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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: **POLREP #9**
Progress Polrep
Black Leaf Chemical
B4L7
Louisville, KY
Latitude: 38.2318091 Longitude: -85.7827199

To:
From: Art Smith, On-Scene Coordinator
Date: 10/15/2013
Reporting Period: 10/8/13 through 10/14/13

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 October 7, work focused on the soil removal at the following locations:

Alley behind 1700 block of Wilson Avenue
1732 Wilson Avenue
1748 St. Louis Avenue
1752 St. Louis Avenue

On October 8, excavation of an earthen strip behind the 1700 block of Wilson Avenue was completed. This marks the terminus of the alley excavatoin which began in August 2013. Approximately 123 cubic yards (cy) of soil was removed from the alley during this period.

On October 8, the OSC and ERRS Project Manager met with the property manager at 1732 Wilson concerning placement of a new section of chain link fence. This is required to replace a deteriorated section of fence which was rendered ineffective following restoration of this lot. Although sod was placed on October 11, completion of restoration at this property is pending construction of the new chain link fence.

On October 8, clearing and grubbing began at 1748 St. Louis, and excavation began on October 9. Excavation was completed on October 11. Approximately 180 cubic yards (cy) of soil were removed from the back yard of this property.

At 1752 St. Louis, completion of restoration is pending backfilling of an open excavation area left open from October 4.

On October 11, all open excavations were backfilled, with the exception of 1752 St. Louis. That lot had an area that could not be backfilled before crews left for the weekend.

Approximately 876 tons of non-hazardous soils were shipped offsite during the week of October 7.

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		1547 tons			Outer Loop Landfill, Louisville, KY

2.2 Planning Section

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities
Complete final grading and placement of sod at 1748 St. Louis
Complete final grading and seeding at 1752 St. Louis

2.2.1.2 Next Steps

2.2.2 Issues
In an email dated August 30, 2013, the OSC outlined a proposal to locate and plug openings to the surface drainage system on the Black Leaf Site. This system connects to the public sewer system operated and maintained by the Metropolitan Sewer District (MSD). The proposal was in response to concerns expressed by citizens at public meetings regarding possible exposure to soil contaminants via a sewer system overflow. Reportedly, there have been multiple occasions where inundation of the MSD system has caused localized flooding during significant rainfall events.

On October 11, the OSC communicated by email that the current recommendation would be to leave surface drainage system openings as is for the near term. The basis for this decision is the potential for increased sheet flow and possible flooding if the openings were to be plugged. If openings are plugged and flooding subsequently occurs, neighbors yards and the nearby railroad right of way would be threatened. Sediment controls currently in place on the Black Leaf Site could be adversely impacted, possibly causing increased runoff onto newly remediated lawns.. This risk outweighs any potential issues associated with contaminant transport into the MSD system, as those inflows undergo treatment at MSD facilities.

The issue of contaminant migration from the Black Leaf Site and transport into the MSD system bears further investigation. KDEP has agreed to incorporate this into a scope of work for additional site characterization at a later date.

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

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.