

**United States Environmental Protection Agency
Region II
POLLUTION REPORT**

Date: Friday, July 31, 2009
From: Paul L. Kahn, Michael Hoppe

To:	Paul Kahn, ERRD-RPB	Tim Grier, USEPA Headquarters 5202G
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	William Molnar, Sandy Alexander	Albert Greco, City of Clifton
	Tara Donn, USEPA Region 02 CID	Leah Escobar, ATSDR
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Subject: SPECIAL #15: Awarding of Subcontract for T & D
Abrachem Chemical
2 Peekay Drive, Clifton, NJ
Latitude: 40.8306000
Longitude: -74.1231000

POLREP No.:	48	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 EPA's 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

EPA has formally consented to the ERRS contractor (Earth Tech) awarding the subcontract for the transportation and disposal of approximately 1,200 drums of waste chemicals to Pollution Control Industries, Inc. PCI is the lowest bidder responding to the bid solicitation, with a winning bid of \$234,000. This figure will ultimately be slightly lower because two of the 111 different waste streams will be disposed of by alternate means. Of the remaining 109 waste streams being shipped for disposal, 65 of them (59%) are destined for permanent, environmentally-friendly disposal such as incineration or fuels-blending. On a volumetric basis these 65 waste streams comprise 84% of all the waste drums. The formal subcontract award will occur when Earth Tech and PCI complete the necessary paperwork.

The OSC has been given consent from the Passaic Valley Sewerage Commissioners (PVSC) to discharge 550 gallons of a water solution with less than 1% of sodium permanganate to the POTW. PVSC has requested that EPA discharge this non-hazardous material on non-rain days and at a slow rate. EPA will comply by discharging two drums per non-rain day over the course of 5 non-rain days.

Planned Removal Actions

Remove personnel and equipment to the Site on August 10th to resume removal activities.

Next Steps

Prepare all drums and containers for shipping via common carrier.

Key Issues

See above.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$1,270,000.00	\$1,260,000.00	\$10,000.00	0.79%
RST/START	\$0.00	\$114,000.00	(\$114,000.00)	0.00%
Intramural Costs				
Total Site Costs	\$1,270,000.00	\$1,374,000.00	(\$104,000.00)	-8.19%

* 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(s). 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.

response.epa.gov/abrachemchemical

POLREP #48 Last Updated 7/31/2009