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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: **POLREP #10**
Progress Polrep
Black Leaf Chemical
B4L7
Louisville, KY
Latitude: 38.2318091 Longitude: -85.7827199

To:
From: Art Smith, On-Scene Coordinator
Date: 1/8/2014
Reporting Period: 10/15/2013 through 12/31/2013

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

On October 14, grading was completed at 1748 St. Louis, and sod was placed beginning on October 15 and completed on October 23. On November 1, a section of a sidewalk which was cracked during soil excavation activities was repaired, as was a section of fence removed previously to facilitate the access of heavy equipment onto the property. This marks completion of restoration at this property..

On October 16, a new section of chain link fence was erected at 1732 Wilson. This was required to replace a deteriorated section of fence which was rendered ineffective following restoration of this lot. On October 17, the fence repairs were finished, marking completion of restoration at this property.

Approximately 126 tons of non-hazardous soils were shipped offsite on October 16. This marks completion of soil disposal from the 10 residential lots which began on August 19.

From October 30, the alley behind the 1600 block of Wilson was cleaned with a broom sweeper to remove any residual dust and debris from the paved areas of the alley.

On November 18, a section of fence was replaced at 1728 Wilson. This marks completion of restoration at this property.

At 1752 St. Louis, completion of restoration is pending soil removal at other properties by KDEP along the alley behind St. Louis Avenue. This vacant lot is used to stage materials used in the KDEP removals.

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		1674 tons			Outer Loop Landfill, Louisville, KY

2.2 Planning Section

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities

EPA remains responsible for periodic inspection, maintenance, and repairs of ersoion control devices constructed on the industrial park property until July 2014.

2.2.1.2 Next Steps

2.2.2 Issues
None at this time

2.3 Logistics Section
NA

2.4 Finance Section
No information available at this time.

2.5 Other Command Staff
2.5.1 Safety Officer

2.5.2 Liaison Officer

2.5.3 Information Officer
On October 29 and December 11, EPA sent "clean letters" to owners of the 10 properties where soil removal took place. The letters served notice that the soil removal and restoration activities were complete at these properties. Furthermore, the letters were sent to advise the property owners and tenants that disturbed areas had been watered sufficiently to promote new growth. Additional watering becomes the responsibility of the property owners, effective upon receipt of the letter.

3. Participating Entities
3.1 Unified Command

3.2 Cooperating Agencies
Kentucky Department for Environmental Protection
Louisville Metro Public Works

4. Personnel On Site
None

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
A Final Polrep is pending the completion all EPA-led site activities.

7. Situational Reference Materials
No information available at this time.