



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
IDAHO OPERATIONS OFFICE
1435 N. Orchard St.
Boise, Idaho 83706

September 4, 2009

ACTION MEMORANDUM

SUBJECT: Time-Critical Removal Action at the Stubblefield Salvage Site

FROM: Greg Weigel, Federal On-Scene Coordinator
Emergency Response Unit

THRU: Chris D. Field, Unit Manager
Emergency Response Unit

TO: Linda Anderson-Carnahan, Acting Director
Office of Environmental Cleanup

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the selected time-critical removal action described herein for the Stubblefield Salvage Site (Site) in Walla Walla, Walla Walla County, Washington. The proposed removal action is expected to be conducted by the U.S. Environmental Protection Agency (EPA) as a Fund-financed removal action.

II. SITE INFORMATION

Site name: Stubblefield Salvage
Site Location: 980 NE Myra Road, Walla Walla, Washington
Superfund Site ID (SSID): 10HD
CERCLIS Number: WAN001002813
NRC Case Number: N/A
Potentially Responsible Party (PRP): Stubblefield Salvage and Recycling, LLC, owner and/or operator; Albert Stubblefield, owner, operator and/or corporation member; Lily Shoop, owner, operator, corporation member, CEO and/or Registered Agent; and Lenora Thompson, owner, operator and/or corporation member.
NPL Status: Non-NPL
Planned Removal Start Date: September 14, 2009

A. Site Description

1. Removal Site evaluation

The Site is the location of a metal salvaging business, Stubblefield Salvage and Recycling, LLC (SS&R), which is an on-going operation and has reportedly operated at the Site since the 1960s. The main salvaging operation consists of a large hydraulic shear used to cut up scrap metal and a large press to compress it into blocks. An abandoned three-story wooden building, which had been used as a rendering plant, is adjacent to the shear and press. A small smelter is located at the Site, and was reportedly used to melt aluminum engine blocks.

Washington Ecology Inspections

Washington Department of Ecology (Ecology) conducted Dangerous Waste Compliance Inspections at the Site in 1999 and 2002. The inspections identified improper handling of used oil, spent batteries, incinerator ash, and various waste automotive fluids. A 2006 Dangerous Waste Compliance Inspection documented batteries scattered on the ground, a large spill on the ground of hydraulic fluid from the shear, at least 25 55-gallon drums of used oil, some bulging, and many areas with dark staining on the ground. In April 2007, Ecology conducted another inspection at the Site, during which was observed releases to the environment of used oil and other heavy oils, hydraulic fluids, lead and acid contamination from damaged batteries lying uncovered on the ground, and likely polynuclear aromatic hydrocarbon (PAH) releases from spills of used oil and burning of various automobile components on the ground. No sampling was conducted.¹

Washington Ecology Referral to EPA

Ecology referred the Site to EPA Region 10 on April 14, 2009, stating that the Site ranked #1 in Ecology's Site Hazard Assessment scoring system (#1 being the most hazardous), and that the Site "...needs immediate intervention and action, which we do not have the capacity to perform at this stage of the situation."²

EPA Preliminary Assessment

EPA Federal On-Scene Coordinator (OSC) Weigel conducted a non-sampling Site visit on May 6, 2009, during which he observed the following:

¹ Washington Department of Ecology, 2007. Site Hazard Assessment Worksheet 1 – Stubblefield Salvage Yard.

² Washington Department of Ecology, 2009. Email from John Roland to Chris Field, dated 04/14/2009.

- Approximately 6 large electrical transformers, several of which did not have markings identifying them as containing non-PCB oil, and some of which were leaking oil onto the ground.
- The appearance of heavy oil stained soils in a low area near the hydraulic shear, and other smaller areas of oil stained soil.
- Over 20 drums with unmarked and unknown contents, some of which were open and/or in rusted or damaged condition, and some of which gave off a distinct solvent odor.
- Several large open-top tanks, the largest of which was approximately 800 gallons, that contained a heavy oily substance.

Based on these observations and the historical information provided by Ecology, OSC Weigel determined the need to activate the EPA START contractor for a sampling removal site investigation.

