



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8SEM-EMR

ACTION MEMORANDUM

SUBJECT: Action Memorandum for a Removal Action at the Nedlog Property Site pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104

FROM: Valeriy Bizyayev, OSC
Response Section

Joyel Dhieux, OSC
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THRU: Kerry Guy, Supervisor
Response Section

Deirdre Rothery, Manager
Emergency Management Branch

TO: Ben Bielenberg, Acting Director
Superfund and Emergency Management Division

I. Purpose

The purpose of this memorandum is to document the decision to initiate emergency response actions described herein for the Nedlog Property Site (Site) located in Laramie, Albany County, Wyoming pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104. This emergency response involved the removal, stabilization, securing, and disposal of unknown containers/cylinders and securing the Site from trespassers. Conditions existing 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).

II. Site Information

A. Site Description

Site Name: Nedlog Property
Site Spill ID (SSID): B8E8
NRC Case Number: N/A
CERCLIS Number: WYN000802823
Site Location: 17 Sand Creek Road, Laramie, Wyoming 82070

Lat/Long: 41.2651209865069, -105.603414962815
Potentially Responsible Party (PRP):
NPL Status: Non-NPL
Removal Start Date: 05/24/2023

B. Site Background

1. Site Evaluation

In October 2022, the Wyoming Department of Environmental Quality (WDEQ) requested EPA Removal Program assistance with assessment and remediation of the former Nedlog and Williams Strategic Metals property (Nedlog Site). Prior to initiating a removal assessment, the EPA and WDEQ held a public meeting in Laramie on March 16, 2023, to provide an update of remediation activities at the Site. The EPA Removal Program deployed to the Site on May 22, 2023, to initiate field activities and the removal assessment.

The removal assessment was initiated based on the Phase I Environmental Site Assessment Report (November 30, 2022) prepared by the EPA Region 8 Brownfields Program. The Phase I Report indicated an industrial history with known environmental compliance discrepancies and EPA corrective actions. The report also indicated the Site had unknown residual chemicals in tanks, piping, and processing equipment. Additionally, the report noted the presence of unknown containers and cylinders abandoned on Site that may contain hazardous substances and/or hazardous wastes. Based on the report, the WDEQ requested the EPA Removal Program's assistance with the Site.

The EPA removal team conducted a preliminary site inspection of the property in January 2023. This site inspection confirmed the report's findings and the need for additional information. In May 2023, the EPA and support contractors mobilized to the site to gather additional information to further understand Site characteristics.

During the May site inspection, the EPA confirmed the presence of elevated mercury levels ($>50,000\text{ng/m}^3$), unknown gas cylinders, unknown chemical containers, a five-gallon organic peroxide container, and elevated levels of arsenic and chromium in the Arsenic Acid building.

The Site also displayed signs of trespassing, with graffiti, tire tracks, garbage, and local stories of being the teenage hangout spot.

2. Physical location and Site characteristics

The Site is located approximately 2.5 miles south of the city of Laramie, Wyoming, in unincorporated Albany County and encompasses roughly 31 acres.

Historically, the Nedlog Site had five main buildings. The EPA inspected four of the five buildings. The building, B-3, is no longer part of the Nedlog Site and is currently in use.

Building	Size (approx.)	Condition/Observations	Historic Use
B-1	53,790ft ²	Abandoned, deteriorating, heavily trespassed.	Processing, Arsenic Acid Facility, & Storage
B-2	64,926ft ²	Abandoned, deteriorating, heavily trespassed.	Chemical Storage, Processing
B-4	3,720ft ²	Abandoned, deteriorating, heavily trespassed, lots of paperwork and office/lab supplies.	Lab/Office Building
B-5	4,200ft ²	Abandoned, deteriorating, heavily trespassed, mainly empty.	“Mercury Building”

Census data from July 2022 estimates the population of Laramie to be 32,035. The Site is primarily surrounded by industry and mixed-used properties. Historically, the Site was used for alumina production and metals extraction from smelter waste ore materials. Production of the facility ceased in the early 1990’s and the Site has remained unoccupied.

Mean average yearly temperatures vary between 29°F to 70°F with average wind of 12.7 miles per hour (National Weather Service Climatological Report, Cheyenne Wyoming, January 2023).

According to EPA’s Environmental Justice (EJ) Screening and Mapping Tool, the data do not indicate potential areas of EJ concern at or near the Site.

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

Confirmed and/or suspected contaminants of concern at the property are mercury, chromium, copper, lead, arsenic, arsenic acid, asbestos, and other various suspected hazardous substance and/or pollutants or contaminants.

Mercury is the only metal that is liquid at room temperature. In its pure form (often called metallic or elemental), mercury is a shiny, silver-white, odorless liquid. At room temperature, mercury vaporizes into a toxic, colorless, odorless gas.¹ In its vapor form, mercury is easily inhaled and extremely

¹ United States of America, Agency for Toxic Substances and Disease Registry,

toxic. For elemental mercury, the most important route of absorption is through inhalation. Because of the chemical nature of elemental mercury vapor, deposition and retention in the lungs are quite high (on the order of 80 percent in humans).²

When spilled or tracked into a small or poorly ventilated room, mercury can pose significant health threats. Very small amounts of mercury, released into an enclosed space (such as a home or classroom), can raise air concentrations to harmful levels. Metallic mercury is extremely difficult to remove from shoes, clothes, furniture, carpet, and other porous items. It is easily tracked and transferred. If these items are not properly disposed or cleaned, the mercury can linger for months or years and continue to pose a health threat.³

Arsenic, chromium, copper, lead, and other heavy metals can pose neurological, dermal, renal, carcinogenic, cardiovascular, hematological and testicular hazards to public health and community members (ATSDR).

