U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Black Leaf Chemical - Removal Polrep

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: **POLREP #3**
Black Leaf Chemical
B4L7
Louisville, KY
Latitude: 38.2318091 Longitude: -85.7827199

To:
From: Art Smith, On-Scene Coordinator
Date: 8/23/2013
Reporting Period: 8/19/2013 through 8/23/2013

1. Introduction

1.1 Background

Site Number:	B4L7	**Contract Number:**	
D.O. Number:		**Action Memo Date:**	8/23/2011
Response Authority:	CERCLA	**Response Type:**	Time-Critical
Response Lead:	EPA	**Incident Category:**	Removal Action
NPL Status:	Non NPL	**Operable Unit:**	
Mobilization Date:	9/23/2011	**Start Date:**	9/23/2011
Demob Date:		**Completion Date:**	
CERCLIS ID:	KYD980559250	**RCRIS ID:**	
ERNS No.:		**State Notification:**	08/29/2011
FPN#:		**Reimbursable Account #:**	

1.1.1 Incident Category
Inactive Production Facility

1.1.2 Site Description

1.1.2.1 Location
The Site is located on a portion of a 29-acre parcel of land at 1391 Dixie Highway in the Park Hill neighborhood of Louisville. The 29-acre parcel is bordered by a densely populated residential area to the north, a large rail yard to the south, and industrial/commercial areas to the east and west. Multiple brick structures occupy the Site, which was the location of a pesticide formulating operation, a whiskey distillery, and several wood drying and lumber distribution companies in the past. The Site is currently abandoned.

The Site comprises the areal extent of contamination, which includes the 29-acre industrial park, the public right of ways to the north of the facility and the following residential properties to the north of the facility:

1532 Wilson Avenue
1610 Wilson Avenue
1616 Wilson Avenue
1620 Wilson Avenue
1624 Wilson Avenue
1632 Wilson Avenue
1728 Wilson Avenue
1732 Wilson Avenue
1748 St. Louis Avenue
1752 St. Louis Avenue

1.1.2.2 Description of Threat
On July 25, 2011, the Kentucky Department for Environmental Protection (KDEP) Superfund Branch requested that the U.S. Environmental Protection Agency Region 4 evaluate this Site for purposes of conducting a time-critical removal action. The request was based on the results of an October 2010 Site Investigation (SI) that revealed high concentrations of organochlorine pesticides in surface soil at an industrial park. KDEP also cited the lack of controls on access to the Site and the inability to compel the current property owner to secure the Site.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results
On August 8, 2011, On-Scene Coordinator (OSC) Smith and KDEP performed a site inspection. At that time, a gate at the 17th Street entrance to the Site was missing and evidence of trespassing was noted in

areas of the Site where hazardous substance releases are present. Based on this information, the OSC completed the removal site evaluation under 40 CFR Section 300.410, and concluded that the Site meets the National Contingency Plan (NCP) criteria for a time-critical removal action. On September 13, 2011, the EPA initiated a time-critical removal action to repair the fence and secure the Site to protect the public from potential direct contact with hazardous substances.

In September and October 2011, the EPA collected soil samples on-site in a storm drain and at multiple locations just outside the fence along the perimeter of the Site to determine whether hazardous substances had migrated to off-site areas. Analytical results indicated that arsenic, lead, and organochlorine pesticides which were released at the Site have migrated off-site into the public sewer system and the public right of ways.

In February 2012, the EPA collected soil samples at 50 residential properties located in close proximity to the Site. In November 2012, both the EPA and the Kentucky Department for Environmental Protection collected soil samples at 19 additional residential properties. Analytical results indicated that arsenic, lead, organochlorine pesticides and polycyclic aromatic hydrocarbons (PAHs) which were released at the Site have migrated to nearby residential properties. In particular, arsenic, benzo(a)pyrene, and lead are at concentrations which exceed the EPA's Removal Management Levels (RML) for residential areas.

In June 2013, an Action Memorandum was signed authorizing $312,600 in funding for EPA to conduct a time-critical removal action at the 10 residential lots where EPA's RMLs are exceeded.

In addition to the 10 residential properties where the EPA will remove contaminated surface soils, KDEP will conduct cleanup at up to 67 residential properties where benzo(a)pyrene exceeds the KDEP cleanup criterion.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date

On August 19, the OSC and the KDEP Superfund Branch Chief participated in a news conference to publicize the beginning of residential soil excavation. The excavation began on 1530 Wilson and progressed to 1532 Wilson and 1534 Wilson. By week's end, these 3 lots were backfilled and both 1530 and 1532 Wilson were seeded to promote new vegetative growth.

Also during the week of August 19, the EPA START contractor OTIE supported the project with monitoring for airborne particulate matter potentially associated with soil excavation. The goal is to keep daily readings to less than 150 micrograms of total particulate matter per cubic meter (ug/m3) of air. This action level correlates to fraction of total dust that are lead particles and is designed to comply with the National Ambient Air Quality Standard for lead dust = 0.15 ug/m3. This action level was derived and is based on a lead level in soil of 1200 milligrams per kilogram (mg/kg) or 0.12% of total particulate matter. The particulate action level of 150 ug/m3 is conservative as the assumed source soil lead concentration of 1200 mg/kg is the maximum value found in residential soil samples and was only detected in one lot. (The average lead concentration in soil is about 270 mg/kg). The particulate monitoring readings will be documented in subsequent Polreps on a weekly basis.

The OSC and the ERRS contractor CMC, Inc. also met with the owner at 1612 Wilson to conduct a pre-construction survey in advance of soil excavation. The owners identified garden areas that will be excavated to a depth of 2 feet below land surface, in conjunction with EPA's Residential Lead policy.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

Several PRPs for this Site have been identified, and the process of identifying PRPs for this Site is nearly complete. Of the viable PRPs identified for the Site thus far, there is no expressed commitment to undertaking the necessary response actions. Based on a lack of PRP participation, it is necessary to proceed with a fund-lead removal action.

2.1.4 Progress Metrics

Waste Stream	*Medium*	*Quantity*	*Manifest #*	*Treatment*	*Disposal*

2.2 Planning Section

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities

Complete 1534 Wilson by laying sod at the rear of the lot. Work during the week of August 26 will focus on lots on the 1500 and 1600 blocks of Wilson Avenue

2.2.1.2 Next Steps

Continue pre-construction surveys to prepare for initiation of residential soil excavation on the 1700 block of St. Louis Avenue during the week of Sept. 2.

2.2.2 Issues

On the morning of August 23, the OSC was notified by the ERRS contractor that the work areas in the 1500 block of Wilson Avenue were vandalized by intruders overnight. No serious damage was discovered, though at least one fence post was missing. The OSC contacted Louisville Metro Police Department who investigated the incident.

2.3 Logistics Section

NA

2.4 Finance Section

No information available at this time.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

3.1 Unified Command

3.2 Cooperating Agencies

Kentucky Department for Environmental Protection
Louisville Metro Public Works

4. Personnel On Site

EPA Region 4 - 1
START - 1
CMC - 11

5. Definition of Terms

No information available at this time.

6. Additional sources of information

6.1 Internet location of additional information/report

6.2 Reporting Schedule

Polreps will be submitted on a weekly basis

7. Situational Reference Materials

No information available at this time.