EPA Removal Site Investigation

OSC Weigel and the START contractor returned to the Site on May 20 and 21, 2009. EPA and the START contractor conducted a limited radiation survey; inventoried identifiable transformers and collected samples of transformer oil from transformers with accessible product; collected wipe samples of transformers where the oil reservoir could not be accessed; collected surface soil samples where transformer oil appeared to have leaked onto the ground; collected surface soil samples from 3 locations on Site that, due to staining, seemed likely for soil contamination; collected product samples from 5 vented drums that appeared to be representative of the variety of drums at the Site; collected product samples from 3 open tanks that contained what appeared to be waste oil or sludge; collected groundwater samples from existing on-Site shallow and deep wells, and collected samples for asbestos analysis of insulation and siding material that was on the ground.

Laboratory analytical results show the following:³

PCBs

- PCBs were not detected in product or wipe samples from transformers.
- PCBs were not detected in soil in the current transformer staging area.
- PCBs were detected in surface soils from three soil sampling locations at the Site. PCBs exceed EPA Regional Screening Levels (RSLs) for residential and industrial soils and Washington State Model Toxics Control Act (MTCA) levels for unrestricted land use in the samples from Spill Area 1, Spill Area 2, and Battery Storage Area 1 (see Figure 2).

³ Ecology and Environment, Inc., 2009. Technical Memorandum, Stubblefield Salvage Site, August 10, 2009.

- PCBs were detected in a sample collected from a drum in Drum Field 6 (See Figure 2), with 64 mg/kg for Aroclor-1242 and 25 mg/kg for Aroclor-1254. This PCB concentration meets the definition of a PCB liquid according to the Toxic Substances Control Act (TSCA), 40 C.F.R. §§ 761.3 and 761.60(a).
- PCBs were detected in groundwater at the Site from a sample collected from an existing well. The concentration for Aroclor-1016 was 0.48 mg/L (flagged as estimate), which is slightly below the Maximum Contaminant Level (MCL) of 0.5 mg/L for drinking water, under 40 C.F.R. § 761.79.

Polycyclic Aromatic Hydrocarbons (PAHs)

- Benzo(a)anthracene, benzo(a)pyrene, and benzo(b)fluoranthene were detected above residential and industrial RSLs in the surface soil sample from Sample Area 1 and Sample Area 2. Benzo(a)pyrene also exceeded the MTCA cleanup level for unrestricted land use and the EPA Region 10 Removal Action Level (based on a 1 in 10,000 cancer risk level) at these locations.

Metals

- Lead exceeded residential and industrial soil RSLs and MTCA soil cleanup levels in all three surface soil samples (Spill Areas 1 & 2, and the Battery Storage Area 1), at concentrations ranging from 1,250 mg/kg to 6,930 mg/kg.
- Arsenic exceeded residential and industrial soil RSLs in the Battery Storage Area 1.
- Cadmium exceeded MTCA soil cleanup levels for unrestricted land use and industrial soils in the three surface soils samples.
- Chromium exceeded MTCA soil cleanup levels for unrestricted land use and industrial soils in Spill Areas 1 & 2.
- Mercury exceeded MTCA soil cleanup levels for unrestricted land use and industrial soils in Spill Area 1.

Product Samples

- Product samples were collected from 5 55-gallon drums that were representative of the various drums on Site. Two drums had high concentrations, greater than 1%, of volatile organic compounds (VOCs). A drum in Drum Field 2, that had an open bung and was rusted, was emitting a strong solvent odor, had 20% xylene and concentrations above 1% each acetone, toluene, and ethylbenzene. As noted above, one other drum had PCBs above the TSCA regulatory threshold for PCB liquids.
- Product samples were also collected from 3 open-topped tanks at the Site, one of which contained approximately 800 gallons of a heavy oily

substance. Tank samples did not show significant concentrations of hazardous substances, but did appear to be some type of heavy oil.

Asbestos

- Asbestos samples were collected of siding material that was on the ground near the shop building (where there were damaged concrete/asbestos shingles hanging on the exterior wall and appeared to have the potential of falling off from the wall), and of a fibrous insulation material that was on the ground near the smelter. The sample of building material contained 15% chrysotile, and would therefore be considered asbestos-containing material (ACM). Asbestos was not detected in the sample of fibrous material from the former smelter area.

