Direct Costs ²	\$125,000	\$50,000	\$175,000
U.S. EPA Indirect Costs (50.65%) ¹	\$914,233	\$541,955	\$1,456,188
Total Intramural Costs	\$2,719,233	\$1,611,955	\$4,331,188

¹USEPA Indirect Costs are equal to 50.65% of AM Ceiling plus USEPA Direct Costs

² Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of Site-specific direct costs, consistent with the full cost 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 costs from this estimate, will affect the United States' right to cost recovery.

The total EPA extramural and intramural costs for this removal action, based on full cost accounting practices that will be eligible for cost recovery, are estimated to be \$4,331,188. Of this, an estimated spending of \$2,700,000 comes from the regional removal allowance.

X. RECOMMENDATION

This decision document represents a change in scope and an increase to the costs and time committed to the selected removal action for the Waymire Drum Vapor Intrusion Site, in Los Angeles, California, 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 a removal and I recommend your approval of the proposed removal action. This memorandum authorizes an increase of \$1,020,000. The total project ceiling, if approved, is \$2,700,000 which will be funded from the FY20 Regional removal allowance. Please indicate your decision by signing below.

JOHN LYONS Digitally signed by JOHN LYONS
Date: 2020.09.03 17:14:24 -07'00'

Approve:

Enrique Manzanilla, Director Date
Superfund & Emergency Management Division

Disapprove:

Enrique Manzanilla, Director Date
Superfund & Emergency Management Division

cc: Stephanie Wenning, US EPA, Office of Emergency Management
Joseph Carrasco, CA Regional Water Quality Control Board

¹Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost 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 costs from this estimate will affect the United States' right to cost recovery.

Attachments

- A. Waymire Drum Vapor Intrusion Site Action Memo Aug. 14, 2019
- B. Waymire Drum Action Memo Ceiling Increase Dec. 12, 2019
- C. Waymire Drum Action Memo Ceiling Increase Feb. 12, 2020
- D. Cross Sections

Attachment A
Action Memorandum
August 14, 2019



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

DATE: **AUG 14 2019**

SUBJECT: Approval and Funding for a Time Critical Removal Action at the Waymire Drum Vapor Intrusion Site, Los Angeles, Los Angeles County, California

FROM: Olivia Trombadore, On-Scene Coordinator
Emergency Response Section II

TO: Enrique Manzanilla, Director
Superfund & Emergency Management Division

THRU: Dan Meer, Assistant Director
Emergency Response, Planning & Preparedness Branch

I. PURPOSE

The purpose of this memorandum is to request and document approval of \$690,000 in direct extramural costs for the selected removal action described herein for the Waymire Drum Vapor Intrusion Site (Site) located in the City and County of Los Angeles, California.

The proposed time-critical removal action would mitigate threats to human health and the environment posed by organic vapors originating from tetrachloroethylene (PCE), trichloroethylene (TCE), and vinyl chloride (VC) contaminated soils and groundwater. If Site conditions are not addressed, it may result in an imminent and substantial endangerment to public health or welfare through the continued public exposure to harmful concentrations of contaminated vapors.

The proposed response action at the Site is consistent with removal activities authorized pursuant to Section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(a); and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. § 300.415.

II. SITE CONDITIONS AND BACKGROUND

Site Name: Waymire Drum Vapor Intrusion Site
CERCLIS ID: CAN000903041
SSID: A9CF
Site Location: 7702 Maie Avenue, Los Angeles, CA

Removal Category: Time Critical
NPL Status: Non-NPL

A. Site Description

1. Physical Location

The Waymire Drum Vapor Intrusion source property is located at 7702 Maie Avenue, Los Angeles, California (33° 58' 12.02" North latitude and 118° 14' 38.07" West longitude). The source property is 2.3 acres in a mixed urban industrial and residential area of Los Angeles County. The source property is bordered to the north by a single-family residence and a light manufacturing business. More single-family residences are located along the western border, across Maie Avenue. South of the source property are textile businesses, and railroad tracks run along the eastern border. A public park is located east of the railroad tracks.

The soil and groundwater at the source property are contaminated with PCE, TCE, and VC. These contaminants have migrated off-site via a groundwater plume and are causing a vapor intrusion hazard (primarily TCE) in the surrounding residences and businesses. Therefore, for the purposes of this removal action, the Waymire Drum Vapor Intrusion Site (Site) can be approximated by the general boundaries of the houses and commercial properties west of the source property, lining South Maie Avenue and South Miramonte Boulevard.

According to EPA's environmental justice screening tool, the Site is located in a densely populated, predominately Hispanic, Spanish speaking, low income community. Approximately 15,000 people live within a half mile radius of the source property. Of this population, 99% belong to a minority group, with 93% identifying as Hispanic, and 99% speaking Spanish. Compared to the rest of California, this neighborhood is in the top 4% of minority populations.

2. Site Characteristics

The source property is currently owned by Mitchell Investors, LLC. Until recently, various auto body repair and drum cleaning businesses were operating on the source property. Current on site business operations include a porta potty rental and storage business, and a car repossession business which stores repossessed automobiles on site pending owner retrieval. On site buildings include an occupied single-family residence, two open air warehouses, a storage shed, and an unoccupied residence that is zoned for use as an office.

It is unclear whether the soil and groundwater contamination at the source property stems from the autobody repair business operations or from earlier business operations at the source property, such as the drum cleaning operations.

From approximately 1929 to 1977, the Rooke Cooperage Co., later known as A. Rooke Cooperage Co., operated a drum cleaning, stripping and recycling facility. It is unknown what hazardous substances were used or disposed of by Rooke Cooperage Co. during these operations.

From 1978 to 1993, drum recycling operations continued under the Waymire Drum Company. The facility obtained used drums from various chemical industries and once onsite the facility washed the drums with caustic solution and water, then reconditioned and repainted them. A three-stage clarifier and spray paint booth were utilized in operations, as well as multiple tanks and sumps.

In approximately 1997, the title of the source property transferred from Waymire Drum Company to Mitchell Investors, LLC. At the time, the source property was being used for the storage of empty drums.

Starting in September 1998, Mitchell Investors, LLC claims to have initiated a cleanup effort. Reportedly, the effort included the removal of drummed paint waste, thinner, drained oil filters, and baghouse dust. A cleanup of accumulated debris and pressure cleaning of the acid wash area, caustic wash area, and clarifier structures was also conducted. Subsurface trenching and vaults were backfilled with concrete, and bulk solid wastes and liquids were removed from the source property.

Despite this, an investigation conducted by the California Regional Water Quality Control Board (RWQCB) between 1995 and 2000 demonstrated elevated levels of volatile organic compounds (VOCs) in nearby groundwater wells.

From 2001 to 2017, Prestige Imports and/or Prestige Auto Truck Dismantling, an auto parts salvage company, operated on the source property. Union Batteries and Auto Electric operated briefly on site from 2010 to 2011 as a battery collection facility. High Line Collision Center and Body Shop operated another auto salvage business on the source property from 2011 through 2017. Operations included the sanding and painting of vehicles. Specific hazardous substances used during these operations are not known. However, between 2002 and 2003, approximately two tons of trichloroethylene (TCE) were manifested from the site.

