

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 #7  
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:** 11/16/2016

**Reporting Period:** 10/13/2016 through 11/11/2016

## 1. Introduction

### 1.1 Background

<b>Site Number:</b>	B45H	<b>Contract Number:</b>	EP-S4-15-04
<b>D.O. Number:</b>	0007	<b>Action Memo Date:</b>	10/11/2016
<b>Response Authority:</b>	CERCLA	<b>Response Type:</b>	Time-Critical
<b>Response Lead:</b>	EPA	<b>Incident Category:</b>	Removal Action
<b>NPL Status:</b>	Non NPL	<b>Operable Unit:</b>	
<b>Mobilization Date:</b>	10/13/2015	<b>Start Date:</b>	10/13/2015
<b>Demob Date:</b>		<b>Completion Date:</b>	
<b>CERCLIS ID:</b>	KYN000403430	<b>RCRIS ID:</b>	
<b>ERNS No.:</b>		<b>State Notification:</b>	
<b>FPN#:</b>		<b>Reimbursable Account #:</b>	

#### 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](http://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. The soils are placed in two separate stockpiles, based on use of an X-Ray Fluorescence (XRF) which measures total arsenic concentrations. The Superfund Technical Assistance and Response Team (START) contractor delineates areas at the surface with the XRF where total arsenic concentrations soils are >5,000 parts per million (ppm). Using historical data collected from this site, these soils are likely to fail the Toxicity Characteristic Leaching Procedure (TCLP) and are managed as a hazardous waste. These soils are classified as D004 and will be shipped to a RCRA Subtitle C landfill in Roachdale, IN for disposal. Soils which test below 5,000 ppm are placed in a separate stockpile and will be shipped as a DOT hazardous material to the Republic Services Ohio County landfill in Beaver Dam, KY. As of the date of this report, approximately 4060 cubic yards of arsenic-contaminated soils have been excavated and stockpiled.

Off-site disposal of the DOT-regulated materials began on 09/14/2016, and off-site disposal of the D004 wastes began on 10/04/2016. As of the date of this report, over 4670 tons of arsenic-contaminated soils have been disposed of at both off-site locations. See Section 2.1.4 below for a breakdown of wastestream disposal totals. In addition, approximately 186 tons of soil exceeded the 50 mg/L TCLP limit for arsenic and required pre-treatment via solidification at a permitted treatment facility.

#### 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>
UN 3077	soil	2340 tons		landfilling	Ohio County Landfill
D004	soil	2331 tons		landfilling	Heritage Env. Services
D004	soil	186 tons		solidification	Heritage Env. Services

### 2.2 Planning Section

#### 2.2.1 Anticipated Activities

##### 2.2.1.1 Planned Response Activities

##### 2.2.1.2 Next Steps

- Continue with backfill and restoration of excavated areas
- Complete excavation of areas on the residential property
- Re-contouring of surface drainage feature forming the northern boundary of the Site

#### 2.2.2 Issues

The Action Memo authorizes excavation to 1.5 feet below land surface (BLS), followed by backfilling with clean soil and establishing vegetative cover. Composite soil samples were collected on 09/07/2016 from the subgrade depth on the hillside area of the site following excavation. Results revealed total arsenic at 1530 ppm on the residential property and 1930 ppm on the non-residential property at subgrade depth along the hillside located down-gradient of the former source area. An orange fabric barrier will be placed on all excavated areas as a marker before backfilling with clean soils. This will facilitate identification of areas which may exceed the Kentucky Department of Environmental Protection (KDEP) remediation objectives for this site.

### 2.3 Logistics Section

No information available at this time.

### 2.4 Finance Section

#### Estimated Costs \*

	<b>Budgeted</b>	<b>Total To Date</b>	<b>Remaining</b>	<b>% Remaining</b>

<b>Extramural Costs</b>				
ERRS - Cleanup Contractor	\$1,700,000.00	\$1,389,232.00	\$310,768.00	18.28%
TAT/START	\$99,700.00	\$57,000.00	\$42,700.00	42.83%
<b>Intramural Costs</b>				
<b>Total Site Costs</b>	\$1,799,700.00	\$1,446,232.00	\$353,468.00	19.64%

\* 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 - 10

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.