Groundwater Samples

- Groundwater samples were collected from 2 established production wells at the Site. Sample results from a shallow well showed concentrations of PCBs (as discussed above), chloroform, and trichloroethylene (TCE). Chloroform is considered to be a contaminant potentially introduced into the sample at the laboratory, and is therefore not considered to be a likely Site contaminant. The concentration of TCE was below the Federal MCL for tap water. TCE was not detected in any other media at the Site, including water from the shallow well, indicating that the TCE contamination may be from an off-Site source.

Additional Potential Contamination

On August 27, 2009, OSC Weigel met with a former employee of SS&R who said that in 2001 he had participated in burying approximately 30 drums of what he believed was PCB oil, on property that is west of Myra Road, and which used to be part of the SS&R property. This former employee also said that over 20,000 pounds of asbestos containing material was buried under dirt and debris at the northeast corner of the Site. Neither of these locations was investigated during EPA's removal site evaluation.

2. Physical location

The Site is bounded on the north by Mill Creek, the south by a single residence and agricultural land, the east by Offner Road and agricultural land, and the west by Myra Road and the City of Walla Walla waste water treatment plant. Historically, this area was the rural outskirts of Walla Walla. Myra Road is a four lane thoroughfare that was constructed in the Fall of 2008. Presently, the Site is within an area of rapid commercial property development. Directly north of Mill Creek, approximately 200 feet from the northern boundary of the Site, is a newly

constructed Holiday Inn Express. South of the Site on Myra Road are newly constructed Home Depot and Winco stores.

3. Site characteristics

Historically, the SS&R property occupied a footprint of approximately 40 acres on the outskirts of Walla Walla. Sometime around 1995, the western half of the 40 acres was sold to the City of Walla Walla, who built a waste water treatment plant at that location. EPA is informed that the scrap material that was on the surface of the now City-owned property was pushed to the eastern area of property still owned by SS&R. Prior to 2007, the SS&R-owned property was approximately 22 acres. In the Fall of 2008, the SS&R property was halved again – the west half of the property was sold and all of the scrap material (that was on the surface, at least) on the west half of the property was pushed over to the east half of the property. Presently, a county road (Myra Road) bisects (north/south) at about the middle of the historical SS&R property. The property to the west of Myra Road and east of the waste water treatment plant was reportedly sold to a developer. All of the processing of scrap metal at the Site, including operation of the hydraulic shear and compactor, and the smelter, has reportedly historically always taken place at its present location, within the footprint of the current 11-acre Site. The property that was sold was reportedly used only for storage of scrap metal.

The Site continues to function as the location of an ongoing metal salvage and recycling operation. Scrap metal of various types and sizes is piled throughout the Site. There are approximately nine workers at the Site involved in the processing and packaging of scrap metal for off-Site shipment and sale. Heavy machinery is used at the Site for movement of the scrap metal to the processing area. Flatbed tractor-trailer trucks are received at the Site for the delivery and shipment of scrap. Cutting torches are used throughout the Site for cutting large pieces into manageable sizes.

There are two wells on the Site; one described by the Site owner and manager, Al Stubblefield, as a “deep well” historically used for drinking water, and another as a “shallow well” used to fill a tank for fire fighting water. Mr. Stubblefield said that they no longer use the drinking water well, but rather use and provide their workers with bottled water. A well log for what is believed to be the “shallow well” indicates groundwater at 10 feet below ground surface (BGS). It also indicates a clay layer from 2 to 15 feet BGS and cemented gravel from 17 to 27 feet BGS.

A building on the Site that was reportedly a former rendering plant and is now used as a shop is partially covered with concrete/asbestos siding shingles. Broken shingles are on the ground and damaged and broken shingles remain on the building.

Overall Site surface topography grades slightly downhill to the north – towards Mill Creek. There is a low swale on the north end of the property, just south of the Mill Creek dike, where soil staining indicates accumulated contamination. A substantial dike along Mill Creek appears to prevent direct surface water runoff from the Site into the Creek.

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

Contaminants of concern for the Site which have been released or present a threat of release into the environment are:

- Lead
- Arsenic
- Chromium
- Cadmium
- Mercury
- PCBs
- Benzo(a)pyrene
- Benzo(b)fluoranthene
- Benzo(a)anthracene
- Asbestos
- Acetone
- Xylene
- Toluene
- Ethylbenzene

These contaminants of concern are all hazardous substances as defined by Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601(14). A release or threat of release of these hazardous substances to the environment is confirmed by analytical results of soil samples collected from 3 locations on the Site, from product samples collected from open or damaged containers on the Site, and from samples of likely asbestos containing material on the ground at the Site.

