

Special Bulletin A - Polrep #1
Cosmechem Site
215 (a/k/a/ 201) North Warwick Street
Baltimore, Baltimore County, Maryland 21223
Latitude 39.29076 Degree North
Longitude 76.65576 Degrees West

DATE: April 14, 2004

FROM: Michael Taurino, On-Scene Coordinator (OSC) *M Taurino*
Removal Response Section (3HS31)

TO: EPA Regional Response Center

SUBJECT: Notification of \$250,000 Emergency CERCLA Removal Action

ATTN: Abraham Ferdas
Kathy Hodgkiss
Dennis Carney
Charles Kleeman

I. Issue

The On-Scene Coordinator (OSC) conducted a removal assessment in accordance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (104)(b)(1) and 40 CFR Part 300 of the National Contingency Plan (NCP) of an abandoned facility located at 215 (a/k/a 201) North Warwick Street, Baltimore, Maryland ("Site"). The removal assessment revealed the presence of uncontrolled hazardous substances, pollutants or contaminants at the Site posing a threat to public health or welfare or the environment. The OSC has determined that the Site meets the criteria for removal actions in 40 CFR Section 300.415 of the NCP. As a result of current site conditions, a removal response action pursuant to CERCLA (104)(a)(1), as amended, is necessary at the Site. Pursuant to Delegation of Authority 14-2, the OSC is authorizing CERCLA funding in the amount of \$250,000 to initiate a removal action to secure the Site and properly address the hazardous substances, pollutants or contaminants that are present.

II. Background

The Site is located at 215 (a/k/a 201) North Warwick Street, Baltimore, Baltimore County, Maryland. The Site consists of a contiguous building with two separate storage areas and entryways ("structure") and some land. According to tax records and the Maryland Department of the Environment (MDE), the property consists of approximately 0.83 acres of land. Cosmechem Company was Incorporated in the state of Maryland on June 6, 1992.

Cosmechem Company Inc. was listed in the Baltimore Business Yellow Pages under the category of wholesale chemicals. According to MDE, a sign posted on the building in May 2000 showed a list of Cosmechem's products as: industrial strength cleaning chemicals, degreasers, graffiti removers, carpet cleaners, tile bathroom cleaners, metal cleaners, drain cleaners and wood floor strippers.

MDE executed an administrative search warrant to perform an inspection of the abandoned facility on March 18, 2004. A search warrant was obtained since the responsible party was not available to provide access by consent. The Maryland State Police continues to search for the responsible party as well as EPA's Civil Investigator, Larry Richardson. The following chemicals were observed during the state inspection; sodium hydroxide, sodium phosphate, monopotassium phosphate, aluminum sulfate, sodium hypochlorite, sodium hydroxide, barium chloride, sulfuric acid and xylene. In addition, the state observed containers of corrosive and flammable substances. MDE provided the inspection report, inclusive of photographs to EPA on or about March 19, 2004.

On or about March 19, 2004, a state representative from MDE contacted Charles Kleeman, Chief, Removal Response Section, and requested technical assistance from the Removal Program to conduct a removal assessment at the abandoned Site for consideration for a potential Superfund removal action. The state representative provided pertinent email regarding the Site that included a facility inspection report and numerous photographs. The Site was discovered by the local police when they investigated a burglary that occurred at the adjacent place of business. On March 19, 2004, the OSC was advised to begin coordination with MDE.

Since the responsible party was not able to be located through efforts by EPA's Civil Investigator, the OSC began coordination with the Office of Regional Counsel (ORC) to begin preparation of a affidavit to be submitted as part of an application process for Federal search warrant. On April 9, 2004, a Federal warrant was issued by a United States Magistrate Judge to conduct removal assessment activities pursuant to CERCLA (104)(b)(1). The removal assessment was conducted on April 13, 2004. Present at the Site were the OSCs (Taurino and Brescia) and the Superfund Technical Assistance Response Team (START). In addition, agents from the United States Marshals Service were requested to be at the Site by the OSC since a

Federal warrant was being served. An MDE representative, Richard Johnson, was also onsite to provide access to the buildings where hazardous substances, pollutants, or contaminants were located since they had pad-locked the doors on their last entry under their own warrant.

The structure at the Site is rectangular in shape. According to tax records, the area of the structure and surrounding plot is approximately 0.83 acres. For the purpose of performing the removal assessment, two discrete entry ways were identified on the side of the structure by the OSC. The OSC directed START to conduct an entry at the rear end of the structure where MDE had pad-locked a metal sliding door to compile an inventory of the known labeled substances present at the Site. MDE provided access to this rear end with the combination to the pad-locks.

