

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

Date: Friday, December 19, 2008

From: Stephen Wolfe

To: Craig Czarnecki, US Fish and Wildlife

Subject: Initial

Charles Lawson Trucking Diesel Spill

Troy, MI

Latitude: 42.5456000

Longitude: -83.1192000

POLREP No.:	1	Site #:	
Reporting Period:	12/16/2008 to 12/19/2008	D.O. #:	
Start Date:	12/16/2008	Response Authority:	OPA
Mob Date:	12/16/2008	Response Type:	Emergency
Demob Date:		NPL Status:	Non NPL
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:		Contract #	
RCRIS ID #:		Reimbursable Account #	2/V/SZ/172/95/O/E09506/74100/XXXX
FPN#	E09506		

Site Description

On Tuesday, December 16th, 2008 the Michigan Department of Environmental Quality issued an NRC report (report number 892646) regarding a mystery oil spill in Troy, Oakland County, Michigan. The Oakland County Water Resource Commission had contracted with a response contractor to contain the spill.

The source of the spill into the waterway was identified as a stormwater drain located in the parking lot of a warehouse. A semi-truck was parked there sometime on December 16th, and had reported troubles with their saddle tanks to warehouse personnel. Evidence of spilled diesel was apparant around the storm drain as well as in the catch basin.

Approximately 1.5 miles of the county's stormwater drain was affected, and the drain emptied into Spencer Drain, an open water drain system approximately 30 feet wide. Approximately 40-50 Canadian Geese were reported to be impacted by the spilled material.

MDEQ requested assistance from the US EPA for wildlife rehabilitation.

Current Activities

On Tuesday, December 16, 2008, U.S. EPA contacted Michael Chezik, US Department of Interior and informed him of the impacted wildlife. The Oil Spill Liability Trust Fund was accessed and an FPN obtained. A Pollution Removal Funding Authorization was issued to the US Fish and Wildlife Services in order to assist with the assessment of wildlife conditions.

On Wednesday, December 17th, 2008, the Michigan Department of Environmental Quality identified a Responsible Party, Charles Lawson Trucking, Inc, and they were contacted by the US EPA. A Notice of Federal Interest was sent to the responsible party. USFW determined that there were more than the 40-50 waterfowl originally reported that was impacted and suggested that the Tri-State Bird and Rescue services out of Delaware be contracted to fully assess the situation and provide recommendations on further actions. The PRP, through their insurance agent, indicated that they would take on all responsibility for the necessary actions and would contract directly with a response company.

On Thursday, December 18, 2008, Tri-State Bird and Rescue personnel were on site and determined that there were 115 moderate to heavily oiled Canadian Geese and 25 Mallards that would require rehabilitation. USFW requested that attempts to capture the most heavily impacted birds be made today, and, following advice from Tri-State Bird and Rescue, attempts for mass capture of the impacted wildlife will occur on Friday, if possible, and Saturday.

The Oakland County Water Resource Commission reported that they were satisfied with the remediation to the drain system and that MDEQ was satisfied with the clean-up as well.

Representatives for the Responsible Party were on site to make all the necessary arrangements.

Planned Removal Actions

- Mass Capture of impacted waterfowl is planned for Saturday, December 20th.
- Rehabilitation of the impacted waterfowl will occur under the direction of Tri-State Bird and Rescue, with USFW overseeing the activities.

Next Steps

- Capture and rehabilitate as many of the impacted waterfowl as possible.

Key Issues

- An inclement weather system is moving into the area on December 19th and may cause delays in the mass capture.
- Obtaining the proper space for the bird rehabilitation may pose an issue. Michigan DNR, Michigan Humane Society, and the Howell Nature Center have all offered assistance as well as identified local volunteer resources to assist with the rehabilitation.

response.epa.gov/CLToil