5. NPL status

The Site is not on the National Priorities List (NPL). The Site is also not proposed for the NPL, nor has the Site received a Hazard Ranking System (HRS) score.

During the proposed removal action and/or after completion of the proposed removal action to address known contamination, it is anticipated that additional assessment may need to be conducted at the Site. This assessment may be necessary based upon the recently obtained and potentially credible information regarding buried hazardous substances at the Site as well as at property

adjacent to the present Site, and because of the possibility that additional contamination may be discovered at the Site during conduct of the removal action. Depending on the nature and extent of potential additional contamination at these properties, the Site and adjacent areas may need to be referred to the Site Assessment Program for NPL site assessment.

6. Maps, pictures and other graphic representations

See Attached Figures:

- Figure 1 – Aerial photo from 2006 showing the historical footprint of the Site (prior to the construction of Myra Road) and surrounding land use.
- Figure 2 – Site diagram imposed on an aerial photo that outlines the current Site footprint and Site features that were identified and/or sampled in the May 2009 removal site investigation.

B. Other Actions to Date

There have been no previous abatement actions, nor are there current actions being undertaken to abate the releases and threats of releases of hazardous substances to the environment identified herein.

C. State and Local Authorities' Roles

1. State and local actions to date

Ecology has conducted several compliance visits and documented non-compliance under Washington State Dangerous Waste regulations. Ecology's Hazardous Waste and Toxics Reduction (HWTR) Program referred the Site to Ecology's Toxics Cleanup Program (TCP) in 2007 because of the levels of confirmed and suspected contamination at the Site. Ecology's TCP evaluated the Site and determined that it was beyond the capability of Ecology to clean up the Site, and so referred this Site to EPA.

2. Potential for continued State or local response

Ecology states that it does not have the capacity to perform necessary response actions at the Site.⁴

Once cleaned up, the Site may pose a risk of being re-contaminated unless historical practices change. OSC Weigel has had discussions with Ecology about this issue. Ecology has responded that it; "... will work with the new owner/operator to help them understand their responsibilities for proper hazardous waste management. Ecology HWTR will keep this Site on our

⁴ Washington Department of Ecology, 2009. Email from John Roland to Chris Field, dated 04/14/2009.

compliance inspection schedule as a priority until it appears the facility is staying in compliance with the hazardous waste regulations. Based on what Ecology finds on the Site related to current practices, civil enforcement may be pursued if warranted based on violations observed.”⁵

Oil in tanks and other containers at the Site that is not contaminated with CERCLA hazardous substances will not be addressed by EPA under this proposed CERCLA removal action. Open oil containers that present a threat of overtopping or otherwise present a threat of release, if not addressed by EPA, may need to be addressed by Ecology, depending on their capacity to conduct this action. OSC Weigel has initiated discussion with Ecology regarding their capacity to address bulk oil at the Site.

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

The current conditions at the Site meet the following factors which indicate that the Site is a threat to the public health or welfare or the environment and a removal action is appropriate under Section 300.415(b)(2) of the NCP:

1. Exposure to nearby human populations, animals, or the food chain from hazardous substances, pollutants or contaminants (300.415[b](2)(I))

Elevated concentrations of hazardous substances in surface soils on the Site as identified in Section II.B.4, including heavy metals (lead, arsenic, cadmium, chromium and mercury), PCBs and carcinogenic PAHs, present a threat of exposure to Site workers or visitors who may come into contact with the contaminated soils either through dermal contact or through inhalation of dust. The Site continues to be an operating metals salvage yard and recycling business. Scrap metal is continuously brought onto the Site and moved around the Site with heavy equipment by Site workers. This activity regularly generates large quantities of dust, increasing the likelihood of exposure to hazardous substances through inhalation.

PCBs are known to cause skin conditions such as acne and rashes. Studies in exposed workers have shown changes in blood and urine that may indicate liver damage. The Department of Health and Human Services (DHHS) has concluded that PCBs may reasonably be anticipated to be carcinogens.

PAHs, including those found at the Site, are readily absorbed from inhalation, oral, and dermal routes of exposure. Numerous epidemiologic studies have shown a clear association between exposure to various mixtures of PAHs and increased risk of lung cancer and other tumors.

