

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

Date: Friday, January 23, 2004

From: Michael Barry

Subject: Final POLREP

N.E. Mitchell Oil Spill

223 Franklin St Extension, Danbury, CT

Latitude: 24.4440000

Longitude: -29.2730000

POLREP No.:	1	Site #:	Z1A8
Reporting Period:	29-30 December 2003	D.O. #:	N/A
Start Date:	12/29/2003	Response Authority:	OPA
Mob Date:		Response Type:	Emergency
Demob Date:		NPL Status:	Non NPL
Completion Date:	12/30/2003	Incident Category:	
CERCLIS ID #:	N/A	Contract #	N/A
RCRIS ID #:	N/A	Reimbursable Account #	N/A
FPN#	E04104		

Site Description

Physical Location

223 Franklin St Extension, at the intersection with S. King/Filmore Roads in Danbury, CT.

N 41° 24.444', W 073° 29.273'.

Site Characteristics

The incident occurred on a road located in a hilly, wooded, low density residential suburban/rural area.

The road's storm drains flow to a south-running unnamed drainage swale which flows into an east-running stream which in turn flows into Rogers Pond, Turtle Pond then Mercers Pond.

Current Activities

Initial Situation

At 1220 on 29 December 2003 a Norbert E. Mitchell Company (the responsible party, or RP) fuel oil tank truck failed to negotiate a corner, overturned and struck a tree. The tank was deformed by the incident and ruptured by the curb, resulting in a release of #2 fuel oil. Oil from the tank truck flowed onto an adjacent yard and along the road into a storm drain 5 feet from the truck. The 2800 gallon capacity tank truck had been recently filled and had made two deliveries. Review of delivery receipts recorded that all remaining 2070 gallons of oil on board was released. The driver was hospitalized for reportedly non-life threatening injuries.

The Danbury Fire Department (DFD) was immediately dispatched to the scene and began containment and cleanup operations. Shortly afterward, the RP's contractor, Fleet Environmental (or "Fleet"), arrived with 20 personnel, five vacuum trucks and other equipment. The scene was secured by the Danbury Police Department.

Before these efforts were initiated, oil flowed into the storm drain which discharges to a south-running drainage swale to an east-running unnamed stream which in turn discharges into Rogers Pond.

The CT DEP responded and notified EPA and the National Response Center (case 709200). In addition, a representative of the RP's insurance carrier environmental contractor, Response Environmental, Inc. responded to the scene.

At 1230 EPA Region I received advance notification from the CTDEP. The OSC responded to the scene and integrated into the incident command. NRC notification was received at 1445 hours.

Removal Activities to-Date

Upon arrival, the DFD immediately plugged the storm drain in an attempt to contain the release in conjunction with existing topography. This was partially successful, but some oil overflowed a rise in the road and flowed along the road and directly into the east-running unnamed stream which discharges to

Rogers Pond, where the oil collected.

Fleet Environmental deployed two containment booms and absorbent booms in Rogers Pond, containing most of the free product. However a small amount got by to subsequent Turtle Pond and Mercers Ponds. Some sheen and oil odor were also observed in Mercers Pond's outlet, Kohanza Brook. Several containment and absorbent booms were also placed in the streams.

Five vacuum trucks, absorbent booms and pads were used to remove free product from the ponds and streams, and oil was removed from the street with absorbent material. The contaminated soil in the yards where the tank truck overturned was removed for offsite disposal.

By 1200 on 31 December active removal actions in Rogers, Turtle and Mercers Ponds and streams were complete and a periodic "boom watch" operation set in these areas. The remaining area of active efforts, the wetlands near the inflow of Rogers Ponds, are expected to be complete by the end of the day. A total of approximately 1170 gallons of free oil were recovered, 5 cubic yards of contaminated soil were removed and an estimated 500 gallons of oil were disposed of in soaked absorbent pads and boom.

One oil soaked duck and two muskrats were retrieved and treated by CT Wildlife and Fisheries Staff; they are doing well and are expected to be released after fully recovering.

Disposition of waste.

Liquid wastes were shipped to United Industrial in Meredith, CT for recycling. Contaminated Soils and waste pads/boom was shipped to United Industrial in Bridgeport, CT for disposition. The clean up contractor hired by the responsible party is disposing of all debris and clean-up material in accordance with local, State, and Federal laws.

Planned Removal Actions

The PRP's contractor will perform a periodic "boom watch" of Rogers, Turtle and Mercers Ponds, and will use absorbent boom and pads to continue to remove residual oil. CT DEP will also monitor.

Next Steps

Case closed.

Key Issues

Enforcement

The OSC issued a Notice of Federal Interest letter to the Norbert E. Mitchell Co., Inc. 7 Federal Rd, PO Box 186, Danbury, CT 06813 on the day of the response.

Costs

No federal costs, other than those for EPA personnel, were incurred.

response.epa.gov/NEMitchelloilspill