Contamination in the groundwater beneath the source property has migrated into the residential and commercial areas west of the property. Because the contamination is VOCs, the subsurface contamination causes a vapor intrusion hazard in the building overlying the contaminated groundwater plume. This includes the houses and commercial properties lining South Maie Avenue and South Miramonte Boulevard adjacent to the source property. An ongoing removal site evaluation has demonstrated a vapor intrusion hazard in three office buildings and five homes to date. These properties will require vapor intrusion mitigation measures to be installed. Air sampling is ongoing, and contingent on sample results, more than these eight structures may require vapor intrusion mitigation measures to be installed.

3. Removal Site Evaluation

EPA's Site Assessment group began conducting a Preliminary Assessment (PA) in 2017 at the source property. Upon receipt of highly elevated soil gas sample results, they referred the site to EPA's Emergency Response Section on May 28, 2019.

Beginning June 6, 2019, the EPA began collecting residential and commercial air samples.

Sample locations were identified by EPA based on proximity to the source property as well as the expected flow of groundwater in the area. Sources of household chemicals, which have the potential to interfere with samples, were identified and removed prior to sampling. One day after collection of household chemicals, six-liter SUMMA canisters were placed in various locations for twenty-four-hours to obtain indoor air, crawl space air, and outdoor air samples. After collection, samples were sent to one of two labs for analysis. Sample analyses were performed using the EPA TO-15 SIM method by gas chromatography/mass spectroscopy with selective ion monitoring to allow for detection of VOCs below EPA's Regional Screening Levels (RSLs). Sample results were reported for PCE, TCE, and VC.

Indoor air samples were collected in rooms that are typically occupied during the day (i.e. kitchen, living room, and dining room). Ambient air samples were taken on the property outside the home or office to evaluate the potential area wide ambient air as a potential source of indoor air contamination. Air samples were taken in the crawl spaces of structures that had them to demonstrate a complete pathway of vapor intrusion from the soil into the living space. Sample results for PCE and VC did not exceed EPA's RSLs. Sample results did reveal elevated levels of TCE in the crawl spaces and indoor air of five homes and three businesses to date (**Table 1**). The highest levels of TCE in indoor air were found in the commercial upholstery space at 23.11 $\mu\text{g}/\text{m}^3$. The RSL for worker air is 3 $\mu\text{g}/\text{m}^3$. Fans were installed in the building to determine if levels of TCE in the indoor air could be successfully reduced through ventilation. Follow up samples showed that TCE in the indoor air had indeed been reduced from 23.11 $\mu\text{g}/\text{m}^3$ to 4.82 $\mu\text{g}/\text{m}^3$ following ventilation. While there is evidence of a complete vapor intrusion exposure pathway in eight structures to date, the levels did not indicate the need for an emergency response action at the commercial upholstery location.

Sampling for the removal site evaluation is ongoing in additional residential and commercial locations surrounding the site. Currently, eight structures have been identified with vapor intrusion levels above RSLs. Assessment activities are continuing, and it is anticipated that additional structures may require vapor intrusion mitigation measures to be installed.

Table 1: Indoor air and crawl space air sample results for businesses and homes with TCE above RSLs

A.

Commercial RSL	Sample Location	Office A	Office C	Commercial Upholstery
3.0 µg/m ³	Crawl Space (µg/m ³)	47.83	N/A	N/A
	Indoor (µg/m ³)	11.29	5.77	23.11

B.

Residential RSL	Sample Location	Exemption 6, PII				
0.48 µg/m ³	Crawl Space (µg/m ³)	1.13	N/A	1.43	5.37	2.58
	Indoor (µg/m ³)	ND	0.59	0.25	0.75	ND

*N/A indicates no sample was taken

**ND indicates non-detect

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

TCE is a CERCLA hazardous substance as defined under CERCLA Section 101(14), 42 U.S.C. § 9601(14), and 40 C.F.R. § 302.4(a).

Both acute and chronic exposure to TCE causes a number of health effects, including effects on a developing fetus. TCE is carcinogenic to humans by all routes of exposure. Exposure to high, acute concentrations of TCE vapors can irritate the respiratory system and skin and induce central nervous system effects such as light-headedness, drowsiness, and headaches. Chronic or prolonged exposure to TCE has been associated with effects in the liver, kidneys, immune system, and central nervous system. Specifically, chronic exposure to TCE is associated with kidney cancer, liver cancer and malignant lymphoma (blood cancer).

Preliminary sample results from the removal site evaluation demonstrate the presence of TCE at levels above the EPA RSLs in the crawl spaces and indoor air of five residences and three office spaces (**Table 1**). To date, the highest level of TCE detected in indoor air was found in a commercial space at a level of 23.11 µg/m³. Similarly, the highest level of TCE detected in crawl space air was found in an office building at 47.83 µg/m³. The RSL for commercial indoor air is 3 µg/m³ while the RSL for residential indoor is 0.48 µg/m³.

5. National Priorities List (NPL) Status

The Site is not currently listed on the NPL.

B. Other Actions to Date

1. Previous Actions

Sanitation Districts of Los Angeles County (LASD)

The Sanitation Districts of Los Angeles County (LASD) issued a Notice of Violation (NOV) to Waymire Drum in 1989 for discharging metals to the sewer system.

California Environmental Protection Agency, Department of Toxic Substances Control (DTSC)

In 1984, DTSC issued a NOV and Directive to Comply to the Waymire Drum Company for several violations. In August 2016, DTSC completed a Site Screening of the source property for the EPA. It was determined that further assessment was needed.

California Environmental Protection Agency, Regional Water Quality Control Board (RWQCB)

Between 1995 and 2000, multiple groundwater sampling events were conducted on the source property under the oversight of the RWQCB. During each event, groundwater samples were collected from three on-site monitoring wells and analyzed for VOCs only.

Since 2000, the RWQCB has issued Notices of Non-Compliance, Orders under the California Water Code 13267, and NOV's to the former Waymire Drum Company and to Mitchell Investors, LLC, regarding activities and contaminants at the source property. Neither Waymire Drum Company, nor Mitchell Investors, LLC complied with the Orders. In 2010, the RWQCB issued another NOV to both parties and neither of them complied.

2. Current Actions

United States Environmental Protection Agency

The Region 9 U.S. EPA Site Assessment program published a preliminary assessment report of the source property in December 2017. The program has conducted soil gas, soil, and groundwater sampling on-site in the process of determining whether to list the source property on the NPL. In 2019, the Site Assessment program conducted soil gas sampling at the source site and discovered highly elevated concentrations of TCE, PCE, and VC above screening levels. Soil gas sample results for TCE, PCE, and VC were as high as 4,100,000 $\mu\text{g}/\text{m}^3$, 950,000 $\mu\text{g}/\text{m}^3$, and 180,000 $\mu\text{g}/\text{m}^3$ respectively. The residential vapor intrusion screening level (VISL) for TCE, PCE, and VC in soil gas are 16 $\mu\text{g}/\text{m}^3$, 360 $\mu\text{g}/\text{m}^3$ and 5.6 $\mu\text{g}/\text{m}^3$ respectively. Outside of the preliminary assessment and this removal action this is a state lead site led by the Los Angeles RWQCB.

