

**U.S. ENVIRONMENTAL PROTECTION AGENCY
\$250,000 EMERGENCY ACTION MEMO**

Date: May 26, 2006

Subject: Tennessee Wheel & Rubber Site
Nashville, Davidson County, Tennessee

From: Steve Spurlin, On-Scene Coordinator
Emergency Response and Removal Branch

To: Regional Response Center, 4WD-ERRB
Shane Hitchcock, Chief, ERRB
Jim McGuire, Chief, Removal Operations Section
Tennessee Department of Environment & Conservation

SITE: TN Wheel + Rubber
BREAK: 2.9
OTHER: v.1

I. PURPOSE

The purpose of this document is to document the decision to initiate emergency response actions described herein for the Tennessee Wheel & Rubber Site located in Nashville, Davidson County, Tennessee, under the On-Scene Coordinators (OSC) \$250,000 authority.

II. BACKGROUND

Site No: A4LR

TO Amount: \$100,000

Contractor: Ferguson Harbor, Inc.

CERCLIS No: TNN000409873

Response Authority: CERCLA

State Notification: 5/22/06

Demobilization Date: TBD

NPL Status: Non-NPL

Start Date: 05/22/06

Completion Date: TBD

III. SITE INFORMATION

- A. Incident Category:** (check one)
- ☐ Active Production Facility
 - ☒ Inactive Production Facility
 - ☐ Active Waste Management Facility
 - ☐ Inactive Waste Management Facility
 - ☐ Midnight Dump
 - ☐ Transportation Related
 - ☐ Other (specify)

B. Site Location**1. Site description****a. Removal site evaluation**

On May 22, 2006, at the request of the Tennessee Department of Environment & Conservation (TDEC), On-Scene Coordinator (OSC) Spurlin met representatives from TDEC, Nashville Metro Health Department, Metro Water Services, Nashville Fire Department, and Nashville Department of Codes, at the former Tennessee Wheel & Rubber company facility. The health department, sewer authority, and building codes representatives expressed their concern about ongoing contaminated run-off to the sewer from the Site. Numerous chemical and oil drums are abandoned at the Site. Oily sludge and wastewater were observed on the ground, and an off-site discharge of contaminated storm water to a nearby sewer was occurring when the OSC arrived on-site. Leaking and overflowing drums suspected to contain hazardous substances are scattered around the Site. The facility is unsecured and appears to be frequented by vagrants and vandals.

b. Physical location and Site characteristics

The Site is located at 817 18th Avenue North, Nashville, Davidson County, Tennessee. The Site is located in a densely populated inner city area surrounded by a mix of commercial, industrial, and residential development. There is a high school and a middle school located within 1/5th mile of the Site. A main rail line is located along the southern border of the property. According to TDEC, the facility manufactured wheels for dollies and carts from the mid 1960's until 2005. The facility manufactured the complete wheel assembly consisting of rubber or acrylic tires and cast metal, primarily aluminum, wheels..

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

The facility is not operational and access is unrestricted. Evidence of vandalism and trespassing, including graffiti, burned areas, mattresses, stripped wiring, and overturned drums, is present throughout the Site. Several hundred drums are abandoned at the Site. Labels on many of the drums indicate flammable and corrosive contents. Suspected oil and chemicals were observed mixed with rainwater in several areas of the interior and exterior of the facility buildings. Upon arriving on-site, the OSC observed suspected storm water runoff carrying unknown oils and chemicals flowing off-site into a combined sewer drain. Many of the containers were labeled as flammable and containing hazardous material. Field testing of a drums labeled phosphoric acid indicated a pH of 1.0, characterizing the contents as a corrosive RCRA hazardous waste, thereby a hazardous substance. Other hazardous substances observed on-site include toluene, xylene, methyl ethyl ketone (MEK), perchloroethylene, butadiene, toluene diisocyanate, and thinners containing multiple hazardous substances.

504 10/10/06

- d. Maps, pictures, and other graphic representations

Maps, pictures, and other graphic representations can be made available upon request.

2. Description of threat

Explanations of how this release or threat of release meets the criteria for threats to public health or welfare or the environment in section 300.415 (b)(2) of the NCP are discussed below.

a. **300.415(b)(2)(i) "Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants"**

The Site contains flammable and corrosive liquids. Mixing of these incompatible materials could result in a fire or explosion. The Site is frequented by vagrants who start fires for warmth, or burn wiring for copper recovery. An on-site fire would impact hazardous substances stored on-site, potentially exposing nearby residents, as well as responders, to contaminated smoke and fumes. Homes are located within several hundred feet of the Site. A high school and middle school are located within 0.2 miles of the Site. The Site is unsecured and frequented by trespassers. There was evidence of drums being vandalized resulting in releases of suspected hazardous substances. Trespassers are potentially exposing themselves to hazardous substances by sleeping in areas containing suspected hazardous substances.

b. **300.415(b)(2)(iii) "Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release"**

