

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

Date: Friday, August 28, 2009

From: Ken Rhame

Subject: Initial

KM Ventures

1602 North Main Street, Lowell, NC

Latitude: 35.2750300

Longitude: -81.0977480

POLREP No.:	1	Site #:	
Reporting Period:	08/28/2009	D.O. #:	
Start Date:	8/28/2009	Response Authority:	CERCLA
Mob Date:	8/28/2009	Response Type:	Emergency
Demob Date:		NPL Status:	Non NPL
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:		Contract #	
RCRIS ID #:			

Site Description

This site is being conducted as a CERCLA Emergency Response. The site is also subject to OPA regulations as it has bulk storage of oil in quantities greater than 1,320 gallons, is located along the Catawba River (A Navigable Water Way), and has not been properly "closed".

The KM Ventures facility previously operated as Yorkshire America. While in operation the facility operated as a textile chemical manufacturer for products such as dyes and surfactants. The facility is located on a 42-acre tract with 14 acres fenced around the plant. The facility operated as Crompton & Knowls before Yorkshire America. The facility closed down in 2004. KM Venture purchased the property on 6/23/06 from the Bankruptcy Estate of Yorkshire Americas, Inc. The facility is currently being managed by the NC DENR Brownfields Program.

KM Ventures Property located at 1602 North Main Street in Lowell, Gaston County NC. KM Ventures claims that all material on site is "Product" at this point and that all the materials (hazardous substances/oils) have been sold to Jay-Chem, a company located in India. KM Ventures has acknowledged that there will be some waste generated at the site due to some of the product being degraded and not usable, but these materials have not yet been identified.

Current Activities

EPA observed approximately 1,000 drums, several chemical totes, several above ground storage tanks containing several thousand gallons of various chemicals and oils, and several lab-packs containing chemical supplies that were not labeled and were staged with no hazardous categorization (potential compatibility concerns). There was evidence that some of the containers had leaked, several containers are in very poor condition, several containers have no labels thus contain "unknowns". Several drums located outside have holes in the tops, there are bulging drums that appear to be pressurized, there are drums that have not been secured - drums scattered throughout the property that have not yet been assessed. There is evidence of trespassers accessing the site, beer cans and EPA was told that police patrol the site on a routine basis and have run-off trespassers in the past. The site is also bordered on one side by the Catawba River.

Preliminary Removal Assessment/Removal Site Inspection Results

During the Site Assessment KM Venture claimed that all material located on site has been determined to be "Product". However, they acknowledge that some of the material has been compromised or has degraded to the point that it will need to be disposed of as "Waste". According to KM Ventures, all chemicals/oils on site has been sold to Jay-Chem, a company located in India for \$100.

After assessing the site, EPA met with NC DENR, KM Ventures and their legal representative (K&L/Gates). It was determined that the site warrants a Emergency Response Action. KM Ventures was

directed by EPA to "Stabilize The Site Under A Site Safety Plan".

Some work has been done by KM Ventures in regards to stabilizing the site. However, the site is still considered unstable based on the poor condition of containers, proximity to the Catawba River, and potential exposure to trespassers.

NC DENR Haz-Waste has issued a NOV and Order to KM Ventures. KM Ventures is the current property owner and is currently being managed under the NC DENR Brownfields Program.

Planned Removal Actions

Planned Response Activities under the Site Safety Plan

1. Overpack/Stage all drums containing hazardous substances or oils that have holes in the containers inside.
2. Segregate/Isolate Unknowns, construct a staging area for unknowns w/secondary containment and position drums based on compatibility.
3. Lab-Packs should be inventoried and packed based on compatibility.
4. Bulk tanks should be inspected, bulk storage containers containing hazardous substance/oils that are in poor condition (faulty valves, etc.) should be off-loaded into stable containers until proper transport can be arranged for off-site use or disposal.
5. Identify and Inventory All Containers On Site.
6. Properly characterize, transport and dispose of waste in accordance with all federal and state laws.
7. EPA has requested that KM Ventures provide a Daily Activity Report to EPA and DENR until the site has been stabilized which at that point a Weekly Activity Report would be provided.

Next Steps

Issue Letter of Federal Interest

Get Signed Access Agreement

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
Intramural Costs				
Total Site Costs	\$0.00	\$0.00	\$0.00	0.00%

* 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/KM Ventures

POLREP #1 Last Updated 3/8/2010