C. State and Local Authorities' Roles

1. State and Local actions to date

The Los Angeles RWQCB issued a 'Request for Federal Action' letter to the EPA, Region 9 on August 1, 2019, formally requesting assistance through an EPA led removal action at the Site.

2. Potential for continued State/local response

This is a RWQCB state lead site and will continue to be a state led site when the removal action is concluded. It is currently unknown what particular actions the RWQCB intends to take at the site subsequent to the removal.

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

Conditions at the Site represent a release, and potential threat of release, of CERCLA hazardous substances threatening the public health, welfare, or the environment based on the factors set forth in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300.415(b)(2). EPA has determined that the following 40 C.F.R. § 300.415(b)(2) factors apply at the Site:

- (i) *Actual or potential exposure to nearby populations, animals or the food chain from hazardous substances or pollutants or contaminants;*

TCE is a hazardous substance as defined by CERCLA Section 101(14) of CERCLA, 41 U.S.C. § 9601(14), and 40 CFR § 302.4(a). TCE is carcinogenic to humans by all routes of exposure. Acute exposure to TCE can potentially affect fetal development, irritate the respiratory system and skin, and cause central nervous system effects such as light-headedness, drowsiness, and headaches. Chronic exposure to TCE has been associated with effects in the liver, kidneys, immune system, and central nervous system. There is strong evidence that exposure to TCE can cause kidney cancer and some evidence that it causes liver cancer and malignant lymphoma (blood cancer). EPA has created RSLs for TCE for the concentration of TCE in air that is associated with a lifetime cancer risk of 1 in 1 million. The indoor air RSLs for TCE are $0.48\mu\text{g}/\text{m}^3$ for residential occupancy and $3\mu\text{g}/\text{m}^3$ for commercial worker/non-residential occupancy.

Twenty-four-hour air samples taken at the Site show elevated levels of TCE above the RSLs in the crawl spaces and indoor air of several residences and business. To date, the highest level of TCE detected in indoor air was found in a commercial space at a level of $23.11\mu\text{g}/\text{m}^3$. The highest level of TCE detected in crawl space air was found in an office building at $47.83\mu\text{g}/\text{m}^3$. To date, the highest level of TCE detected in residential indoor air and crawl space air are $0.75\mu\text{g}/\text{m}^3$ and $5.37\mu\text{g}/\text{m}^3$ respectively. Once TCE has migrated into the indoor air, residents and workers inhabiting these spaces may be exposed to harmful levels of TCE through inhalation.

- (iv) *High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate;*

Twenty-four-hour air samples taken in the crawl space of residences and businesses at the Site demonstrate the presence of TCE at the soil air interface. TCE is a VOC, so it evaporates from

the subsurface and can accumulate in overlying buildings above levels of concern. Samples detecting the presence of TCE in indoor air above RSLs further demonstrates that this hazardous substance is migrating from the soil into indoor air spaces in homes and businesses. Once TCE has migrated into the indoor air, residents and workers inhabiting these spaces may be exposed to harmful levels of TCE through inhalation. Without the implementation of mitigation measures this pathway will continue to cause public exposure to hazardous TCE vapors in the indoor air of their homes and work places.

- (vii) *The availability of other appropriate federal or state response mechanisms to respond to the release;*

Local and state agencies, primarily the RWQCB have issued several orders and NOVs to the property owner(s) over the last several decades without compliance. The local and state agencies have attempted and been unable to address the Site in a timely, effective manner. No other local, state, or federal agency has the resources to independently implement a response action in a timely manner to address the ongoing threats presented by the Site.

IV. ENDANGERMENT DETERMINATION

If the actual or threatened releases of the hazardous substance, TCE, above RSLs at this Site are not addressed by implementing the response action selected in this memorandum, they may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

Vapor intrusion mitigation systems will be installed in the homes and commercial spaces where elevated levels of TCE have been detected.

1. Proposed Action Description

The removal actions in the residential or commercial units with slab on grade foundations will include the following steps:

- i. If necessary, occupants of each residential unit will be relocated to a nearby hotel while mitigation systems are installed in their units. This will allow the work crew continuous access to the home thereby reducing the costs and the time required to install the mitigation systems.
- ii. Household items will be moved to provide access for three to four sub-slab monitoring ports to be drilled through the concrete in the corners of each apartment or home.
- iii. One or more, six-inch diameter concrete cores will be advanced through the slab, near the middle of the apartment or home, usually in a closet.
- iv. Any sub-slab material that can be removed by hand through the six-inch hold will be pulled out to optimize the vacuum field achieved at each hole.

- v. Four-inch PVC pipe will be grouted into the hole and will be plumbed to carry the pipe out the side of the building to an in-line radon mitigation fan, and to an exhaust riser well above the roof lines.
- vi. Soffits may be constructed to conceal the pipe runs behind painted and textured drywall.
- vii. The fans will be energized on the existing electricity service to the residence.
- viii. After installation of the systems, sub slab pressure measurements will be taken at the pressure monitoring ports in each home to confirm the extent and strength (minimum of 10 Pascal of vacuum at each point) of the vacuum field created by the system.

The removal actions in the residential or commercial units with crawl space foundations will include the following steps:

- i. If necessary, occupants of each residential unit will be relocated to a nearby hotel while mitigation systems are installed in their units. This will allow the work crews continuous access to the apartment or home thereby reducing the costs and the time required to install the mitigation systems.
- ii. Subject to the safety and adequacy of access, a suitable plastic membrane will be installed to cover exposed soils under the residence and the membrane will be adhered to the perimeter foundation stem wall.
- iii. Four-inch PVC pipe will be placed through the membrane, will be sealed to the membrane at the point of entrance through the membrane, and will then be plumbed to carry the pipe out the side of the building to an in-line radon mitigation fan, and to an exhaust riser well above the roof line.
- iv. The fans will be energized on the existing electrical service to the residence.

After the installation of the mitigation system is complete in each structure, twenty-four-hour indoor air confirmation samples will be collected to demonstrate the success of the mitigation system installed. Ambient air samples will also be collected and analyzed using the same methods.

As stated in the 'Request for Federal Action' letter from the RWQCB to the EPA, "The Regional Water Board and USEPA agree that 40 C.F.R. § 300.415 applies to any work done at the Site, and that the Regional Water Board retains jurisdiction over the Site for all cleanup and abatement actions other than the removal action." As such, the RWQCB recognizes that they will be responsible for ongoing operation and maintenance of the vapor intrusion mitigation systems and remedial actions at the Site. EPA will pay for the first year of electricity required to run the vapor intrusion mitigation systems. After one year, either the RWQCB or the home/business owners will be responsible for the ongoing electricity cost.