Hazardous substances designated under CERCLA (102)(a) and codified in 40 CFR Section 302.4 (a) were found at the Site based upon the onsite inventory that was performed. These include, but are not limited to, sodium hydroxide, sodium hypochlorite, barium chloride, sulfuric acid, xylene, methylene chloride and phosphoric acid. These listed hazardous substances were found in varying amounts from small lab type containers to 55-gallon drums. The conditions of these containers also varied from good to poor and some were open and not secure. The assessment of the rear portion of the structure also revealed that spills may have occurred. A significant portion of the floor was thickly coated with an unknown substance. The OSC then directed START to continue the inventory in the front portion of the structure for known labeled substances. Access was through a doorway from the exterior that was covered with a large piece of wood. The following CERCLA hazardous substances were found at the Site based upon the onsite inventory that was performed in the front portion of the structure. These include, but are not limited to, sodium hydroxide, aluminum sulfate, acetic acid, hydrochloric acid, acetone and zinc sulfate. The OSC directed START as part of the inventory process to inventory substances that appeared on labels with trade names. After completing the inventory of known and unknown substances, the OSC directed START to perform random hazard categorization of mostly unknown and some known substances. The results of the hazard categorization revealed the presence of corrosive and flammable hazardous substances in accordance with 40 CFR Section 302.4 (b). The storage of hazardous substances, pollutants or contaminants can be considered hap-hazard. Significant amount of cardboard was observed and stored next to incompatible drums and other containers marked flammable. Moreover, the oxidizer that was tested onsite was stored next to and/or near solvent. In the event of a fire, an oxidizer would accelerate the combustion process.

III. Threats to Public Health or Welfare or the Environment

Section 40 CFR Section 300.415 of the NCP lists the factors to be considered in determining the appropriateness of a removal action. At this time, paragraphs (i), (iii), (vi), (vii) of Section 300.415 of the NCP apply as follows to the conditions at the Site.

300.415 (b) (2) (i)

“Actual or potential exposure to nearby populations, animals or the food chain from hazardous substances, pollutants or contaminants.”

The Site is located in a commercial/residential setting. The Site is at least partially fenced, but the main gate preventing unauthorized access is missing. Therefore, access to the Site is unrestricted. The property appears to be abandoned by the owner and the onsite structure holding hazardous substances, pollutants or contaminants has at least one window that is broken was observed on the Site. Access to the front portion of the structure where hazardous substances, pollutants or contaminants are located is impeded only by a piece of large wood covering the entry way. Residential row homes are located approximately 30 yards from the Site. Moreover, active local businesses are located across the street and directly adjacent to the Site. The Site is the location of a former Cosmechem Company where industrial strength cleaners were stored. Numerous drums, containers and bags of chemicals were observed during the removal assessment that may be accessed by trespassers onto the property should they gain access to the structure.

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.”

The removal assessment revealed numerous drums, containers, bags of chemicals stored hap-hazardly throughout the interior of the onsite structure. Hazardous substances in accordance with CERCLA (102)(a) and codified 40 CFR Section 302.4 (a) were observed during the onsite inventory process. Moreover, hazard categorization of unknown containers performed onsite revealed the presence of characteristically hazardous substances in accordance with 40 CFR Section 302.4 (b). During the hazard categorization, corrosives and flammables were found. 55-gallon drums marked corrosive and flammable were observed on the Site. The drums and various other containers holding hazardous substances, pollutants or contaminants vary in their condition. Some of these containers were found in good condition while other were found to be in poor condition.

300.415 (b) (2) (vi)

“Threat of fire or explosion.”

The removal assessment revealed known labeled and unknown substances that are flammable. Moreover, at least one oxidizer was also found. The interior and exterior of the structure contains significant cardboard and timber that may facilitate a chemical fire should an ignition source, such as a cigarette, be provided. In addition, hazardous substances, pollutants or contaminants are hap-hazardly stored and the potential for incompatible storage to be present is likely. A chemical fire would threaten the nearby residents.

300.415 (b) (2) (vii)

“The availability of other appropriate Federal or state response mechanisms to respond to the release.”

On or about March 19, 2004, a state representative from the MDE contacted EPA and requested technical assistance from the Removal Program to conduct a removal assessment at the abandoned Cosmechem Site for consideration for a potential removal action. Therefore, Federal removal action is appropriate to address the threat posed by the conditions at the Site at this time due to the state’s request.

IV. Actions

The OSC has identified a need to conduct immediate stabilization and decontamination activities at the Site. This will include the following activities:

A. Stabilization and Staging of Chemicals

Immediately stabilize hazardous substances, pollutants or contaminants/oil and Site conditions in order to prevent release/discharge or the threat of release or discharge and public exposure. This will be performed both within the structure and outside the structure where hazardous substances, pollutants or contaminants are found.

