

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Burdett Pipeline - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region III

Subject: POLREP #5
continued search for potential RP
Burdett Pipeline
Charleston, WV
Latitude: 38.3998200 Longitude: -81.6966300

To: Francis Burns, US EPA R3
Response Center RRC, EPA
Response Center RRC, EPA
USCG NPFC, USCG
Patrick Ryan, USCG
David Gilbert, WVDEP
Rusty Joins, WVDEP
Sean Devine, USCG
Casey Comer, USCG - NPFC Case Officer

From: Michael Towle, On-Scene Coordinator

Date: 3/9/2016

Reporting Period: 12/24/2015 through 3/9/2016

1. Introduction

1.1 Background

Site Number:	Contract Number:
D.O. Number:	Action Memo Date:
Response Authority: OPA	Response Type: Emergency
Response Lead: EPA	Incident Category: Removal Action
NPL Status:	Operable Unit:
Mobilization Date:	Start Date: 4/3/2015
Demob Date:	Completion Date:
CERCLIS ID:	RCRIS ID:
ERNS No.:	State Notification:
FPN#: E15310	Reimbursable Account #:

1.1.1 Incident Category

Discharge of crude oil from a pipeline posing a threat to navigable waterway.

1.1.2 Site Description

See POLREPs 01 through 04 for information relating to the incident and Site description.

During the night of April 3, WVDEP responded to the location of a pipeline from which oil had been slowly discharging. Rains of April 3 appeared to increase the flow of oil. WVDEP contacted EPA OSC and agreed to excavate and evaluate the situation in order to try and stop the discharge. WVDEP arranged for excavation and found that the leaking pipeline was believed to be a 10 inch steel pipeline through which a 6 inch plastic line was sleeved. The oil was discharging from the space between the 10 and 6 inch lines and it could not be determined where the leak stemmed from. The subject pipeline was amongst several others in a common right-of-way. An owner could not be determined and the WVDEP initiated actions to stop the discharge. A contractor was engaged and sealant was placed between the 6 and 10 inch lines to stop the flow of oil. Then, concrete was placed around the leaking area. Rain had occurred throughout the response. During excavation it was also confirmed that the leak did not occur at a valve, but at the location of an actuator or cathodic protection device. Voltage was found on the pipeline. WVDEP believed that the line voltage was evidence that the line was still active and not abandoned. At this time the oil discharge has been stopped, but the potential for additional discharge and the owner of the pipeline has not been established.

1.1.2.1 Location

The location of the pipeline is along Woodward Dr. in a residential area of Kanawha County, West Virginia. The address of the property owner is not provided in the POLREP.

1.1.2.2 Description of Threat

The discharging oil migrated overland towards the flowing waters of the Left Fork TwoMile Creek a tributary of the Kanawha River a navigable waterway. A rain event on April 3, 2015 is exacerbated the discharge and without defensive measures or stopping the source, the oil would have migrated to the water. The flowing water was about 125 to 150 feet downgradient of the discharge point. The size classification of the discharge would be expected to be minor. Only stopping the source of the oil and defensive measures would best prevent the probably migration of the oil into the navigable waters. The activities of the State resulted in a condition where no oil reached the water.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

The OSC coordinated with the WVDEP who responded and was onscene. The source of the discharge was determined to be a 10 inch steel pipeline through which a 6 inch plastic line was sleeved running through residential properties. The oil was emerging from between the 6 and 10 inch lines. The WVDEP had believed the line to be abandoned, but it was subsequently found that voltage was still on the line and it was likely active. An estimated 10 gallons had discharged and the WVDEP estimates about a 1 gallon per minute discharge rate. It was unknown how much oil could discharge, but the OSC estimated that another 100 gallons may discharge before the source could be stopped. Based upon discussion with WVDEP, knowledge of the area, and examination of maps and pictures, the OSC had determined that the discharge posed a substantial threat to the navigable water. Although oil had not reached the water on April 3, the OSC believed that given the unknown volume of oil in the pipeline, the unknown owner and condition of the pipeline, the rainy conditions, and the proximity of the water (about 125 to 150 feet from the discharge point), that migration into the water was likely without defensive measures and actions to stop the source. WVDEP responded to the incident and under a PRFA addressed the discharged oil without any need for EPA onscene assistance. The OSC is attempting to identify the RP. At this time, the OSC has continued to ask the State to delay its voucher until the OSC can identify a RP if possible.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

The WVDEP was onscene and initiated and completed initial response actions with local authorities.

2.1.2 Response Actions to Date

See Prior POLREPs.

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

The pipeline is located in a right-of-way containing multiple pipelines. The WVDEP contacted one of the pipeline operators (Cabot) with a pipeline marker nearby who indicated that the line was not theirs. The WVDEP and the EPA OSC contacted PHMSA which indicated that there is not a regulated transmission line at the subject location. The EPA OSC identified two additional companies based upon pipeline markers near to the discharge point. One of these companies (Mountaineer) appears to be the owner of a residential gas distribution system. The OSC sent a Notice of Suspected Discharger to the other company (Ajax). However, the OSC was informed that the assets of this Company were sold in 2013 to another entity (also called Ajax).

The OSC has sent a Notice of Suspected Discharger to Ajax Pipeline Company which indicates it has sold all its assets to Ajax Pipeline Company LLC.

The OSC has sent a Notice of Suspected Discharger to Ajax Pipeline Company LLC which indicates that they own a pipeline in the subject area, but that the subject line is not theirs.

The OSC also requested information from FMC Corporation which owns right-of-way in the area. FMC indicates that they do not own any pipeline assets in the area.

The OSC sent a Notice of Suspected Discharger to Cabot Corporation which owns a pipeline in the area and which may have indicated to the WVDEP that the subject line was not theirs. The letter was returned. The OSC sent a new letter to Cabot, but there is still no identification of a potential RP despite the location of active pipelines at the Site.

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>

2.2 Planning Section

2.2.1 Anticipated Activities

Identify an RP and evaluate the need for additional actions, if any.

2.2.1.1 Planned Response Activities

2.2.1.2 Next Steps

2.2.2 Issues

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

2.4.1 Narrative

The OSC obtained FPN E15310 with a ceiling of \$50,000. The OSC coordinated with NPFC and established a PRFA (\$35,000) with WVDEP to address limited response actions to stop the discharge. The OSC also established a contract to help search for and identify the RP. The OSC has requested WVDEP to hold its voucher until the OSC can complete a search for an RP (there are several pipeline owners at the incident scene, but none are indicating ownership at this time).

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
PRFA - WVDEP	\$35,000.00	\$0.00	\$35,000.00	100.00%
START	\$3,500.00	\$3,279.51	\$220.49	6.30%
Intramural Costs				
USEPA - Direct	\$8,950.00	\$2,400.00	\$6,550.00	73.18%
USEPA - InDirect	\$2,550.00	\$965.58	\$1,584.42	62.13%
Total Site Costs				
	\$50,000.00	\$6,645.09	\$43,354.91	86.71%

* 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

No information available at this time.

4. Personnel On Site

No information available at this time.

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.