

**CONTAINS ENFORCEMENT-SENSITIVE INFORMATION**

**MEMORANDUM**

**DATE:** July 23, 2007

**SUBJ:** Request for a Ceiling Increase and a Change in the Scope of Response to Continue the Removal Action at the Lancashire Street Disposal Area Site, Providence, Providence County, Rhode Island  
**Action Memorandum Addendum (3)**

**FROM:** Mia C. Pasquerella, On-Scene Coordinator  
Emergency Response and Removal Section II

**THRU:** Steven R. Novick, Chief  
Emergency Response and Removal Section II

Arthur V. Johnson III, Chief  
Emergency Planning & Response Branch

**TO:** James T. Owens III, Director  
Office of Site Remediation and Restoration

**I. PURPOSE**

The purpose of this Action Memorandum is to request and document approval of a Change in Scope of Response to include two additional residential properties and a Project Ceiling Increase of \$666,000.00 for the ongoing Removal Action at the Lancashire Street Disposal Area Site (the Site), which is located on Lancashire Street in Providence, Providence County, Rhode Island. The total project ceiling, if approved, will be \$4,026,000.00.

EPA and the Superfund Technical Assessment and Response Team (START) contractor conducted surface soil sampling on two additional residential properties on July 18, 2007. Although these two residences fall within the originally-defined project area, EPA was only recently able to secure access to these properties. The results of this sampling effort that surface soils are contaminated above action levels at these residential properties, located at 24 Columbus Street and 160 Glasgow Street. At the 40 other residential properties that qualified for the removal action, excavation and disposal of contaminated surface soils is complete. Additional funds are required to address the contaminated surface soils at 24 Columbus Street and 160 Glasgow Street. Funding is also required to repair response-related damages, backfill, spread loam, replace plantings, and plant grass at these

two properties, as well as several of the 40 other properties where excavation was recently completed. The hazardous substances present in contaminated surface soils in the residential properties, if not addressed by continuing to implement the response actions selected in the Action Memorandum dated September 21, 2004, Action Memorandum Addendum dated June 21, 2005, Action Memorandum Addendum (2) dated July 7, 2006 and this Action Memorandum Addendum (3), will continue to pose a threat to human health and the environment. There are no nationally significant or precedent-setting issues associated with this Site, and there has been no use of the OSC's \$200,000 warrant authority.

## **II. SITE CONDITIONS AND BACKGROUND**

**CERCLIS ID#:** RID987493244  
**SITE ID#:** 01BK  
**CATEGORY:** Time Critical

### **A. Site Description**

#### **1. Removal site evaluation**

The information presented below is new or updated information about the site. For previously established information about the site background, removal site evaluation, and state and local authorities' roles, please refer to the original, attached Action Memorandum and the Action Memorandum Addenda for more information. The residential properties at 24 Columbus Street and 160 Glasgow Street fall within EPA's originally-defined project area, based on historical aerial photographs which depict the footprint of the former disposal area. Although EPA has been attempting to gain access to these properties since the beginning of the project, only recently did the owners grant access.

#### **2. Physical location**

Refer to Action Memorandum Addendum, dated June 27, 2005.

#### **3. Site characteristics**

Refer to Action Memorandum Addendum, dated June 27, 2005.

#### **4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant**

Sampling conducted by EPA has documented the presence of lead at levels up to 1290 ppm in surface soils and PCBs at levels up to 17 ppm. These results are above the RIDEM accepted standard for residential areas for PCBs and lead, 150 ppm<sup>1</sup> and 10ppm<sup>2</sup>, respectively. The quantity of contaminated surface soils at these two properties is estimated at 675 tons.

## **5. NPL status**

The Site is not currently on the National Priorities List.

## **B. Other Actions to Date**

### **1. Previous actions**

Refer to Action Memorandum Addendum, dated June 27, 2005.

### **2. Current actions**

At the 40 other affected residential properties, excavation and disposal of contaminated surface soils and backfilling is complete. EPA is in the process of repairing response-related damages, reinstalling fences, replacing plantings, and planting grass at these properties.

## **C. State and Local Authorities' Roles**

### **1. State and local actions to date**

Refer to Action Memorandum Addendum, dated June 27, 2005.

### **2. Potential for continued State/local response**

Refer to Action Memorandum Addendum, dated June 27, 2005.

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

### **A. Threats to Public Health or Welfare**

Refer to Action Memorandum Addendum, dated June 27, 2005 for additional information.

## **IV. 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 Addendum (3), may present an imminent and substantial endangerment to public health, or welfare, or the environment.<sup>1</sup>

---

<sup>1</sup> In accordance with OSWER Directive 9360.0-34, an endangerment determination is made based on collaboration with a trained risk assessor.

