

**United States Environmental Protection Agency
Region IV
POLLUTION REPORT**

Date: Thursday, September 15, 2005

From: Art Smith

To: Matt Taylor, EPA Region 4

Bob Smith, USCG NPFC

Subject: Final Polrep
37th St. Oil Spill
Winchester Avenue & 37th St., Ashland, KY

POLREP No.:	2	Site #:	959
Reporting Period:	07/08/2004 thru 06/17/2005	D.O. #:	
Start Date:	7/7/2004	Response Authority:	OPA
Mob Date:	7/7/2004	Response Type:	Emergency
Demob Date:	7/9/2004	NPL Status:	Non NPL
Completion Date:	6/17/2005	Incident Category:	Removal Assessment
CERCLIS ID #:		Contract #	
RCRIS ID #:		Reimbursable Account #	Z4GG
FPN#	E04420		

Site Description

The 37th St. Oil Spill Site involves the accumulation of oil within the City of Ashland, KY sewer system at a lift station located at 37th St. and US Highway 23. The City of Ashland ("City") notified the Kentucky Department for Environmental Protection (KYDEP) in June 2004 that diesel fuel was accumulating in a wet well at the 37th St. lift station. Although recovery actions were implemented to remove oil product from the wet well, KYDEP's concerns were that storm events of sufficient rainfall intensity could periodically cause the sewer to bypass treatment and discharge oil directly to the Ohio River.

On July 7, 2004, EPA On-Scene Coordinator Art Smith responded at KYDEP's request and obtained a Federal Project Number (FPN) in an attempt to identify the source of the release to characterize the threat of an oil discharge to navigable water. The oil was found to be originating from an unknown source below ground and is collecting within a 27" sewer main on the AK Steel Coke Plant ("AK") property, which is located along US Highway 23 immediately south of the lift station.

As sufficient measures were implemented by AK and the City of Ashland to control the further discharge of oil into the Ohio River, the OSC demobilized the Site on July 9, 2004. The Oil Pollution Act case remained open pending further information on subsequent plans to prevent infiltration of oil into the sewer system, and a determination of the appropriate response authority and lead agency designation for this site.

Current Activities

In February 2005, OSC Smith met with KYDEP in Frankfort, KY to discuss the current situation. In November 2004, the City issued a Notice of Violation to AK for oil discharges which interfered with the wastewater treatment plant (WWTP) operations. In January 2005, AK responded and committed to a compliance schedule to address Clean Water Act violations. In this response, AK acknowledged that a groundwater investigation had been conducted subsequent to the discovery of oil in the sewer. This study concluded that "... the most likely source of diesel fuel was the aboveground diesel storage tank near Building 938".

In a followup telephone call with the KYDEP Division of Water on June 17, 2005, the OSC learned that the City had committed to constructing a new sewer line to replace the section where oil infiltration occurs. KYDEP further reported the City experienced a significant reduction in oil accumulation at the lift station, attributable to AK's discovery and remediation of the leaking AST and/or product piping which acted as the source of the spill.

Finding that the threat of an oil discharge into navigable waters had been sufficiently mitigated, and that KYDEP would assume lead agency responsibility for final cleanup, the OSC terminated the oil removal

assessment funded through the National Pollution Funds Center (NPFC).

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
Intramural Costs				
USEPA - Direct (Region, HQ)	\$10,000.00	\$2,558.00	\$7,442.00	74.42%
Total Site Costs				
	\$10,000.00	\$2,558.00	\$7,442.00	74.42%

* 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.

response.epa.gov/37thstoilspill

POLREP #2 Last Updated 9/16/2005