

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

Date: October 7, 2009

Subject: Holy Ground Battlefield AST-Emergency Response
Alabama River Autauga County, Alabama

From: Dean A. Ullock, On-Scene Coordinator
Emergency Response and Removal Branch

To: Regional Response Center, 4WD-ERRB
Shane Hitchcock, Chief, ERRB
Matt Taylor, Chief, Emergency Response Section
Grady Springer, Alabama Department of Environmental Management

I. PURPOSE

The purpose of this document is to document the decision to initiate emergency response actions described herein for the Holy Ground Battlefield AST Emergency Response Action located along Alabama River Mile Marker 244.6 in Autauga County, Alabama, under the On-Scene Coordinators (OSC) \$250,000 authority.

II. BACKGROUND

Site No: B439

TO Amount: \$40000.00

Contractor: WRS, Inc. (Team Subcontractor: United States Environmental Services)

CERCLIS No: ALN000410480

Response Authority: CERCLA

NPL Status: Non-NPL

State Notification: 09/25/09

Start Date: 09/30/09

Demobilization Date: 09/30/09

Completion Date: 10/06/2009

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 (**orphaned container**)

B. Site Location

1. Site description

a. Removal site evaluation

At the request (NRC# 918886) of the Alabama Department of Environmental Management (ADEM), OSC Ullock was dispatched on 09/29/2009 to the **Holy Ground Battlefield Park** located in Lowndes County, near the small community of Whitehall, Alabama. The park is managed and operated by the US Army Corp of Engineers-Mobile District. The OSC was requested to locate, secure, assess, and remove an approximate 12,000 gallon, orphaned, underground storage tank (UST) with unknown contents. The OSC responded to this incident based on the request for assistance from the State of Alabama and the perceived threat that the UST contained hazardous materials. Upon safely accessing the UST on 10/06/2009 it was discovered that the UST ***did not*** contain hazardous materials.

b. Physical location and Site characteristics

The UST was located by the OSC on 09/29/09 along Alabama River Mile Marker 244.6 which is the Autauga County or northern bank of the Alabama River. The tank was previously secured to the bank using line and manpower provided by the USA COE Rangers responsible for patrolling the area. The UST was partially submerged in 3-4' of water, with its valves turned upside down and inaccessible. At that time the contents of the UST were unknown.

LAT: N 32 23. 45
LONG: W 086 44. 11

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

The OSC was dispatched and responded to this incident on 09/29/2009 under his CERCLA Authority based on the perceived threat that the UST contained Hazardous Materials.

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 OSC was dispatched and responded to this incident based on the perceived and potential threat that the UST contained hazardous materials. The only way the OSC could access the UST to make this conclusive determination was to arrange to have the UST safely removed from the river where it could be safely accessed.

IV. RESPONSE INFORMATION

A. Situation

1. Current situation

EPA and EPA's contractors completed the removal of the UST on 10/06/2009.

2. Removal activities to date

- a. Federal Government/Private Party

On 09/29/09 the OSC directed ERRS to arrange for removal, access and disposal of the UST. Based on the large size UST and the complexity of the rigging and recovery of the UST, the OSC requested the assistance and expertise of the USCG-Gulf Strike Team to assist with the safe rigging and towing of the UST approximately 8 river miles down river to a suitable location where the UST could be safely accessed by the ERRS in order to determine the contents of the UST.

3. Enforcement¹

N/A

B. Planned Removal Actions

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

1. Proposed action description

The specific tasks involved in the response to the threats included:

- Locate and safely secure the UST until arrangements could be made to recover the UST. This activity was completed on 09/29/2009.
- Recover and tow the UST to the Prairie Creek campground located approximately 8 miles down river. This activity was completed on 09/30/2009.
- Arrange for a 50 ton crane to lift the UST from the water so that the UST could be safely accessed for content determination. This was completed on 10/06/2009.
- Transport the UST to a local scrap yard. This was completed on 10/06/2009

2. Contribution to remedial performance

N/A

3. Description of Alternative Technologies

N/A

4. ARARs

The Federal ARARs identified for the site include:

DOT
OSHA

5. Project schedule

The Removal Action is complete. No further action by the US EPA is anticipated at this time.

V. COSTS

Extramural Costs:

	<u>Ceiling</u>	<u>To Date</u>
ERRS	\$ 40,000.00	\$5,000.00
IAG (USCG-GST)	\$5000.00	\$500.00

TOTAL PROJECT CEILING \$ 45000.00

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

UST was scrapped at a local scrap yard.

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, may have presented 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, \$ 45,000.00 will be funded from the Regional removal allowance.

Dean A. Ullock
Federal On-Scene Coordinator

Date