



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CONTAINS ENFORCEMENT-SENSITIVE INFORMATION

MEMORANDUM

DATE: 2 May 2008

SUBJ: Request for a Removal Action at the Scofieldtown Road Park Site
Stamford, Fairfield County, Connecticut - **Action Memorandum**

FROM: Richard A. Haworth, On-Scene Coordinator
Emergency Response and Removal Section II

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

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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 the proposed removal action at the Scofieldtown Road Park Site (the Site), which is located at 612 Scofieldtown Road in Stamford, Fairfield County, Connecticut. Hazardous substances present in drums at the Site, if not addressed by implementing the response actions selected in this Action Memorandum, will continue to pose a threat to human health and the environment. EPA is currently negotiating with the City of Stamford, Connecticut as a Potentially Responsible Party who has expressed a willingness to undertake the removal action under a Unilateral Administrative Order (UAO). In the event that the PRP fails to complete the work in a timely manner, EPA will initiate the removal action and pursue cost recovery upon completion of the removal action. 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# : CTD981214299
SITE ID# : 01EV
CATEGORY : Time-Critical

A. Site Description

1. Removal site evaluation

Based on a referral from an EPA Region One Brownfield's project manager, a removal program preliminary assessment/site evaluation (PA/SI) was initiated. On 13 June and 20 November 2007, the perimeter of a former landfill owned and operated by the City of Stamford was searched for drums. The investigation was not completed on the initial date because dense brush and seasonal vegetation prevented all areas from being evaluated. Upon returning in November, two drums containing a solid substance were located and sampled. Analysis was performed by a lab subcontracted to EPA's Superfund Technical Assessment and Response Team III (START) contractor, and the results made available in a PA/SI report dated March 2008.

A Closure Memorandum dated 11 March 2008 formally documents the conclusion of the removal evaluation of this Site. It outlines that a removal action is appropriate because conditions at this Site meet the criteria in the National Contingency Plan (NCP) for initiating a removal action (drums are present that contain hazardous substances).

On 1 April 2008, a Notice of Potential Liability and Invitation to Perform a Cleanup Letter was sent to the City of Stamford because of its status as owner and operator at the present time, and at the time of disposal. The City has replied that it is willing to perform a removal action. Therefore it is anticipated the removal will proceed as a PRP-lead action. If the PRP does not initiate, or fails to complete the actions proposed in this action memorandum, EPA may perform/complete the cleanup itself.

2. Physical location

The Scofieldtown Road Park Site (the site) is located at the intersection of Rock Rimmon Road and Scofieldtown Road in the City of Stamford, county of Fairfield, state of Connecticut. The geographic coordinates of the site, as measured from its approximate center, are 41° 08' 26" north latitude and 73° 33' 35" west longitude. The 18-acre parcel on which the site is located is depicted on the City of Stamford Tax Assessor's Parcel Identification as No. 002-5636, Block No. 0390, Street No. 7648, and Lot No. 15.

The property is bordered to the southeast and east by Scofieldtown Road, to the north by Poorhouse Brook and the Queen of Peace Cemetery, and to the west and southwest by Rock Rimmon Road. The property is currently owned by the City of Stamford.

3. Site characteristics

The site consists of a former landfill, known as the Scofieldtown Road Dump. The approximate footprint of the landfill is 10 to 18 acres, with a depth ranging from 10 to 30 feet. The landfill was originally opened in the mid-1930s as a town dump for household waste. However, in 1949, the dump began to receive waste generated by the City of Stamford. Industrial waste may have been brought to the landfill during this time. The Scofieldtown Road Dump was officially closed in the early 1970s, and the landfill was graded and capped with clean fill. The landfill is unlined and does not have an impermeable cap.

The City of Stamford, Department of Public Works (DPW) stages road salt, vehicles and other equipment, and operates a recycling center and leaf composting facility on top of the old landfill. It is along the perimeter of this area that drums are located. Access is not restricted. Adjacent and to the south, the City of Stamford, Parks and Recreation Department operates a recreational area, known as the Scofieldtown Complex or Scofieldtown Road Park. The recreational area consists of a tennis court, playground, small pond, and an open grassy area.

According to the EPA Region One Environmental Justice Mapping Tool, the Site is not in an environmental justice area. The owner-operator type is municipality. The operational status is active. The incident category is landfill.