## **V. PROPOSED ACTIONS AND ESTIMATED COSTS**

### **A. Proposed Actions**

#### **1. Proposed action description**

Identified contaminated surface soils will be excavated, transported, and disposed of at an approved off-site landfill. Once field excavation activities are complete, EPA will take confirmatory samples where deemed necessary, in conjunction with RIDEM, who may take duplicate samples. EPA's contractors will backfill excavated areas, re-grade, and re-vegetate the residential properties in a manner consistent with pre-existing conditions. All equipment, materials, and supplies will be demobilized and the Site will be secured.

Refer to Action Memorandum Addendum, dated June 27, 2005 for additional information.

#### **2. Community relations**

It is anticipated that community interest in this project will continue to be high. EPA will coordinate closely with the State and City officials throughout the cleanup. Community relations activities to be conducted for this project will continue to include press releases, fact sheets and community public meetings throughout the removal action. For example, a public meeting is tentatively scheduled to occur in September 2007, at the Rhode Island School for the Deaf, located in the Lancashire Street neighborhood.

#### **3. Contribution to remedial performance**

The cleanup proposed in this Action Memorandum Addendum (3) is designed to mitigate the threats to human health and the environment posed by the Site. The actions taken at the Site would be consistent with and will not impede any future responses.

#### **4. Description of alternative technologies**

Refer to Action Memorandum Addendum, dated June 27, 2005 for additional information.

#### **5. Applicable or relevant and appropriate requirements (ARARs)**

Refer to Action Memorandum Addendum, dated June 27, 2005 for additional information.

#### **6. Project schedule**

Removal activities on these two properties will be done in an expedited fashion. This project is scheduled to be completed during September 2007.

## B. Estimated Costs

<b>COST CATEGORY</b>	<b>CURRENT CEILING</b>	<b>CEILING INCREASE</b>	<b>PROPOSED CEILING</b>
<i>REGIONAL REMOVAL ALLOWANCE COSTS:</i>			
ERRS Contractor	\$2,500,000.00	\$1,060,000.00	\$3,560,000.00
Interagency Agreement	\$100,000.00	-\$100,000.00	- 0 -
<i>OTHER EXTRAMURAL COST NOT FUNDED FROM THE REGIONAL ALLOWANCE:</i>			
START Contractor	\$200,000.00	-\$100,000.00	\$100,000.00
Extramural Subtotal	\$2,800,000.00	\$860,000.00	\$3,660,000.00
Extramural Contingency <sup>2</sup> (10%)	\$560,000.00	-\$194,000.00	\$366,000.00
<b>TOTAL, REMOVAL ACTION CEILING</b>	<b>\$3,360,000.00</b>	<b>\$666,000.00</b>	<b>\$4,026,000.00</b>

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

In the absence of the response action described herein, conditions at the Site can be expected to continue to deteriorate, and the threats associated with the presence of hazardous substances will persist. Delayed action will increase public health risks through exposure to lead and PCB contaminated soils.

## VII. OUTSTANDING POLICY ISSUES

There are no precedent setting policy issues associated with this site.

## VIII. ENFORCEMENT ... For Internal Distribution Only

See previous Enforcement Strategy. The total EPA costs for this removal action based on full-time accounting practices that will be eligible for cost recovery are estimated to be \$4,026,000.00 + \$200,000.00 = \$4,226,000.00 X 1.33 (regional indirect rate) = **\$5,620,580.00**.<sup>3</sup>

<sup>2</sup> The current extramural contingency of \$560,000 (calculated as 20% of the current extramural subtotal) has been allocated to the ERRS contractor and spent on removal activities to date. The proposed ceiling reflects the movement of this \$560,000 to the ERRS ceiling and proposes a new extramural contingency calculated at 10% of the proposed extramural subtotal.

<sup>3</sup> Direct Costs include direct extramural costs [\$4,026,000] and direct intramural costs [\$200,000]. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site specific costs [33% x \$4,226,000], consistent with the full 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

## IX. RECOMMENDATION

This decision document represents the selected removal action for the Lancashire Street Disposal Area Site in Providence, Rhode Island, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. The basis for this decision will be documented in the administrative record to be established for the Site.

Site conditions continue to meet the NCP Section 300.415 (b) (2) criteria for a removal action due to the following:

*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)];*

*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)];*

*Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released [§300.415(b)(2)(v)]; and*

*The availability of other appropriate Federal or State response mechanisms to respond to the release; [§300.415(b)(2)(vii)].*

I recommend your approval of the proposed project ceiling increase of \$666,000.00. The total project ceiling if approved will be \$4,026,000.00.

APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_