⁵ Washington Department of Ecology, 2009. Email from Lisa Brown to Greg Weigel, dated 08/27/2009.

Lead can affect almost every organ and system in the body. The main target for lead toxicity is the nervous system, both in adults and children. Long-term exposure of adults can result in decreased performance in some tests that measure functions of the nervous system. It may also cause weakness in fingers, wrists, or ankles. Lead exposure also causes small increases in blood pressure, particularly in middle-aged and older people and can cause anemia. Exposure to high lead levels can severely damage the brain and kidneys in adults or children and ultimately cause death. In pregnant women, high levels of exposure to lead may cause miscarriage. High level exposure in men can damage the organs responsible for sperm production.

Because of its location adjacent to Mill Creek and agricultural lands, and because of the piles of scrap and debris that could provide attractive shelter, the Site can be expected to be used by ecological receptors, including small mammals and higher food chain animals such as raptors, which may have direct exposure to hazardous substances in contaminated soils.

Broken asbestos containing siding shingles are on the ground and hanging in damaged condition on the walls of the shop building. The shingles are weathered, broken and friable, and likely to release asbestos fibers to the air. Inhaled asbestos fibers can lodge in the lower airways and become embedded in lung tissue, where they may remain for the remainder of a person's life. Asbestos fibers in the lung, from asbestos inhalation, is the cause of asbestosis – a non-cancerous thickening and scarring of lung tissue that prevents oxygen and carbon dioxide moving to and from the blood, such that breathing becomes less efficient. Much evidence suggests that inhaled asbestos also contributes to lung cancer, including pleural mesothelioma, which is a terminal disease.

2. Actual or potential contamination of drinking water supplies or sensitive ecosystems [300.415(b)(2)(ii)].

There are two wells on the Site; one reportedly a "deep" well that has historically been used for drinking water (bottled water is reportedly currently provided for Site workers), and one a "shallow" well that is used for fire-fighting water. Hazardous substances in soils at the Site present a threat of contamination of groundwater, which is a drinking water source. PCBs have been measured in the drinking water well at just slightly below the MCL (PCBs at 0.48 ug/L and MCL at 0.5 ug/L), indicating that the drinking water supply has been contaminated and could become even more contaminated over time.

3. 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)].

Contents in deteriorated and/or open containers on Site contain VOCs and other hazardous constituents and present a threat of breaching or overtopping (with

accumulation of rainfall) and losing their contents to the soil. One drum sample contained over 20% xylene and percent levels of other VOCs. This vented drum or others with similar contents, in addition to an immediate human health hazard to anyone in the immediate vicinity from breathing zone vapors, presents a threat of fire and explosion were there to be an ignition source. A drum at another part of the Site had over 50 ppm PCBs. Only a fraction of the total number of drums containing unknown material was sampled. Un-sampled drums are likely to contain hazardous substances as well. The drums are scattered among scrap and debris piles on the Site. Heavy equipment moving scrap around the Site could easily encounter and crush or puncture one or more of these drums, causing a release of hazardous substances to the environment.

Numerous unmanaged pressure cylinders are scattered throughout the Site. Pressure cylinders with unknown contents may contain hazardous substances which may pose a threat of release if damaged or crushed through normal Site operations.

4. 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))

Surface soils at the Site are contaminated with lead, arsenic, chromium, cadmium, mercury, PCBs and carcinogenic PAHs. These hazardous substances are at levels that exceed EPA RSLs, EPA Removal Action Levels (RALs), or Washington State MTCA concentrations. These hazardous substances may migrate through soil to groundwater. Groundwater at the Site already shows signs of PCB contamination, indicating that hazardous substances may have migrated through soils to groundwater at the Site and may continue to do so if not cleaned up.

Friable asbestos from asbestos containing material is on surface soils at the Site. Asbestos fibers may be released to the air and migrate.

5. Threat of fire or explosion [300.415(b)(2)(vi)].

Contents in deteriorated and/or open containers on Site contain high concentrations of VOCs. One drum in particular that was unmarked and unmanaged and had an open bung, gave off a strong solvent odor and analytical results showed contained very high percent level concentrations of flammable VOCs. Other unmarked and unmanaged drums on the Site that were not sampled may contain similar flammable contents. Site workers routinely go out among the scrap piles on the Site with cutting torches to cut up the larger pieces of metal scrap into manageable sizes. Cutting torches used in the vicinity of an open drum with flammable contents could cause a fire or explosion.