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

Tests performed on samples taken from drums at the site indicate the presence of several hazardous substances, including but not limited to, PCBs and acetone, at concentrations as high as 6.8 parts per million (ppm) and 5,000 ppm, respectively.

5. NPL status

The site is not currently on the National Priorities List (NPL), however, a Site Reassessment is being performed at this time.

B. Other Actions to Date

1. Previous actions

On 14 July 1988, responding to a complaint of chemical dumping on the property, the Connecticut Department of Environmental Protection (DEP) conducted an on-site

reconnaissance of the site. During this visit, DEP observed hundreds of tires and several rusted drums, some of which were empty and some of which contained resins, paint-like materials, and other waste materials. On 2 August 1988, DEP sent a letter to the Mayor of Stamford requesting the removal of the drums located on the property. During an inspection in early 1989, DEP found that exposed drums were still present along the perimeter of the property.

On 13 January 1990, the Stamford Department of Health (DOH) conducted an inspection, and expressed concern to DEP regarding erosion of the landfill cap and areas of exposed landfill waste. DEP recommended that the City of Stamford install a barricade to prevent traffic from causing future erosion problems.

On 2 February 1996, a removal PA/SI was performed, however a removal action was determined not to be necessary at that time because concentrations of contaminants did not exceed state standards.

2. Current actions

EPA's Superfund Site Assessment Program (formerly the Pre-Remedial Program) is currently performing a Site Reassessment to determine if the site meets the criteria to be listed on the NPL.

C. State and Local Authorities' Roles

1. State and local actions to date

The City of Stamford has indicated that it is willing to perform the necessary removal action. DEP has been provided with EPA's PA/SI investigation report, and is expected to provide a list of applicable or relevant and appropriate state regulations.

2. Potential for continued State/local response

It is expected that both the state and local governments will continue to contribute to the expeditious conclusion of a removal action at this site.

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

The information presented below about the hazardous substances outlined above is found in fact sheets available from the Agency for Toxic Substances and Disease Registry's (ToxFAQs).

A. Threats to Public Health or Welfare

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)];

There is a potential for exposure to the hazardous substances found in drums at this site. There are 965 people within a one-half mile radius. There are private residences across the street from the parcel on which the site is located, and along the roads leading to the site. A tennis court and a playground are located on a portion of the City-owned parcel on which the site is located. Access to the site is not restricted.

Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release [§300.415(b)(2)(iii)];

Tests performed on samples taken from drums at the site indicate the presence of several hazardous substances, including but not limited to, PCBs and acetone, at concentrations as high as 6.8 ppm and 5,000 ppm, respectively. Portions of these drums have rotted away, allowing direct access to the contents.

Health effects that have been associated with exposure to PCBs include acne-like skin conditions in adults and neurobehavioral and immunological changes in children. PCBs are known to cause cancer in animals. The Department of Health and Human Services has concluded that PCBs may reasonably be anticipated to be carcinogens. The EPA and the International Agency for Research on Cancer have determined that PCBs are probably carcinogenic to humans.

Exposure to moderate to high amounts of acetone can irritate eyes and the respiratory system, and can cause dizziness. Skin contact with acetone can result in irritation and skin damage.

B. Threats to the Environment

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

Because of the deteriorated condition of the drums, precipitation may spread hazardous substances into the environment. Acetone may be transported to the groundwater. PCBs bind

strongly to soil, do not readily break down in the environment, and thus may remain there for very long periods of time.

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, may present an imminent and substantial endangerment to public health, or welfare, or the environment.¹

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The City of Stamford has indicated a willingness to conduct the removal action. Therefore it is anticipated the removal will proceed as a PRP-lead action. If the PRP does not initiate, or fails to complete the work outlined below, EPA may perform/complete the cleanup itself.

The removal action will consist of an initial site walk with a cleanup contractor to convey general information on such topics as site conditions, project goals, and schedule. Drums will be secured in slightly larger, 85-gallon, "overpack" drums. Samples will be collected and analyzed as may be necessary to arrange for disposal. Drums will be moved to the most secure location on the site for temporary storage as may be necessary before they can be transported off site for disposal. A security service or temporary fencing with warning signs will be employed if necessary to bolster the temporary storage location. Repair of response-related damage will be performed if necessary, such as slope stabilization resulting from the removing drums. Other drums that are made visible as a result of removing the two drums known to be present will also be addressed by this response action. Drums containing hazardous substances will be transported off site to a properly permitted disposal facility.