2. Contribution to remedial performance

This is a state lead site led by the Los Angeles RWQCB. The proposed removal action will mitigate public exposure to high levels of TCE contaminated vapors while the Region and the RWQCB determine the next steps in Site cleanup. The Site is currently undergoing a site assessment by the Region 9 EPA Site Assessment Program.

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

An EE/CA is not required for a removal action with a planning period of less than six months.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

Pursuant to Section 300.415(j) of the NCP, 40 C.F.R. § 300.415(j), a CERCLA removal action shall, to the extent practicable considering the exigencies of the situation, attain ARARs under federal environmental or state environmental facility siting laws. Federal and state advisories, criteria or guidance may, as appropriate, be considered in formulating the removal action. 40 C.F.R. §§ 300.400(g)(3) and 300.415(j). EPA has consulted with RWQCB and identified following ARARs and To Be Considered (TBCs) for the proposed response action:

ARARs:

Comprehensive Environmental Response, Compensation & Liability Act (CERCLA)

CERCLA Off-Site Disposal Rule, 42 U.S.C. 9621(d)(3), 40 CFR 300.440

CERCLA waste transferred off-site may only be placed in a facility that operates in compliance with the Resource Conservation and Recovery Act (RCRA). The facility to which excavated soil and any other hazardous wastes will be sent must be among the list of approved receiving facilities pursuant to RCRA.

U.S. Department of Transportation (DOT) Hazardous Material Transportation Rules

22 §§ CCR 66262.20, 66262.22, 66262.23, and 66262.30 through 262.33

Off-site transportation of hazardous materials will be governed by U.S. DOT regulations. The substantive provisions of the regulations apply to management of hazardous materials onsite.

To Be Considered (TBC):

EPA Regional Screening Levels for Indoor Air

As explained in section A: Removal Site Evaluation section of this memo, EPA uses the RSLs to determine risk-based indoor air cleanup levels. The RSL for TCE is 0.48 µg/m³ for residential occupancy and 3 µg/m³ for commercial and industrial workers/non-residential occupancy.

5. Project Schedule

Preparations for the removal action are anticipated to start after approval as indicated by the signature on this action memorandum. Each mitigation system requires approximately one week to install. Therefore, it is anticipated that the installation of vapor mitigation systems will take 10 or more weeks and less than 120 days.

B. Estimated Costs

Extramural costs

Regional Removal Allowance Costs:

Total Cleanup Contractor Costs (ERRS)	\$400,000
Total START Contractor Costs	\$100,000
Contractor Cost Contingency (15%)	\$75,000

Subtotal Extramural Costs: \$575,000

Extramural Contingency (20%) \$115,000

TOTAL REMOVAL ACTION PROJECT CEILING: \$690,000

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

A delay in action or no action at this Site would allow for the continued exposure of the public to high levels of VOC contaminated vapors. TCE is known to be carcinogenic to humans by all routes of exposure. If this hazardous substance is not addressed by implementation of the removal action proposed in this memorandum, it may cause an imminent and substantial endangerment to public health or welfare.

VII. OUTSTANDING POLICY ISSUES

None.

VIII. ENFORCEMENT

Please see the attached Confidential Enforcement Addendum for a discussion regarding potentially responsible parties and enforcement. If the removal action is conducted by the potentially responsible party(ies), an enforcement cost recovery action may recover oversight costs and currently incurred site assessment costs. In the event that EPA conducts the removal action, an enforcement cost recovery action may recover the extramural response costs plus the intramural costs.

Intramural Costs¹

U.S. EPA Direct Costs	\$75,000
U.S. EPA Indirect Costs	\$387,473
(50.65% of AM Ceiling + EPA Direct Costs)	

TOTAL INTRAMURAL COSTS \$462,473

The total EPA extramural and intramural costs for this removal action, based on full cost accounting practices that will be eligible for cost recovery, are estimated to be \$1,152,473. Of this, an estimated spending of \$690,000 comes from the regional removal allowance.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Waymire Drum Vapor Intrusion Site, in Los Angeles, California, 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 a removal and I recommend your approval of the proposed removal action. The total project ceiling, if approved, will be \$1,152,473. Of this, as much as \$690,000 comes from the regional removal allowance. If you approve of this action, please indicate your decision by signing this action memorandum.

Approve:

for/ Enrique Manzanilla, Director

Date

Superfund & Emergency Management Division

8/13/19

Disapprove:

Enrique Manzanilla, Director

Date

Superfund & Emergency Management Division

¹Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost 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 costs from this estimate will affect the United States' right to cost recovery.

cc: Joseph Carrasco, RWQCB

Attachments

Index to the Administrative Record
Enforcement Confidential Addendum
Figures

Index to the Administrative Record

1. LA RWQCB Request for Federal Action Letter; August 1, 2019
2. OSWER Vapor Intrusion Technical Guide Final; June 2015
3. R9 TCE Interim Action Levels and Response Recs memo – 2014; July 9, 2014
4. EPA Residential Air Regional Screen Levels Table, May 2019
5. EPA Worker Air Regional Screening Level Table, May 2019
6. Waymire Drum Co Final Preliminary Assessment – Narrative; December 2017
7. Waymire Site Assessment Sample Results; June-July 2019
8. Waymire Drum Company Inc Brief; May 28, 2019
9. Waymire Drum Vapor Intrusion Site Action Memorandum; August 2019

Attachment B
Action Memorandum
December 12, 2019



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

DEC 12 2019

DATE:

SUBJECT: Ceiling Increase Action Memorandum for the Removal Action at the Waymire Drum Vapor Intrusion Site, Los Angeles, Los Angeles County, California

FROM: Olivia Trombadore, On-Scene Coordinator
Emergency Response Section II

TO: Enrique Manzanilla, Director
Superfund & Emergency Management Division

THRU: Kathryn Lawrence, Assistant Director
Emergency Response, Planning & Preparedness Branch

I. PURPOSE

The purpose of this memorandum is to request and document approval of the proposed ceiling increase for the Waymire Drum Vapor Intrusion Site (Site) in the City and County of Los Angeles, California. This memorandum requests an additional \$564,000 in direct extramural costs beyond the current ceiling of \$690,000, which increases the regional removal allowance costs to \$1,254,000.

The initial Action Memorandum, dated August 14, 2019 and included as Attachment 1, documented trichloroethylene (TCE) in the indoor air and/or crawlspace air of three commercial spaces and five residences at concentrations above EPA's regional screening levels (RSLs). As the removal action progressed, EPA continued the removal site assessment as planned and performed additional air sampling, which resulted in an increase in the number of structures requiring mitigation systems. Of the 37 locations sampled to date, 18 have demonstrated indoor air or crawlspace air exceedances for TCE. The number of commercial spaces and residences requiring mitigation systems has increased from three commercial spaces and five residences to six commercial spaces and twelve residences. Because of the size of the commercial spaces, they all require larger and more complex systems with vapor phase granular activated carbon (VP GAC) units, to remove contaminants from the system prior to discharge to the atmosphere. This was not previously foreseen. One of these spaces is a dancehall, approximately 8,000 square feet, with multiple different rooms, each with varying levels of TCE exceeding RSLs in the indoor air. In addition, more air sampling than was originally anticipated is required to complete removal activities. Each of the 37 structures sampled require quarterly air monitoring. Additional funding is required to support the labor and equipment costs associated with the increased number and

complexity of mitigation systems needed at the Site, as well as the labor and lab costs associated with increased air sampling. The proposed ceiling increase will allow for the completion of all work at the Site.