Unmanaged pressure cylinders at the Site may contain flammable contents or may otherwise present a threat of explosion if ruptured with pressurized content.

6. The availability of other appropriate federal or state response mechanisms to respond to the release [300.415(b)(2)(vii)].

Ecology states that it does not have the capacity to perform necessary response actions at the Site. There are no other federal or state response mechanisms with the resources and capability to respond to the release in a timely manner.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from the Site may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTION AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

Hazardous substances in drums or other containers:

Only a portion of the unmanaged drums on Site with potentially hazardous contents were sampled during the Removal Site Investigation. Approximately 20 or more drums with unknown contents remain at the Site. The initial sampling, however, provides an idea of the types of hazardous substances that may be in drums. PCBs are a primary concern, as one sampled drum had over 50 ppm PCBs. All unsampled drums with liquid or residual content must be screened for PCBs. Field PCB test kits will be used for screening. Drums with contents showing PCBs above 50 ppm will be bulked for disposal as PCB liquid. A sample of the bulked material will be collected for laboratory analysis, as necessary for disposal off-Site at an EPA-approved disposal facility, in accordance with TSCA PCB Regulations, 40 C.F.R. Part 761. Containers that previously held PCB liquid will be properly disposed of off-Site as PCB containers, in accordance with TSCA.

Other unmanaged drums or containers at the Site that were not previously sampled, and which contain liquid or residue and are non-PCB, will be hazard categorized using field hazcat test methods. Like materials will be bulked for off-Site disposal purposes and to ensure that materials are placed in shippable containers. It is anticipated based on results of previous sampling that there will be a RCRA D001 waste stream of ignitable waste. Other waste streams may be found, depending on the hazcat results.

Some drums and the larger tanks on-Site contain heavy oils that analytical results shows do not include actionable levels of hazardous substances. Oil that does not contain hazardous substances will not be cleaned up or addressed under this Action Memorandum. If oil in these containers presents a threat of release to navigable waters of the U.S., OSC Weigel may take a concurrent action under the Oil Pollution Act to properly remove the threat. If this occurs, costs will be tracked and allocated separately between work to address hazardous substances at the Site, and work to address oil under the Oil Pollution Act.

Contaminated soils:

The Site is an operating metals salvage yard. There are no expressed plans for a change in land use of the Site. However, there is rapid commercial development in the vicinity of the Site along Myra Road, since it was constructed in Fall of 2008. There is little or no new residential development in the area. Because of these factors, and considering that residential cleanup standards might be very difficult or impossible to achieve at the Site given its history, the projected land use for determination of an appropriate cleanup level is industrial.

Washington State provides cleanup levels for residential and industrial properties under MTCA Cleanup Regulation Chapter 173-340 WAC. MTCA cleanup levels for industrial properties are ARARs for this proposed removal. Soils at the Site exceed MTCA cleanup levels for industrial properties for the following hazardous substances:

- Cadmium
- Chromium
- Lead
- Mercury
- PCBs (Aroclor-1254, Aroclor-1248 and Aroclor and Aroclor-1260)
- Benzo(a)pyrene

Known contaminated soils at the Site, including soils at Spill Area 1, Spill Area 2 and Battery Storage Area 1 (see Figure 2) will be cleaned up to MTCA cleanup levels for industrial properties for the above hazardous substances, to the extent practicable considering the exigencies of the situation, as determined by OSC Weigel.

Well logs indicate a clay layer at from 2 to 15 feet below ground surface. Contaminated soils in the 3 identified contaminated areas will be excavated to a depth where there is no longer visual indication of contamination (dark soil staining), or to a maximum depth of 3 feet. At that point, field analysis of undisturbed soils in the excavation area(s) will be conducted using a field-portable XRF, to determine if cleanup levels for metals have been met. If contamination is apparent below 3 feet, either visually or through field analysis, a

maximum additional 2 feet of soil will be excavated. For the purposes of scoping this removal action it is not anticipated that contamination above cleanup levels will extend below 5 feet below ground surface. If, however, there is soil contamination that exceeds cleanup levels below 5 feet, OSC Weigel will make a determination as to what is practicable considering the exigencies of the situation regarding excavation to a greater depth. Excavation to a depth greater than 5 feet may require an Action Memorandum Amendment for a cost ceiling increase.

