

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: POLREP #6
Progress Polrep
Black Leaf Chemical
B4L7
Louisville, KY
Latitude: 38.2318091 Longitude: -85.7827199

To: Jim Webster, USEPA R4 ERRB
Larry Hughes, KYDEP

From: Art Smith, On-Scene Coordinator

Date: 9/23/2013

Reporting Period: 9/16/2013 - 9/20/2013

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
1612 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 September 2013, a Ceiling Increase Action Memorandum was signed authorizing an additional \$396,150 in funding in order to complete the removal action.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date

During the week of September 16, work focused on the soil removal at the following properties:

1612 Wilson Avenue
1616 Wilson Avenue
1620 Wilson Avenue
1624 Wilson Avenue

At 1612 Wilson, sod was placed on September 16. On September 17, ERRS installed a new chain link fence panel at the rear of the property and attempted to re-construct an 88' section of chain link fence which was taken down to facilitate soil removal. The fence fabric was damaged beyond repair, and a new section of fence will be installed in its place.

At 1616 Wilson, excavation work began on September 16, and approximately 55 cubic yards (cy) of soil was removed. This lot was backfilled on September 17, and is awaiting placement of sod. On September 18, the OSC contacted the property owner and discussed replacement of a brick walkway which was removed during excavation. The property owner asked for new brick pavers to be placed as the old brick was damaged beyond repair. The new brick pavers were installed on September 20.

At 1620 Wilson, excavation work began on September 17, and approximately 71 cy of soil was removed. This lot was backfilled on September 19, and is awaiting placement of sod.

At 1624 Wilson, excavation work began on September 20, and approximately 53 cy of soil was removed. This lot is not completely excavated as of the date of this report.

On September 20, all open excavations were backfilled and the lots were covered with straw in advance of a cold front expected to move into the area.

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	Quantity		Disposal
Soil contaminated with lead, organochlorine pesticides and PAHs	556 tons		Outer Loop Landfill, Louisville, KY

2.2 Planning Section

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities

Complete fence construction at 1612 Wilson.

Complete final grading and placement of sod at 1616 Wilson, 1620 Wilson, and 1624 Wilson.

Begin soil excavation at 1632 Wilson. At this location, another round of air sampling by ERRS subcontractor Air Source Technology, Inc. is scheduled for September 24.

2.2.1.2 Next Steps

2.2.2 Issues

2.3 Logistics Section

NA

2.4 Finance Section

2.4.1 Narrative

A Task Order Modification to the ERRS Contract was processed on September 18, adding \$311,560 in new funding to the project

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$594,160.00	\$227,858.00	\$366,302.00	61.65%
START	\$30,000.00	\$14,934.00	\$15,066.00	50.22%
Intramural Costs				
Total Site Costs	\$624,160.00	\$242,792.00	\$381,368.00	61.10%

* 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.

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

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.