

**U.S. ENVIRONMENTAL PROTECTION AGENCY
\$250,000 EMERGENCY ACTION MEMO / INITIAL POLLUTION REPORT**

Date: January 27, 2005

Subject: Seven Out Tank Site
Waycross, Ware County, Georgia

From: Terry Stilman, OSC
Emergency Response and Removal Branch

To: Regional Response Center, 4WD-ERRB
Shane Hitchcock, ERRB
Matt Taylor, ERRB
FDEP

Site: Seven Out
Date: 2.9
Other: _____

I. PURPOSE

The purpose of this document is twofold. First, it documents the decision to initiate emergency response actions described herein for the Seven Out Tank Site located in Waycross, Ware County, Georgia under the OSC's \$250,000 authority. Second, it serves as the Initial Pollution Report (POLREP #1) for the Site.

II. BACKGROUND

Site No: A4FY

TO Amount: \$100,000

Contractor: WRS Environmental Services

CERCLIS No: GAN000407811

Response Authority: CERCLA

State Notification: 01/27/05

Demobilization Date: N/A

NPL Status: Non-NPL

Start Date: 01/27/05

Completion Date: On-going

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)

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B. Site Location**1. Site description****a. Removal Site Evaluation**

On 27 January 2005, OSC Stilman mobilized to the Seven Out Tank Site to conduct a removal site evaluation, based on a request from the State of Georgia, Department of Natural Resources, Environmental Protection Division (EPD) and the City of Waycross. On 26 January 2005, both EPD and the City of Waycross contacted EPA regarding an overflow of facility tanks, causing wastes from the tanks to overflow into secondary containment. Secondary containment was also reportedly overflowing. While conducting a reconnaissance of the site, OSC Stilman discovered approximately forty-one abandoned tanks on the site, located near a public road bordering the site. Thirty-seven of the tanks are located within a low concrete secondary containment wall that was overflowing. Four of the tanks were outside of secondary containment. The secondary containment was overflowing with a mixture of rainwater and waste (waste water) from uncovered tanks. The waste water was flowing over the secondary containment wall into a drainage ditch. The total amount of waste water in the tanks is estimated to be 450,000 gallons.

The Seven Out facility notified EPD as a used oil processor, but operated a wastewater treatment plant that failed to meet the discharge limits for the City of Waycross's Publicly Owned Treatment Works (POTW). On March 1, 2004, the City of Waycross disconnected the facility's connection to the POTW, and the facility has not been in operation since that time. When the facility discontinued processing wastewaters, it ended up with an overflow of incoming wastewater, which had to be stored in four rented portable/temporary tanks that were placed on the adjoining property owned by CSX. Those tanks are still on-site. The EPD considers the facility to be incorrectly storing hazardous waste and out of compliance with State of Georgia regulations.

During the week of August 23, 2004, EPA sampled the tanks, at the request of the EPD. Acetone, benzene, sulfuric acid, sodium hydroxide and other hazardous constituents were found. On 27 January 2005, OSC Stilman found the facility abandoned. Facility buildings were also found open and unlocked. One facility building houses what appears to be a small testing laboratory.

b. Physical Location and Site Characteristics

The Site is located at 901 Francis Street, Waycross, Georgia. The past operational history of the site involved the storage and treatment of industrial waste water.

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

There are abandoned and unsecured tanks located on the site, adjacent to a public road routinely frequented by area residents and workers. The tanks are uncovered and overflowing and some are within a secondary containment wall that is overflowing to a drainage ditch that leads to an unnamed creek. Analytical results show acetone, benzene, sulfuric acid and sodium hydroxide, CERCLA hazardous substances.

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"**

There are abandoned tanks that contain hazardous substances, pollutants or contaminants located on the site. These tanks are located near a public road which borders the site. Access to the Site is unrestricted. Sampling of stained soils adjacent to the tanks showed elevated levels of pyrene, chrysene and other semi-volatile contamination.

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"**

There are unsecured, abandoned tanks containing hazardous substances, pollutants or contaminants on the site. The integrity of these tanks are questionable and pose a threat of release. A past leak in one of tanks, outside of secondary containment, released approximately 5,000 gallons. In addition, trespassers or vandals could access the site and cause a release by tampering with the tanks. Some of the tanks have been observed overflowing.

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

Area rains have filled secondary containment and overfilled on-site tanks, causing a release to an off-site creek. Conditions are expected to continue with each successive rain event.

IV. **RESPONSE INFORMATION**

A. **Situation**

1. **Current situation**

2. Removal activities to date

a. Federal Government/Private Party

EPA OSC Stilman initiated an emergency removal action to stabilize and secure the tanks and remove waste waters from secondary containment and abandoned tanks. ERRS contractor WRS has been mobilized to conduct the removal as directed by the OSC. The EPD and the City of Waycross are also on site to assist with the response.

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:

- Emergency stabilization of the secondary containment and the tanks which have been observed to be overflowing;
- Sampling of waste from tanks and secondary containment to determine the specific nature of the contents, if necessary;
- Bulking of materials and disposal off site, if necessary, in compliance with Federal regulations including the CERCLA off site rule.
- Determination of the extent of sludge and soil contamination and disposal off-site, if necessary, in compliance with Federal regulations including the CERCLA off site rule.
- Movement and/or removal of tanks to allow for the safe clean-up of the Site.

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

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

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 action to stabilize the site is expected to be of a short duration (weeks), however, subsequent time-critical removal activity is expected.

V. COSTS

Extramural Costs:

	<u>Ceiling</u>	<u>To Date</u>
ERRS	\$215,000	1,000
USCG Strike Team	\$ 10,000	
<u>Contingency</u>	<u>\$ 25,000</u>	
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-judgment 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, \$ 250,000 will be funded from the Regional removal allowance.



Terry Stilman
Federal On-Scene Coordinator



Date