This memorandum would serve as approval for the expenditure required for EPA to take actions described herein to abate the imminent and substantial endangerment posed by vapor intrusion to public health or welfare at the Site. The response action at the Site is consistent with removal activities authorized pursuant to Section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(a); and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. § 300.415.

II. SITE CONDITIONS AND BACKGROUND

Site Name: Waymire Drum Vapor Intrusion Site
CERCLIS ID: CAN000903041
SSID: A9CF
Site Location: 7702 Maie Avenue, Los Angeles, CA
Removal Category: Time Critical
NPL Status: Non-NPL

A. Site Description

1. Physical Location

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Site Characteristics

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

3. Removal Site Evaluation

To date, 37 locations have been sampled as a part of the site evaluation and 18 of them required installation of vapor intrusion mitigation systems. Of those 18 locations, four are large commercial spaces that require more complex systems with VP GAC units. It is anticipated that four more residential spaces will be sampled to delineate the boundary of the site. They include two, two-unit apartment buildings, and two step back units at residential properties where EPA already plans to install mitigation systems.

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

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

5. National Priorities List (NPL) Status

The Site is not currently listed on the NPL.

B. Other Actions to Date

1. Previous Actions

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Current Actions

United States Environmental Protection Agency

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1 for actions taken prior to August 14, 2019.

EPA initiated response actions at the Site on September 16, 2019. The indoor air, and crawlspace air or sub-slab gas of 37 commercial spaces and residences have been sampled for TCE, tetrachloroethylene (PCE), and vinyl chloride (VC). Of those spaces, 18 exhibited exceedances of the RSL for TCE in crawlspace and/or indoor air. EPA plans to sample the indoor air of four more residential spaces in December 2019. To date, five mitigation systems have been successfully installed at three residences and two commercial spaces. Both the commercial units have had VP GAC units installed on the discharge of the vapor intrusion mitigation systems.

C. State and Local Authorities' Roles

1. State and Local actions to date

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Potential for continued State/local response

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

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

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

IV. ENDANGERMENT DETERMINATION

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

Vapor intrusion mitigation systems will be installed in the homes and commercial spaces where TCE have been detected above the RSLs. The ceiling increase provides funding to support the labor and equipment costs associated with increased amount and complexity of mitigation systems needed to be installed at the Site; and the labor and lab costs associates with increased sampling.

1. Proposed Action Description

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Contribution to remedial performance

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

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

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

5. Project Schedule

It is anticipated that the installation of the remainder of the mitigation systems will take an additional 12 weeks. Quarterly air monitoring has already begun and will continue after the final mitigation systems have been installed until each structure has been cleared for four quarters. It is estimated that each quarterly sampling event with take approximately one week.

B. Estimated Costs

Extramural costs

Regional Removal Allowance Costs:	<u>Current Ceiling</u>	<u>Proposed Increase</u>	<u>Proposed Ceiling</u>
Total ERRS Contractor Costs:	\$440,000	\$330,000	\$770,000
Total START Contractor Costs:	\$135,000	\$140,000	\$275,000
Subtotal Extramural Costs:	\$575,000	\$470,000	\$1,045,000
Extramural Contingency (20%)	\$115,000	\$94,000	\$209,000
TOTAL PROJECT CEILING:	\$690,000	\$564,000	\$1,254,000

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

If the ceiling increase is not granted, EPA will not be able to install mitigation systems in many of the commercial and residential spaces where air sampling has demonstrated TCE above RSLs in the indoor air and/or crawlspace air. TCE is known to be carcinogenic to humans by all routes of exposure. If this hazardous substance is not addressed by implementation of the removal action proposed in this Action Memorandum, it may cause an imminent and substantial endangerment to public health or welfare.

VII. OUTSTANDING POLICY ISSUES

None.

VIII. ENFORCEMENT

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

In the event that EPA conducts the removal action, an enforcement cost recovery action may recover the extramural response costs plus the intramural costs.

Intramural Costs¹

	<u>Current Ceiling</u>	<u>Proposed Increase</u>	<u>Proposed Ceiling</u>
U.S. EPA Direct Costs:	\$75,000	\$25,000	\$100,000
U.S. EPA Indirect Costs: (50.65% of AM Ceiling + EPA Direct Costs)	\$424,485	\$310,666	\$735,151
Subtotal Extramural Costs:	\$499,485	\$335,666	\$835,151

The total EPA extramural and intramural costs for this removal action, based on full cost accounting practices that will be eligible for cost recovery, are estimated to be \$2,089,151. Of this, an estimated spending of \$1,254,000 comes from the regional removal allowance.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Waymire Drum Vapor Intrusion Site, in Los Angeles, California, 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 a removal and I recommend your approval of the proposed direct extramural ceiling increase of \$564,000 in order to install vapor intrusion mitigation systems at all of the locations where air samples show TCE exceeds the EPA's RSLs in indoor air and/or crawlspace air. The total project ceiling, if

approved, will be \$2,089,151. Of this, as much as \$1,254,000 comes from the regional removal allowance. If you approve of this action, please indicate your decision by signing this action memorandum.

¹Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost 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 costs from this estimate will affect the United States' right to cost recovery.

Approve:

 12/11/19
Enrique Manzanilla, Director Date
Superfund & Emergency Management Division

Disapprove:

Enrique Manzanilla, Director Date
Superfund & Emergency Management Division

cc: Joseph Carrasco, RWQCB

Attachments

Waymire Drum Vapor Intrusion Site Action Memorandum, August 14, 2019.

Attachment C
Action Memorandum
February 12, 2020



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

DATE: FEB 12 2020

SUBJECT: Ceiling Increase Action Memorandum for the Waymire Drum
Vapor Intrusion Site, Los Angeles, Los Angeles County, California

FROM: Olivia Trombadore, On-Scene Coordinator
Emergency Response Section II

TO: Enrique Manzanilla, Director
Superfund & Emergency Management Division

THRU: Mindy Clements, Acting Branch Manager
Emergency Response, Planning & Preparedness Branch

I. PURPOSE

The purpose of this memorandum is to request and document approval of the proposed ceiling increase for the Waymire Drum Vapor Intrusion Site (Site) in the City and County of Los Angeles, California. This memorandum requests an additional \$426,000 in direct extramural costs beyond the current ceiling, which increases the regional removal allowance costs from \$1,254,000 to \$1,680,000.

