

United States Environmental Protection Agency
Region II
POLLUTION REPORT

Date: Thursday, February 26, 2009

From: Paul L. Kahn, Michael Hoppe

To: Andrew Raddant, Department of Interior Lisa Levy, OSHA
William Molnar, Sandy Alexander Albert Greco, City of Clifton
Denise Zeno, USEPA Angela Carpenter, USEPA

Subject: SPECIAL #11: Break-in and Burglary at Site

Abrachem Chemical
2 Peekay Drive, Clifton, NJ
Latitude: 40.8306000
Longitude: -74.1231000

POLREP No.:	24	Site #:	A212
Reporting Period:		D.O. #:	072
Start Date:	1/2/2009	Response Authority:	CERCLA
Mob Date:	12/30/2008	Response Type:	Time-Critical
Demob Date:		NPL Status:	Non NPL
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:	NJR000031831	Contract #	EP-W-04-055
RCRIS ID #:			

Site Description

At 1615 hours on 10/29/08 EPA received a notification from the NRC that a chemical release was occurring at Abrachem Chemical, a bulk chemical packaging facility that leased a building in Clifton, Passaic County, NJ. The NJ Dept. of Environmental Protection was on-scene and requested EPAs presence.

At 1730 hours OSC Ellen Banner and OSC Paul Kahn responded to the scene. The company was found to be storing drums and bulk containers of known and unknown chemicals in 17 56-foot long intermodal shipping carriers (ISCs), stacked 3 tiers high (approx. 35 feet). Only 5 of the ISCs could be opened, and inside those it was observed that drums and bulk containers were staged behind tiers of empty poly drums, giving the impression that the ISCs were used for new drum storage. EPA observed that in the one ISC where the release originated at least one drum was leaking its contents onto a wooden pallet; strong chemical odors emanated from the open door of the ISC and were also pervasive in the general area.

The Operator of Abrachem retained the services of a remediation company, and contractor personnel were advised to lay poly sheeting and begin removing and overpacking the leaking and unknown drums that were readily accessible. Work commenced almost immediately, but at 2100 hours was halted due to lack of adequate lighting and inability to physically access the majority of the drums through the narrow doorway.

The Operator of Abrachem and the Owner of the property was issued a Field Expedient Notice, and in response the Operator stated he would initiate a removal action. When his efforts to respond to the release, and threats of a release, proved to be inadequate EPA sought voluntary access to initiate a response action. This access was denied on two occasions. On 12/4/2008 EPA issued a Unilateral Administrative Order (UAO) for access. The Operator refused to comply with the UAO and EPA referred the matter to the Department of Justice for a legal remedy. On 1/8/2009 a federal Magistrate issued an access warrant to EPA to initiate a response action at the Site.

Current Activities

At 1800 hours on 2/25/2009 OSC Kahn observed a person walking along the fence line at the Site. This person was followed and seen to leave the Site through an open gate at the rear of the premises. The

OSC notified the Clifton PD and two police officer responded. They searched for the person but could not find him; OSC Kahn departed the Site at 1830 hours.

At 0730 hours on 2/27/2009 OSC Kahn was informed by the Earth Tech Response Manager that someone had broken into the Site overnight and some items of equipment had been stolen such as a digital camera, the 4 video surveillance cameras, hand tools etc, but the 800+ containers of chemicals inside the Site were touched.

The Clifton PD and Passaic County Sheriff's department was notified. Detectives and CSIs were dispatched to the Site, as well as a Gang Bureau officer because there were gang symbols spray painted on three walls inside the Site (see cover image for this POLREP). The CSI personnel attempted to lift finger prints off some items, but only found partial prints. A police report was completed and a copy will be given to the OSC.

Planned Removal Actions

Immediate steps were taken to add a level of security for the Site. Slide bolts were installed on all exit doors. The rear gate was and side access door were chained shut. The roll-up door between the old and new warehouse areas will be closed and locked at night. Arrangements are underway to have an off-duty, armed, Clifton police officer with a police car at the Site from 1730 hours to 0730 hours, Monday thru Friday, and 24/7 on weekends. Although costly (\$52 per hour) this is deemed necessary by RPB management and the OSC, as well as local authorities, because of the possible gang involvement and the potential for violence.

Next Steps

Maintain a high level of awareness and Site security.

Key Issues

See above.

response.epa.gov/abrachemchemical