Once the extent of contaminated soils above cleanup levels has been excavated as described above, soil samples of undisturbed soils at both the vertical and lateral extent of the excavation will be collected for cleanup confirmation, and analyzed for the applicable contaminants of concern. Excavated soils will be temporarily staged on site pending waste characterization and disposal. Quick turn-around analytical results will either confirm that cleanup levels have been met, in which case the excavation pit(s) will be backfilled with imported clean fill and compacted as appropriate for the Site use, or will indicate that additional excavation is required to achieve cleanup levels. If additional cleanup is required the process will continue as described above until cleanup levels have been achieved or until OSC Weigel determines that further excavation below 5 feet is not practicable considering the exigencies of the situation.

Excavated soils will be characterized and disposed of off-Site at an appropriate facility in accordance with the off-site requirements of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), which requires that CERCLA hazardous substances may only be placed in a facility operating in compliance with the Resource Conservation and Recovery Act (RCRA) or other applicable Federal or State requirements.

Pressure cylinders:

Pressure cylinders that are scattered on the Site will be examined to determine if they may contain pressurized or otherwise hazardous content. Labels or markings will be examined to determine if there is a company that may be responsible for the cylinder prior to it having ended up at the Site. Where companies can be identified that may be responsible, they will be contacted and requested to pick up the cylinder(s). Pressure cylinders that cannot be properly addressed in this way will be secured and temporarily staged for appropriate management, recycling or disposal.

Asbestos:

Asbestos containing siding material is on the ground and in damaged condition on the exterior walls of the former shop building. Asbestos containing material on surface soils at the Site and damaged and releasable asbestos containing siding materials that remain on the exterior of the shop building will be removed, consolidated and disposed of in accordance with the substantive provisions of

The National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations (40 C.F.R. Part 61, Subpart M), that are potentially applicable to the handling, packaging, labeling, transportation, and disposal of asbestos-containing material.

2. Contribution to remedial performance

Based on what is presently known about the Site, no further removal or remedial actions are presently anticipated. However, there is the possibility of additional contamination at the Site and in the surrounding areas. Information recently obtained from a former employee indicates the possibility of buried hazardous substances at the Site and on an adjacent property. Also, there is the possibility of hazardous substances in containers or in soils beneath or within the various piles of debris at the Site. Additional removal investigation is anticipated concurrent with implementation of this proposed removal action. If significant additional contamination is discovered, the removal action proposed herein may need to be expanded (possibly requiring an Action Memorandum Amendment), or subsequent removal action may be required, or possible NPL site investigation, listing and remedial action may be necessary.

The proposed action to remove known hazardous substances and contaminated soils at the Site will not impede future responses based upon available information.

3. Applicable or relevant and appropriate requirements (ARARs)

Removal actions conducted under CERCLA are required to attain ARARs to the extent practicable. In determining whether compliance with ARARs is practicable, OSC Weigel may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted. Below are ARARs that have been identified for this removal:

Federal ARARs:

Toxic Substances Control Act (TSCA) PCB Regulations, 40 C.F.R. Part 761. The TSCA PCB Regulations include requirements for the storage, transportation and disposal of PCBs and PCB-contaminated materials at concentrations of greater than 50 ppm.

National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations (40 C.F.R. Part 61, Subpart M). NESHAP addresses milling, manufacturing and fabricating operations, demolition and renovation activities, waste disposal issues, active and inactive waste disposal sites, and asbestos conversion processes. The substantive provisions of this requirement are potentially

applicable to the handling, packaging, labeling, transportation, and disposal of asbestos-containing material.

National Historic Preservation Act, Section 106. The National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties. The State Historic Preservation Officer (SHPO) advises and assists Federal agencies in carrying out CERCLA responsibilities and cooperates with such agencies, to ensure that historic properties are taken into consideration.

State ARARs:

Chapter 70.94 RCW Washington Clean Air Act and Chapter 173-400 WAC. These statutes provide requirements for fugitive dust sources to prevent fugitive dust from becoming airborne and to maintain and operate sources to minimize emissions.