The initial Action Memorandum dated August 14, 2019 and included as Attachment 1, documented trichloroethylene (TCE) in the indoor air and/or crawlspace air of three commercial spaces and five residences at concentrations above EPA's regional screening levels (RSLs). A ceiling increase action memorandum, dated December 12, 2019 and included as Attachment 2, documented the increase in number and complexity of mitigation systems required. The number of commercial spaces and residences requiring mitigation systems increased from three commercial spaces and five residences to six commercial spaces and eleven residences. The six commercial spaces require larger and more complex systems with vapor phase granular activated carbon (VP GAC) units to remove contaminants from the system prior to discharge to the atmosphere. One of these spaces is a dancehall, approximately 8,000 square feet, with multiple rooms, each with varying levels of TCE exceeding RSLs in the indoor air.

Work in these larger, more complex commercial spaces began on January 6th and is requiring more time than originally anticipated extending the final estimated timeline for the removal action by 50 on-site days. Additional funding is required to support the labor and equipment costs associated with the increased time required to install these large mitigation systems,

particularly in the dancehall and the upholstery shop, and to finish installing mitigation systems at the remaining residences at the Site. The proposed ceiling increase will allow for the completion of removal activities at the Site.

This memorandum would serve as approval for the expenditure required for EPA to take actions described herein to abate the imminent and substantial endangerment posed by vapor intrusion to public health or welfare at the Site. The response action at the Site is consistent with removal activities authorized pursuant to Section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(a); and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. § 300.415.

II. SITE CONDITIONS AND BACKGROUND

Site Name: Waymire Drum Vapor Intrusion Site
CERCLIS ID: CAN000903041
SSID: A9CF
Site Location: 7702 Maie Avenue, Los Angeles, CA
Removal Category: Time Critical
NPL Status: Non-NPL

A. Site Description

1. Physical Location

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Site Characteristics

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

3. Removal Site Evaluation

To date, 39 locations have been sampled as a part of the site evaluation and 17 of them required installation of vapor intrusion mitigation systems. Of those 17 locations, six are large commercial spaces that require more complex systems.

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

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

5. National Priorities List (NPL) Status

The Site is not currently listed on the NPL.

B. Other Actions to Date

1. Previous Actions

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

EPA initiated response actions at the Site on September 16, 2019. The indoor air, and crawlspace air or sub-slab gas of 39 commercial spaces and residences have been sampled for TCE, tetrachloroethylene (PCE), and vinyl chloride (VC). Of those spaces, 17 exhibited exceedances of the RSL for TCE in crawlspace and/or indoor air. To date, nine mitigation systems have been installed at four residences and five commercial spaces. Two of the commercial units have had VP GAC units installed on the discharge of the vapor intrusion mitigation systems.

2. Current Actions

United States Environmental Protection Agency

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1 for actions taken prior to August 14, 2019.

EPA is continuing to install vapor intrusion mitigation systems in the residential and commercial spaces where TCE exceeds RSLs in the indoor air and/or crawlspace air. This includes one remaining commercial installation and four residential installations. Several of the existing systems also require minor adjustments.

C. State and Local Authorities' Roles

1. State and Local actions to date

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Potential for continued State/local response

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

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

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

IV. ENDANGERMENT DETERMINATION

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

Vapor intrusion mitigation systems will be installed in the remaining four homes and single commercial space where TCE has been detected above the RSLs. Additionally, several of the existing mitigation systems will be modified slightly to increase their functionality. This ceiling increase provides funding to support the labor and equipment costs associated with increased time required to install these large mitigation systems needed at the Site.

1. Proposed Action Description

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

2. Contribution to remedial performance

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

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

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

Refer to previous Action Memorandum dated August 14, 2019 and included as Attachment 1.

5. Project Schedule

It is anticipated that the installation of the five remaining mitigation systems and the existing system modifications will take an additional ten weeks. Quarterly air monitoring has already begun and will continue after the final mitigation systems have been installed. It is estimated that each quarterly sampling event will take approximately one week.

B. Estimated Costs

Extramural costs

Regional Removal Allowance Costs:	<u>Current Ceiling</u>	<u>Proposed Increase</u>	<u>Proposed Ceiling</u>
Total ERRS Contractor Costs:	\$770,000	\$250,000	\$1,020,000
Total START Contractor Costs:	\$275,000	\$105,000	\$380,000
Subtotal Extramural Costs:	\$1,045,000	\$355,000	\$1,400,000
Extramural Contingency (20%)	\$209,000	\$71,000	\$280,000
TOTAL PROJECT CEILING:	\$1,254,000	\$426,000	\$1,680,000

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

If the ceiling increase is not granted, EPA will not be able to install mitigation systems in many of the residential spaces where air sampling has demonstrated TCE above RSLs in the indoor air and/or crawlspace air. TCE is known to be carcinogenic to humans by all routes of exposure. If this hazardous substance is not addressed by implementation of the removal action proposed in this Action Memorandum, it may cause an imminent and substantial endangerment to public health or welfare.

VII. OUTSTANDING POLICY ISSUES

None.

VIII. ENFORCEMENT

Refer to previous Action Memorandums dated August 14, 2019 and December 12, 2019 and included as Attachment 1 and Attachment 2.

If EPA conducts the removal action, an enforcement cost recovery action may recover the extramural response costs plus the intramural costs.

Intramural Costs¹

	<u>Current Ceiling</u>	<u>Proposed Increase</u>	<u>Proposed Ceiling</u>
U.S. EPA Direct Costs:	\$100,000	\$25,000	\$125,000
U.S. EPA Indirect Costs: (50.65% of AM Ceiling + EPA Direct Costs)	\$735,151	\$240,769	\$975,920
Subtotal Intramural Costs:	\$835,151	\$265,769	\$1,100,920

The total EPA extramural and intramural costs for this removal action, based on full cost accounting practices that will be eligible for cost recovery, are estimated to be \$2,780,920. Of this, an estimated spending of \$1,680,000 comes from the regional removal allowance.


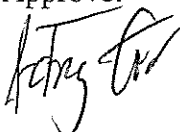
IX. RECOMMENDATION

This decision document represents the selected removal action for the Waymire Drum Vapor Intrusion Site, in Los Angeles, California, 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 a removal and I recommend your approval of the proposed direct extramural ceiling increase of \$426,000 in order to install vapor intrusion mitigation systems at all of the locations where air samples show

TCE exceeds the EPA's RSLs in indoor air and/or crawlspace air. The total project ceiling, if approved, will be \$2,780,920. Of this, as much as \$1,680,000 comes from the regional removal allowance. If you approve of this action, please indicate your decision by signing this action memorandum.

¹Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost 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 costs from this estimate will affect the United States' right to cost recovery.