¹ In accordance with OSWER Directive 9360.0-34, an endangerment finding is made based on EPA-New England guidance titled, "Guidance on using ATSDR for Assessments."

2. Community relations

The OSC will coordinate with Superfund Community Relations personnel. Because of the limited scope and duration of this removal action, work at the Site is unlikely to have any adverse impact on the homes near the landfill, or to persons using the tennis courts or playground. Work will also be difficult to view from these locations. However, at a minimum, EPA will provide a Community Update for posting at such places as the recycling center, City Hall, and City's web site. An administrative record for the site will be established within 60 days of the initiation of work on site.

3. Contribution to remedial performance

The cleanup proposed in this Action Memorandum 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

Alternatives to landfill disposal that may be available will be considered.

5. Applicable or relevant and appropriate requirements (ARARs)

The federal cleanup standards, standards of control, and other substantive requirements that have been identified to-date, are listed below, and are applicable within the confines of EPA Publication 540/P-91/011, "Superfund Removal Procedures: Guidance on the Consideration of ARARs During Removal Actions."

Federal

40 CFR Part 262 – Standards Applicable to Generators of Hazardous Waste

Subpart B – The Manifest

- 262.20 – General requirements for manifesting
- 262.21 – Acquisition of manifests
- 262.22 – Number of copies of manifests
- 262.23 – Use of the manifest

Subpart C – Pre-Transport Requirements

- 262.30 – Packaging
- 262.31 – Labeling
- 262.32 – Marking

Subpart D – Recordkeeping and Reporting
262.40 – Recordkeeping

40 CFR Part 264 – Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

40 CFR Part 300.440 – Procedures for Planning and Implementing Off-Site Response Actions (Off-Site Rule)

40 CFR Part 761 – Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions

Subpart C – Marking of PCBs and PCB Items

Subpart D – Storage and Disposal

Subpart K – PCB Waste Disposal Records and Reports

761.207 – 761.218

State

To be determined.

6. Project schedule

In addition to the time to agree on the terms of an administrative order, the City will need to make arrangements for funding. The OSC will endeavor to negotiate a cleanup start date no later than the end of summer of 2008. The estimated duration of the removal action once initiated should not exceed three months. Below is an estimate of the extramural funds required if a fund-lead removal becomes necessary.

B. Estimated Costs

| COST CATEGORY | | CEILING |
|--|-----|--------------------|
| REGIONAL REMOVAL ALLOWANCE COSTS | | |
| ERRS Contractor | | \$15,000.00 |
| Interagency Agreement | | \$ 0.00 |
| OTHER EXTRAMURAL COSTS NOT FUNDED FROM THE REGIONAL ALLOWANCE | | |
| START Contractor | | \$6,500.00 |
| Extramural Subtotal | | \$21,500.00 |
| Extramural Contingency | 10% | \$2,150.00 |
| TOTAL, REMOVAL ACTION CEILING | | \$23,650.00 |

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 will persist. Hazardous substances will remain on-site, and continue to pose the threats to public health, welfare, or the environment outlined above.

VII. OUTSTANDING POLICY ISSUES

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

VIII. ENFORCEMENT ... For Internal Distribution Only

See attached 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 \$ 23,650.00 (extramural costs) + \$10,000 (EPA intramural costs) = \$33,650 X 1.33 (regional indirect rate) = **\$44,755²**.

² Direct Costs include direct extramural costs \$23,650.00 and direct intramural costs \$10,000.00. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site specific costs [33% x \$33,650.00], 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

IX. RECOMMENDATION

This decision document represents the selected removal action for the Scofieldtown Road Park Site in Stamford, Connecticut, developed in accordance with CERCLA, as amended, and is 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.

Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a removal action as outlined below.

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)];

Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release [§300.415(b)(2)(iii)];

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

I recommend that you approve the proposed removal action. If approved, the total removal action project ceiling will be \$23,650.00.

APPROVAL: _____



DATE: _____

5-19-08

DISAPPROVAL: _____

DATE: _____

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.