Washington Model Toxics Control Act (MCTA) Cleanup Regulation Chapter 173-340 WAC. MTCA Cleanup Regulation describes a process for cleanup of hazardous waste sites and provides cleanup standards.

Uniform Environmental Covenants Act (UECA) Chapter 64.70 RCW. UECA sets out requirements for use and enforcement of post-cleanup institutional controls.

4. Project schedule

The proposed removal action is planned to begin on October 5, 2009. It is anticipated that the removal action will require two to three weeks to complete.

Post-removal Site controls may be required after completion of the proposed removal action to ensure the long-term protectiveness of the removal action. The industrial soils cleanup standard for the proposed removal action was selected projecting a continued non-residential land use. Institutional controls to ensure continued non-residential land use may be enforced through UECA. Upon completion of the removal action, remaining soil contamination levels will be evaluated with respect to MTCA industrial and residential cleanup levels. If remaining contaminant levels exceed MTCA residential cleanup levels, OSC Weigel will request that Ecology utilize its authority to implement appropriate land use restrictions through UECA.

The Site is expected to remain an operating salvage yard. The proposed removal action may be compromised if historical practices at the Site that led to the current contamination are not changed. OSC Weigel has had discussions with Ecology personnel regarding this issue. Ecology has provided assurance that, following the proposed removal action, the Site will be a priority on the

Ecology compliance inspection schedule until it appears the Site is staying in compliance with the hazardous waste regulations.⁶

No other continuing operation or maintenance requirements are anticipated after completion of the proposed removal action.

B. Estimated Costs

REMOVAL ACTION PROJECT CEILING ESTIMATE	
<u>Extramural Costs:</u>	
<u>Regional Removal Allowance Costs:</u>	
Total Cleanup Contractor Costs (includes ERRS and ERRS subcontractors)	\$300,000
<u>Other Extramural Costs Not Funded from the Regional Allowance:</u>	
Total START	\$60,000
Subtotal Extramural Costs	<u>\$360,000</u>
Extramural Costs Contingency (20% of Subtotal)	\$72,000
TOTAL REMOVAL ACTION PROJECT CEILING	<u>\$432,000</u>

VI. Expected Change in the Situation Should Action Be Delayed or Not Taken

Delayed action or no action at this Site would increase health risks to Site workers through prolonged exposure to contaminants in surface soils which can be contacted directly or become airborne through generation of dust. Delayed action would also increase the likelihood that open or damaged and rusted containers of hazardous substances that are unmanaged at the Site would rupture or overtop, spilling hazardous substances onto the ground.

VII. Outstanding Policy Issues

None.

⁶ Washington Department of Ecology, 2009. Email from Lisa Brown to Greg Weigel, dated 08/27/2009.

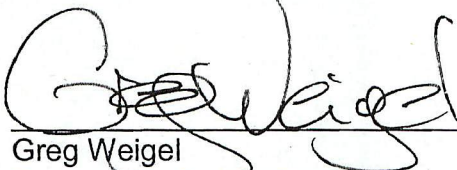
VIII. Enforcement

See the attached "Confidential Enforcement Addendum."


IX. Recommendations

This decision document represents the proposed removal action for this Site, developed in accordance with CERCLA, as amended, and consistent with the National Contingency Plan (NCP). This decision is based on the administrative record for the Site.

Conditions at the Site meet the NCP section 300.415(b) criteria for a removal action and through this Action Memorandum I am recommending approval of the removal action. The total project ceiling, if approved, will be \$432,000. Of this, \$372,000 comes from the Regional removal allowance. EPA may pursue cost recovery from PRPs for all costs incurred by EPA for conduct of this removal action, and prior to conduct of the removal action as set forth in Section 107 of CERCLA, 42 U.S.C. § 9607.


 Greg Weigel
 Federal On-Scene Coordinator

Sep. 4, 2009
 Date


 Chris D. Field, Unit Manager
 Office of Environmental Cleanup *Wally Mason for*

9/04/09
 Date

X. Approval/Disapproval

Based on the information contained in this Action Memorandum or otherwise presented to me and included in the administrative record, I concur with this action and the findings and conclusions above.

X Approval

____ Disapproval


 Linda Anderson-Carrahan, Acting Director
 Office of Environmental Cleanup

9/6/09
 Date