Approve:  2/12/20
 Enrique Manzanilla, Director Date
Superfund & Emergency Management Division

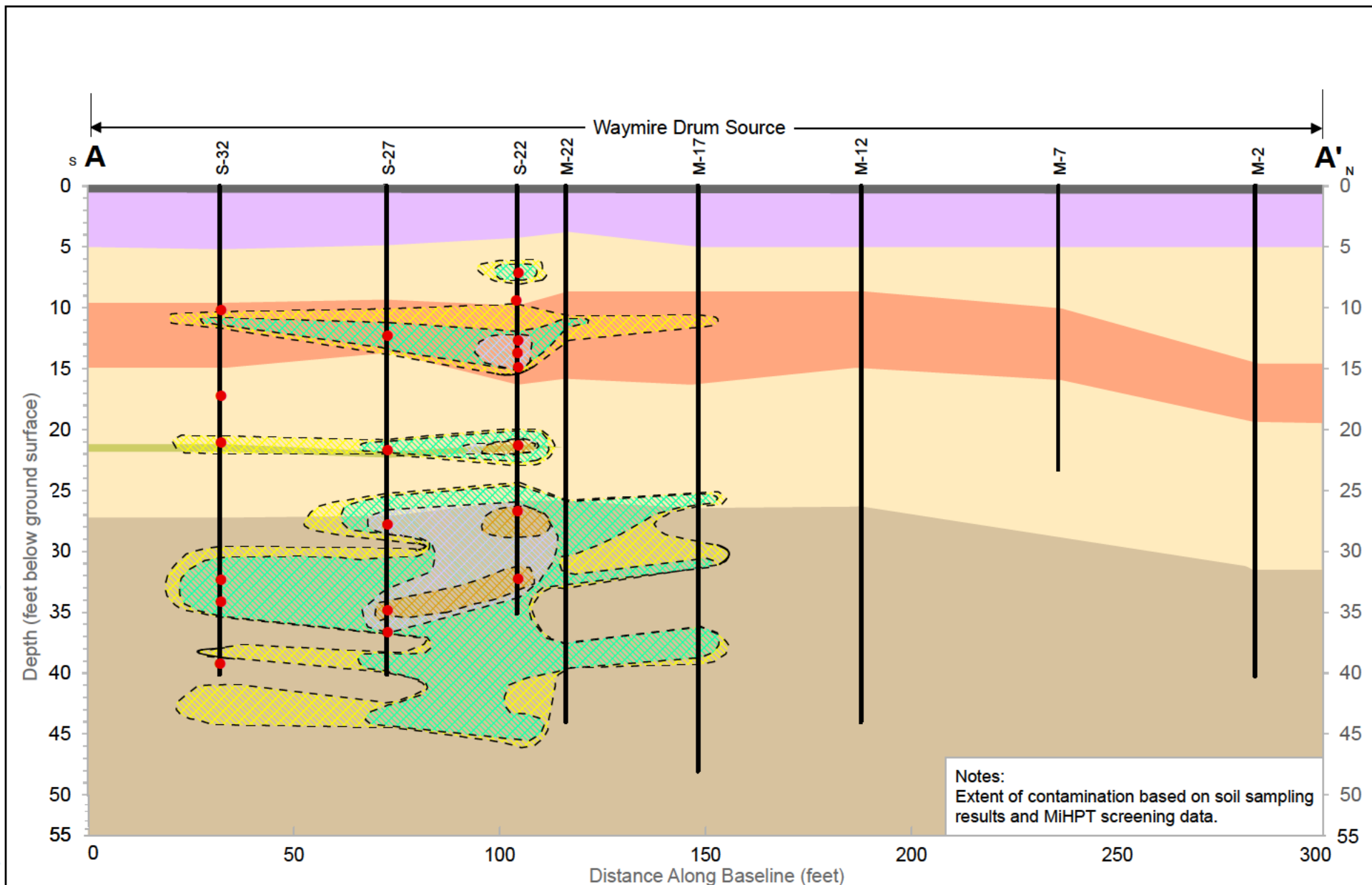
Disapprove: _____
Enrique Manzanilla, Director Date
Superfund & Emergency Management Division

cc: Joseph Carrasco, RWQCB

Attachments

1. Waymire Drum Vapor Intrusion Site Action Memorandum, August 14, 2019.
2. Ceiling Increase Action Memorandum for the Removal Action at the Waymire Drum Vapor Intrusion Site, December 12, 2020.

