

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

Date: Thursday, June 22, 2006
From: Robert Kelly/Mike Towle

Subject: Initiation of Action
Browning Lumber Site
Route 85 near Rock Lick Creek, Bald Knob, WV
Latitude: 37.8503400
Longitude: -81.6287300

POLREP No.:	5	Site #:	A3FD
Reporting Period:	6/19/06 thru 6/22/06	D.O. #:	
Start Date:	12/1/2005	Response Authority:	CERCLA
Mob Date:	6/19/2006	Response Type:	Emergency
Demob Date:		NPL Status:	
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:		Contract #	
RCRIS ID #:			

Site Description

The Browning Lumber Company operated a pressure treatment facility at the site location until 1996 and a sawmill at the site location until 1998. Chromated Copper Arsenate was utilized during the pressure treatment processing of lumber and the company obtained an EPA ID number for hazardous waste activity in 1987; the company also received a WV/NPDES Permit for operation of the treatment facility.

Since the facility's abandonment in 1998, a fire destroyed portions of the facility. However, during an inspection conducted by WVDEP in July, 2002, to evaluate compliance with the West Virginia Hazardous Waste Management Act, residual products from the operations conducted at the facility were observed on the site. WVDEP observed that human trespassing was occurring at the site by evidence of dumped materials and trash. WVDEP conducted TCLP sampling and determined that elevated TCLP values for arsenic were present in one of the pressure treatment vessels and in the soil below the vessel. WVDEP contacted EPA Region III and requested that they take the lead in conducting a full assessment at the site and take any necessary actions in mitigating the threats at the site.

START conducted a sampling assessment START collected a total of 11 surface water, 13 sediment, and 47 surface soil samples from the site.

Current Activities

On 6/19/06, OSC Bob Kelly activated a removal action at the Site.

On 6/20/06, OSC's Kelly and Mike Towle met the Contractor Project Manager at the Site. The waters of Pond Fork were high and strong and it was not possible to cross over to the Site safely with a vehicle. Entry to the Site was made using the washed out bridge crossing by foot.

They walked the Site and observed more trespassing occurring. Specifically, someone has driven heavy equipment onto the Site and removing possible contaminated wood chippings. A pile of wood chips was found outside the property line along a brick wall.

After checking the property map, it was noted that the paved road leading down to the Pond Fork was not part of the property. OSC's Kelly and Towle met with the Plant Manager of Eastern Associated Coal Corp which is adjacent to the Site. The Plant Manager stated that road did not belong to Eastern Associated. He stated that he believed that it was an old road used to get to Site prior to the 2001 flood event. It is believed that this is a county road, however, it cannot be found on any maps.

OSC Kelly tasked the ERRS contractor to erect a gate across the road to eliminate any vehicle/pedestrian traffic onto the Site.

The OSC's and Program Manager walked the site and noted the areas where erosion controls need to be

placed.

OSC Kelly contacted Tom Fisher of the West Virginia Department of Environmental Protection (WVDEP) about assistance in getting a bridge installed over the Pond Fork to allow for vehicle/equipment traffic. WVDEP provided contact names for the Department of Highways and Public Lands Corporation.

OSC Kelly discussed the possibility of crossing the Pond Creek now with heavy equipment. It was explained that this would be a one or two time crossing. OSC Kelly and Mr. Fisher agreed that this was permissible as long as there was no liquids discharged and disturbance to the creek was minimal. OSC Kelly provided a letter to the contractor granting permission to move their equipment across the Pond Fork to complete their tasks.

OSC Kelly contacted EPA J.R. Wright to arrange for a meeting with the U.S. Army Corps of Engineers to provide technical assistance for installing a temporary bridge across Pond Creek for vehicle/equipment traffic. This will be done under an InterAgency Agreement (IAG).

OSC Kelly tasked the START contractor to take depth samples at locations identified and collect water samples from existing monitoring wells on the Site.

OSC Kelly made several attempts to contact the PRP by phone to have the Access Agreement signed. These attempts were unsuccessful. The PRP does not have an answering machine.

Next Steps

START contractor to collect samples from soil and monitoring wells during the week of June 26, 2006.

OSC Kelly will be contacting U.S. Army Corps of Engineers to perform site visit and provide technical assistance for installing a temporary bridge across Pond Creek.

OSC will write an Action Memorandum requesting Additional Funding so removal activities can continue at the Site.

OSC Kelly will continue to coordinate Site activities with state and local officials.

OSC Kelly will continue to work with ORC in issuing a General Notice letter to the PRP as well as having the Access Agreement signed.

response.epa.gov/browning