

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Wiley Property (aka Ohio County Arsenic Site) - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: POLREP #4
Progress Polrep
Wiley Property (aka Ohio County Arsenic Site)
B45H
Hartford, KY
Latitude: 37.5123000 Longitude: -86.9653010

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

From: Art Smith, On-Scene Coordinator

Date: 8/31/2016

Reporting Period: 8/16/2016 through 8/27/2016

1. Introduction

1.1 Background

Site Number:	B45H	Contract Number:	EP-S4-15-04
D.O. Number:	0007	Action Memo Date:	6/28/2016
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	10/13/2015	Start Date:	10/13/2015
Demob Date:		Completion Date:	
CERCLIS ID:	KYN000403430	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

CERCLA Incident Category: Abandoned Residential Property

1.1.2 Site Description

1.1.2.1 Location

The Wiley Property Site is located at 209 Shinkle Chapel Road in Hartford, Ohio County, Kentucky. The geographic coordinates of the Site are 37.5123000° North and 86.9653010° West. The Site consists of two parcels of land. The first residential tract is designated as Tax/Parcel ID 73-17-1 in the records for Ohio County, KY comprising 10.2 acres. This property is currently held by Wells Fargo Bank, following a foreclosure and Master Commissioner's sale in 2014. There are two improvements on Tax/Parcel ID 73-17-1: a single family home and an outbuilding.

The second tract making up the Site is designated as Tax/Parcel ID 73-17 in the records for Ohio County, KY. This parcel is privately owned and a portion of this property was subdivided to sell Parcel 73-17-1 in 2007. There are reports of an old barn on this property which was subsequently destroyed, thus suggesting that the past use of the property was for agricultural purposes.

The Site is bordered to the north by Shinkle Chapel Road, and by wooded, rural, and agricultural lands to the east, south, and west. There is an abandoned single family dwelling on the property, and there are 10 homes located within a half-mile radius of the Site.

1.1.2.2 Description of Threat

Direct contact with high concentrations of inorganic arsenic, a listed hazardous substance

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

See Polreps 1-2 and the Documents tab of the website: www.epaosc.org/wileyproperty for additional information.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date

On 8/3/2016, the Emergency and Rapid Response Services (ERRS) contractor CMC, Inc. began clearing and soil excavation activities. As the ERRS contractor excavates they stockpile and segregate "non-hazardous" from "hazardous soil" in preparation for disposal. The Superfund Technical Assistance and Response Team (START) contractor utilizing a XRF has delineated hazardous (>5,000 ppm As) soil from non-hazardous (<5,000 ppm As) at the surface. Also, the XRF has been used to delineate areas on the surface requiring removal (68 ppm As on the residential tract, and 420 ppm As on the non-residential tract, respectively).

On 08/19/2016, the ERRS crew completed construction of erosion control devices designed to minimize migration of contaminant-laden sediments from areas which have been exposed through excavation.

Two of the three vendors have responded back to indicate that they can successfully treat the soils which fail the Toxicity Characteristic Leaching Procedure (TCLP) for As. The third vendor was unsuccessful initially. On 08/22/2016, that party collected a sample from the hazardous stockpile for bench scale studies.

A local Subtitle D landfill has been designated as acceptable under EPA's Off-Site Rule and selected for disposal of soils which pass the TCLP. These soils must be shipped as a DOT hazardous material, and on 08/31/2016, the ERRS contractor submitted a package for Contracting Officer (CO) consent.

As of 8/27/2016, approximately 1725 cubic yards of soil have been excavated and stockpiled awaiting disposal.

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

All of the previous and current land owners have been designated as PRPs for this Site. However, none have been identified for purposes of conducting the removal action as there is no direct evidence that any of the land owners contributed to a release of hazardous substances during their period of ownership.

Wells Fargo N.A. is currently responsible for the Wiley property but is not considered a PRP because it acquired title to the property via a foreclosure proceeding and thus has no liability under CERCLA.

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

2.2.1.1 Planned Response Activities

2.2.1.2 Next Steps

Construction of a haul road will be completed in order to remove creek sediments from the low-lying areas of the Site.

2.2.2 Issues

Soil stockpiles are accumulating at a rate that will require disposal as soon as it becomes feasible. Selection of a sub-contractor to haul and dispose of hazardous wastes is pending the outcome of a treatability study.

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$800,000.00	\$285,824.00	\$514,176.00	64.27%
TAT/START	\$99,700.00	\$21,458.00	\$78,242.00	78.48%

Intramural Costs				
Total Site Costs	\$899,700.00	\$307,282.00	\$592,418.00	65.85%

* 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

EPA - 1

ERRS - 6

START - 1

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.

POLREP #4 Last Updated 9/21/2016