Attachment D
Cross Sections



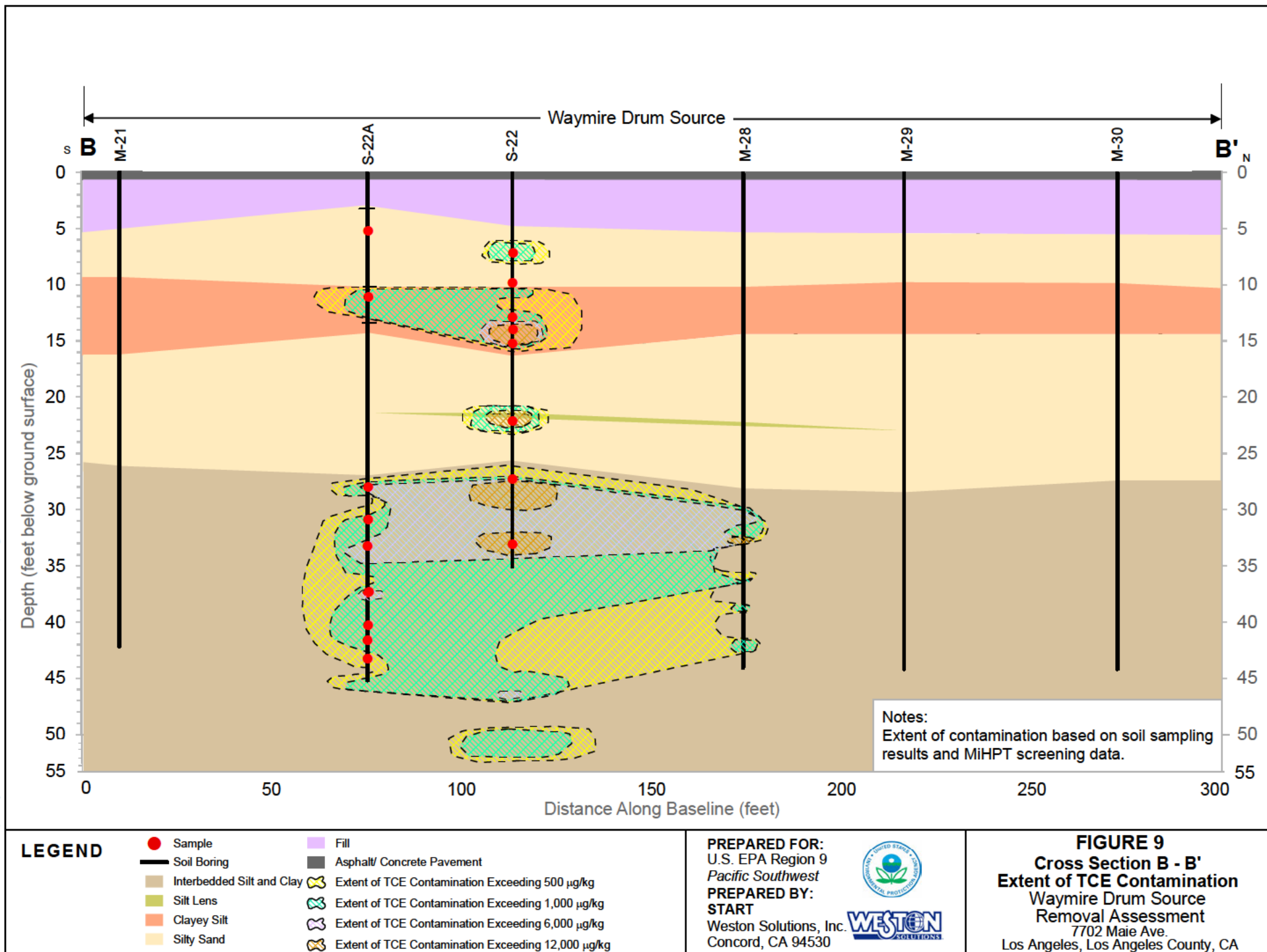
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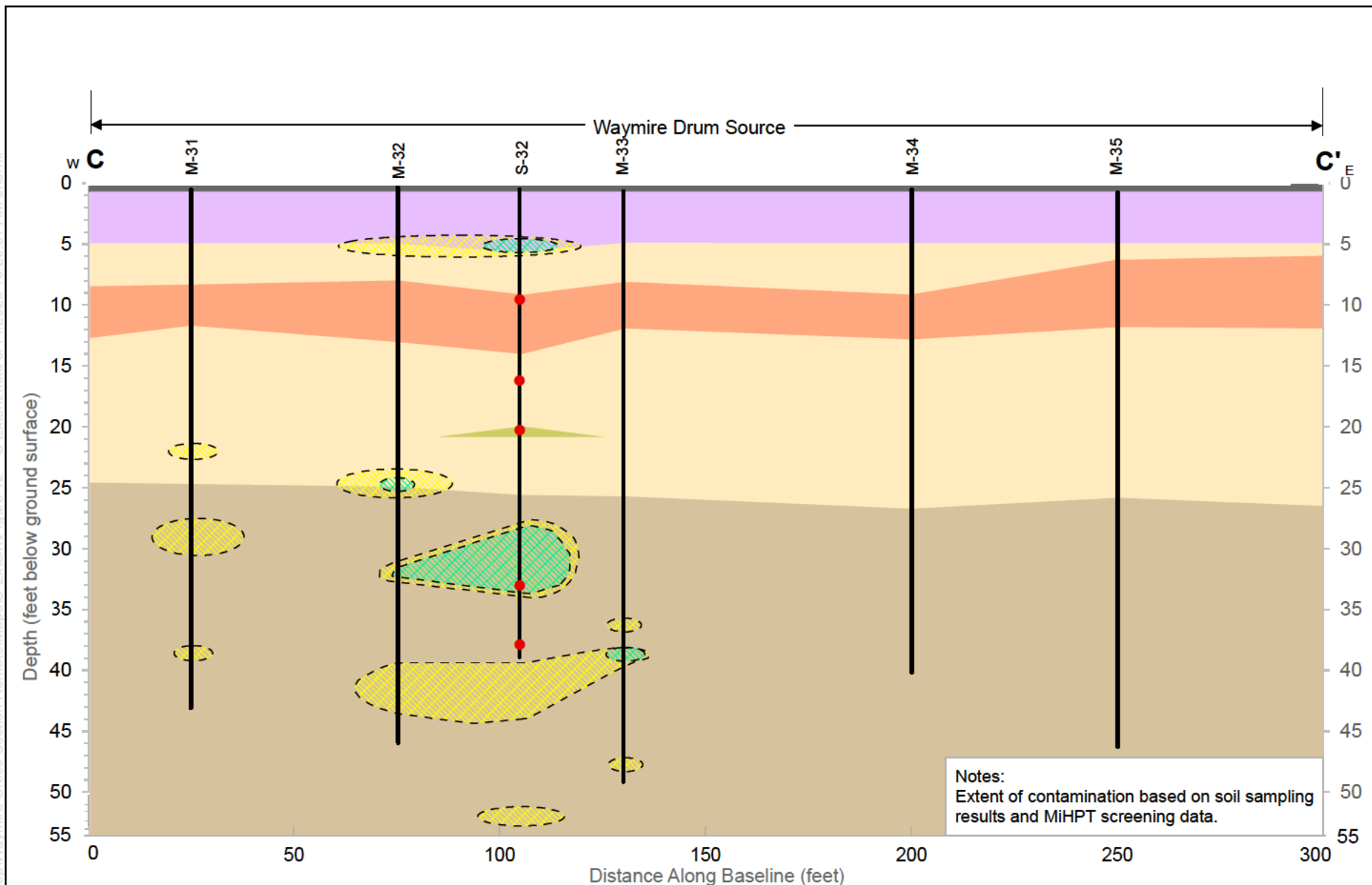
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|-----------------------------|--|
| ● Sample | ■ Fill |
| — Soil Boring | ■ Asphalt/ Concrete Pavement |
| ■ Interbedded Silt and Clay | ■ Extent of TCE Contamination Exceeding 500 µg/kg |
| ■ Silt Lens | ■ Extent of TCE Contamination Exceeding 1,000 µg/kg |
| ■ Clayey Silt | ■ Extent of TCE Contamination Exceeding 6,000 µg/kg |
| ■ Silty Sand | ■ Extent of TCE Contamination Exceeding 12,000 µg/kg |

PREPARED FOR:
U.S. EPA Region 9
Pacific Southwest
PREPARED BY:
START
Weston Solutions, Inc.
Concord, CA 94530



FIGURE 8
Cross Section A - A'
Extent of TCE Contamination
Waymire Drum Source
Removal Assessment
7702 Maie Ave.
Los Angeles, Los Angeles County, CA





LEGEND	● Sample	 Silty Sand
 Soil Boring	 Fill	 Asphalt/ Concrete Pavement
 Interbedded Silt and Clay	 Silt Lens	 Extent of TCE Contamination Exceeding 500 µg/kg
 Clayey Silt	 Extent of TCE Contamination Exceeding 1,000 µg/kg	

PREPARED FOR:
 U.S. EPA Region 9
Pacific Southwest
PREPARED BY:
 START
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FIGURE 10
Cross Section C - C'
Extent of TCE Contamination
Waymire Drum Source
Removal Assessment
 7702 Maie Ave.
 Los Angeles, Los Angeles County, CA

bcc: D. Prend, ORC
S. Arbaugh, SFD-7-5
O. Trombadore, SFD-9-2
B. Moxley, SFD-9-1
B. Castellana, SFD-9-2
M. Matthews, SFD-9-3
B. Lee, SFD-9-3
K. Castro, SFD-2
P. Guria, SFD-9-2
L. Keller, SFD-9-1
K. Manheimer, SFD-9