III. Threats to Public Health Welfare or the Environment

A. Nature of Actual or Threatened Release of Hazardous Substances, Pollutants or Contaminants.

Areas of the Site are not secured, and evidence of trespassers is evident. The Site is easily accessible by the public and exposure to the public via trespassing is likely. Attempts at securing the Site have failed over time, with continuing degradation of the buildings and Site from weathering.

B. Check applicable factors (from 40 CFR 300.415) which were considered in determining the appropriateness of a removal action.

The 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.

Division of Toxicology and Environmental Medicine Prevention, Response and Medical Support Branch Emergency Response Team. (2012, March 22). Action Levels for Elemental Mercury Spills.

² Arch Environ Health, 1976 Nov-Dec; 31(6):302-9. Clearance of mercury (HG-197, HG-203) vapor inhaled by human subjects.

³ www.epa.gov/mercury/exposure

X	Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)].
	Actual or potential contamination of drinking water supplies or sensitive ecosystems [300.415(b)(2)(ii)].
X	Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415(b)(2)(iii)].
X	High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate [300.415(b)(2)(iv)].
X	Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415(b)(2)(v)].
X	Threat of fire or explosion [300.415(b)(2)(vi)].
X	The availability of other appropriate federal or state response mechanisms to respond to the release [300.415(b)(2)(vii)].
	Other situations or factors that may pose threats to the public health or welfare of the United States or the environment [300.415(b)(2)(viii)].

IV. Selected Removal Action and Estimated Costs

A. Situation and Removal Activities to Date

1. Current Situation

The property is being evaluated by the EPA Brownfields Program and the WDEQ. The most recent property owner is deceased, and the property is held in trust by a trustee.

2. Removal Activities to Date

The owner/trustee of the property has worked with the WDEQ under the voluntary remediation program to address contamination on Site. The owner/trustee has previously taken steps to secure the Site and remove hazardous substances/materials from the property.

a) Federal Government/Private Party

In the late 1980s - early 1990s, EPA's Resource Conservation and Recovery Act (RCRA) Program issued a corrective action and signed a consent agreement to address RCRA/Hazardous Waste issues at the Site.

On May 24, 2023, EPA Removal Program initiated an Emergency Response at the site to stabilize, secure, and prepare the abandoned chemicals/hazardous substances at the Site for disposal. Additionally, the EPA secured the Site by blocking access, adding fencing, posting signage, and boarding up buildings.

b) State/local

The State of Wyoming has been working with the property owner/trustee to address the property and Site through the state's voluntary remediation program. Additionally, the State has received an EPA Brownfields grant to conduct further remediation planning and investigatory work.

3. Enforcement

Where the responsible parties are known, an effort initially shall be made, to the extent practicable, to determine whether they can and will perform the necessary removal action promptly and properly.

B. Planned Removal Actions

1. Planned Action Description

Off-Site disposal is pending waste profiling and final shipping arrangements. Additional fencing to more fully secure areas of the Site is also underway.

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. ARARs

This Action Memorandum addresses the emergency response action at the Nedlog Property Site. Removal actions conducted under CERCLA are required to attain ARARs to the extent practicable. 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.

No ARARs have been identified for this emergency response. RCRA requirements concerning waste analysis, manifesting, packaging, and

transporting, while not ARARs, apply to off-site shipments of hazardous wastes.

4. Project Schedule

This emergency response was initiated on May 24, 2023. Disposal profiling and off-site disposal arrangements are expected to be completed by the end of 2023 but may be extended due to waste disposal issues/delays. Additional fencing around the Site is expected to be completed by August 2023.

C. Estimated Costs*

Contractor costs (ERRS/START staff, travel, equipment)	\$200,000
Other Extramural Costs (Strike Team, other Fed Agencies)	\$0
Contingency costs (20% of subtotal)	\$50,000
Total Removal Project Ceiling	\$250,000

*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. Approvals

This decision document represents the selected removal action for this Site, developed in accordance with CERCLA as amended, and is not inconsistent with the National Contingency Plan. This decision is based on the administrative record for the Site.

Conditions at the site met the NCP section 300.415(b) criteria for a removal action and through this document, I am approving the proposed removal actions. The total project ceiling is \$250,000, this amount will be funded from the regional removal allowance.

Valeriy Bizyayev,
Federal On-Scene Coordinator

Date

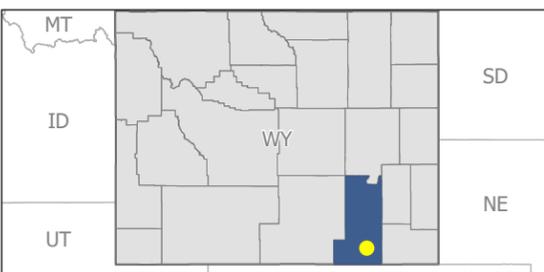
Attachments:

Attachment 1: Map



Notes:

Source:
 Background: ESRI Aerial Basemap (Feb 2022)
 Sample Locations: EPA Region 8 START V (Tetra Tech)
 Spatial Reference: NAD 1983 StatePlane Wyoming East FIPS 4901 Feet Coordinate System



United States Environmental Protection Agency

Region 8 START V
 TD: 2082-2202-02

Tt TETRA TECH

Analyst: M. Caldwell
 Date: 5/28/2022

Nedlog Holdings Property

17 Sand Creek Road
 Laramie, Albany County,
 Wyoming

**Figure 1
 Site Layout**