1. Drum, Vessel and Small Container Recovery - Recover, stabilize, identify, overpack, segregate and stage drums and bags, vessels and small containers, and their contents, spilled material and associated contaminated soils. This will be performed both within the structure and outside the structure where hazardous substances, pollutants or contaminants are found.
2. Compressed Gas Cylinder Recovery - Recover, identify, segregate, stabilize and stage compressed gas cylinders and their contents. This will be performed both within the structure and outside the structure where hazardous substances, pollutants or contaminants are found.
3. AST Tank Removal - Identify, empty, remove and stage above-ground storage tanks (ASTs), contents, spilled materials, and associated soil contamination. This will be performed both within the structure and outside the structure where hazardous substances, pollutants or contaminants are found.
4. Incidental Hazardous Substances Recovery - Recover, identify, segregate, overpack, stabilize and stage small containers and small quantities of hazardous substances/oils unexpectedly encountered. This will be performed both within the structure and outside the structure where hazardous substances, pollutants or contaminants are found.

5. Interior Surface Decontamination - Decontaminate interior surfaces of buildings, other structures, and other vessels identified by OSC as contaminated.

6. ARARs - In conducting the recovery and decontamination, comply with all applicable or relevant and appropriate environmental regulations to the extent practicable depending on the exigencies of the situation as directed by OSC.

B. Proper Off-site Disposal, Recycling and/or Reuse of Chemicals Addressed under (A) Above

All hazardous substances, pollutants or contaminants addressed under (A) above and associated containers and materials shall be disposed, recycled or reused off-site as follows:

1. Recycling, Salvage and Reuse for CERCLA Sites - Recycle and/or reuse hazardous substances, pollutants or contaminants at off-site facilities as appropriate and in accordance with CERCLA 121(d)(3) and 40 CFR Section 300.440.
2. Off-site Disposal - Provide off-site transportation and disposal of hazardous substances pollutants or contaminants/oil in accordance with CERCLA 121 (d)(3) and 40 CFR Section 300.440.
3. Handling of Associated Materials - Recycle, salvage or dispose off-site associated containers and materials, including drums and cardboard.

C. Site Preparation and Support

The following activities will be performed to prepare the Site for response activities. The work will be conducted as needed to prepare the Site for the performance of the above response work and support such work as follows:

1. Field Support Facilities - Provide field office, support facilities and utility service.
2. Site Security - Provide 24-hour Site security guard service, including signs, barriers, fencing and securing structures. The purpose is to keep trespassers off the property
3. Improve Site Accessibility - Improve/provide accessibility onto and within the Site for response personnel, vehicles, equipment, utility service and Site monitoring by developing Site access routes, staging areas and parking.
4. Clear Site Debris - Clear, remove & dispose Site debris, vegetation and obstructions and continue to control grass and weed growth in order to safely and efficiently perform tasks.

5. Incidental Demolition Activities - Demolish/remove small incidental structures necessary for performance of response actions.

D. Continued inspections, sampling and response actions shall extend to all things on and within the Site and within the Scope of CERCLA

The following activities will be performed continue assessment activities at the Site for characterization of hazardous substances, pollutants or contaminants and to facilitate the disposal, reuse, or recycling of hazardous substances, pollutants or contaminants.

1. Inspection - Inspection of all areas of the structure as well as the outside areas in order to identify and characterize the release or threatened release of hazardous substances, pollutants or contaminants (as defined in Section 101(33) of CERCLA, 42 U.S.C. § 9601(33)) into the environment at and/or from the Site; and the risks to public health or welfare and the environment.
2. Sampling and Analysis - Collect for analyses (to be conducted onsite and offsite) samples of substances present in drums, bags, containers, tanks and other vessels, as well as substances present on any surfaces including but not limited to the floors, walls, and ceilings inside of all areas of both buildings, cabinets, desks or closets (locked or unlocked) in all areas of both buildings. Sample and analyze soil, water and/or air inside and outside of the structure.
3. Records Review and Documentation - Review records found in all areas of the structure (whether located in locked or unlocked containers, cabinets, desks, closets) in order to determine: i) the nature of the business conducted at the Premises; ii) the inventory of substances on the Premises. These records may be reviewed offsite for safety reasons. Photograph and/or videotape the interior and exterior of the structure and the grounds outside.

V. **Estimated Costs**

ERRS.....	\$ 200,000
START.....	\$ 50,000
Total.....	\$ 250,000