An estimated 250 drums are abandoned on-site. Numerous drums are open and leaking their contents. Many drums were in poor condition and required special handling to minimize additional releases. Suspected oil and chemicals were observed releasing from the drums onto the ground where the material was mixing with storm water running off-site.

c. **300.415(b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released"**

Releases from the drums, sumps, and process areas has contaminated the surface areas on-site. Storm water runoff contaminated with hazardous substances discharges off-site. Many drums were stored in open areas. Exposure to high summer temperatures will cause solvent and oil liquids and vapors to expand, which stresses and decreases the integrity of the container. During the initial response, drums could be heard expanding as daytime temperature increased. Bulging drums, an indication of an over pressurized container, were documented on-site.

d. **300.415(b)(2)(vi) "Threat of fire or explosion"**

Many of the containers were labeled as containing flammable material. Solvents and thinners, such as the xylene and toluene, typically contain highly flammable liquids. The phosphoric acid is incompatible with the flammable liquids. Mixing of incompatible materials

could result in a fire or explosion. Bulging drums, an indication of an over pressurized container, were documented on-site. The bulging indicates rapid expansion of flammable liquids which can create potential explosive or flammable conditions. Also, several burned areas were observed around the Site. These suspected man-made fires continue to pose a threat of a fire that would impact on-site hazardous substances since access to the property by unauthorized persons is still possible. With homes, schools, and business in such close proximity to the facility, any fire on-site would result in the potential exposure of nearby residents, students, and workers to hazardous substances.

IV. RESPONSE INFORMATION

A. Situation

1. Current situation

EPA and EPA's contractors should finish the initial emergency actions on May 26, 2006. The drums, tanks, and other suspected waste material remain at the Site. Sample results are pending. The TDEC and local officials have been kept informed throughout EPA's actions.

2. Removal activities to date

a. Federal Government/Private Party

EPA OSC Spurlin initiated an emergency removal action on May 22, 2006. EPA hired environmental contractor, Ferguson Harbor, to move exposed drums into the buildings, over pack leaking drums, pump oily waste from site surfaces and sumps, and construct runoff control measures to minimize off-site migration of contaminated run-off. Also, attempts will be made to better secure the facility by installing a gate and boarding windows and doors. Samples were collected from some drums and areas of the Site to better characterize the types of hazardous substances on-site.

3. Enforcement¹

An EPA Region 4 attorney has been assigned to investigate any potential enforcement actions.

B. Planned Removal Actions

1. Proposed action description

The specific tasks involved in the proposed response to the threats include:

¹ Enforcement strategy is not part of the Action Memo for purposes of NCP consistency.

- Staging drums and containers inside the buildings when feasible. This activity was substantially completed on May 26th;
- Over pack or close leaking drums, where feasible, to prevent releases. This activity was substantially completed on May 26th;
- Remove and containerize waste liquids from sumps and surface areas. This activity was substantially completed on May 26th;
- Construct runoff control measures to attempt to minimize contaminated wastewater discharge offsite;
- Sampling of waste to determine the specific nature of material;
- Removal of waste material from pavement, soil, floors, equipment, etc;
- Transportation and offsite disposal of waste materials generated by the removal actions in compliance with Federal regulations including the CERCLA off site rule.

2. Contribution to remedial performance

The proposed actions will, to the extent practicable, contribute to the efficient performance of any long-term remedial action at the site.

3. Description of Alternative Technologies

N/A

4. ARARs

The Federal ARARs identified for the site include:

RCRA Treatment, Storage and Disposal
RCRA Transportation
DOT
OSHA

5. Project schedule

The initial emergency actions to more adequately secure the facility, implement measures to prevent, control, and minimize off-site releases is anticipated to be completed May 26, 2006. Continuation of the emergency actions, as outlined in this document, to further stabilize the Site will be necessary and will likely occur over the next sixty days.

V. COSTS

Extramural Costs:

	<u>Ceiling</u>	<u>To Date</u>
ERRS	\$ 200,000	\$15,000
START	\$ 50,000	\$8,000
TOTAL PROJECT CEILING	\$ 250,000	

The Project Ceiling has been approved by the OSC as documented in this Action Memo/ Initial Pollution Report. The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor. Other financial data, which the OSC must rely upon, may not be entirely up to date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

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-judgement interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of the removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

VI. DISPOSITION OF WASTES

Disposal analysis will be conducted on waste as appropriate in order to identify potential disposal options.

VII. ENDANGERMENT DETERMINATION

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

VIII. 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 and the environment.

IX. OUTSTANDING POLICY ISSUES

NONE

X. APPROVAL

This decision document represents the selected removal action for this Site, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. 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 through this document, I am approving the proposed removal actions. The total project ceiling is \$250,000, of which, \$ 200,000 will be funded from the Regional removal allowance.

Steve Spurlin
Steve Spurlin
Federal On-Scene Coordinator

5-26-06
Date

