

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

**Date:** Thursday, January 8, 2009  
**From:** Paul L. Kahn, Michael Hoppe

**To:** Andrew Raddant, Department of Interior      Lisa Levy, OSHA  
William Molnar, Sandy Alexander      Albert Greco, City of Clifton  
Denise Zeno, USEPA      Angela Carpenter, USEPA

**Subject:** SPECIAL #7 EPA Obtains Judicial Access Warrant  
Abrachem Chemical  
2 Peekay Drive, Clifton, NJ  
Latitude: 40.8306000  
Longitude: -74.1231000

<b>POLREP No.:</b>	13	<b>Site #:</b>	A212
<b>Reporting Period:</b>		<b>D.O. #:</b>	
<b>Start Date:</b>	1/2/2009	<b>Response Authority:</b>	CERCLA
<b>Mob Date:</b>	12/30/2008	<b>Response Type:</b>	Time-Critical
<b>Demob Date:</b>		<b>NPL Status:</b>	Non NPL
<b>Completion Date:</b>		<b>Incident Category:</b>	Removal Action
<b>CERCLIS ID #:</b>	NJR000031831	<b>Contract #</b>	EP-W-04-055
<b>RCRIS ID #:</b>			

#### **Site Description**

At 1615 hours on 10/29/08 EPA received a phone notification from the NRC that a chemical release was occurring at Abrachem Chemical, a bulk chemical packaging facility that leases property in Clifton, Passaic County, NJ. The NJ Dept. of Environmental Protection requested EPA presence at the scene.

At 1730 hours OSC Ellen Banner and OSC Paul Kahn responded to the scene. The company was found to be storing drums and bulk storage containers of known and unknown chemicals in 17 56-foot long intermodal shipping carriers, stacked 3 tiers high (approx. 35 feet). Only 5 of the intermodals could be opened, and inside those it was observed that drums and bulk containers were staged behind tiers of new, blue poly drums which gave the impression that the intermodals were used only for new drum storage.

The owner of Abrachem retained the services of a remediation company which was on the scene, but waiting for EPA to arrive prior to starting work. Contractor personnel were advised to lay poly sheeting and begin removing/overpacking the leaking and unknown drums that were readily accessible. Work commenced almost immediately, but at 2100 hours work was halted due to lack of adequate lighting and the physical inability to access the majority of the drums. Work will resume on 10/30/08 when additional personnel and equipment arrive on-Site.

A meeting was held with the owner, EPA, state, and local authorities at 1000 hours on 10/30/08. At that time a Field Expedient Notice was issued to Mr. Ted Frey, the owner/operator of Abrachem Chemical.

#### **Current Activities**

On Thursday, January 8, 2009 EPA obtained an access order from U.S. Magistrate Michael Shippe in Newark federal District Court. The Access Warrant authorizes EPA to initiate a Superfund removal action at the Site. There are now an estimated 1,200 drums and other containers of waste chemicals outside and inside the main building the main building. The Warrant is valid for 120 days, and is renewable if EPA can provide justification to the Court that the removal action will require more than 120 days to complete.

#### **Planned Removal Actions**

The ERRS contractor has already been on Site since January 2, 2009 in a passive role of monitoring the drums of waste chemicals for leaks or chemical reactions. With judicial authority to initiate the removal action, the role of ERRS will now transition into a full-scale removal action. The crew already on-site will initiate efforts to stabilize the drums that are now staged on the ground. Additional stabilization efforts will be ramped-up as more personnel and equipment arrive on Site.

**Next Steps**

Mobilize crew, trailers and other supporting equipment to the Site and stabilize all leaking drums of waste chemicals.

Complete drafting Action Memo to ratify emergency funding ceiling and to request additional funds.

**Key Issues**

See above.

[response.epa.gov/abrachemchemical](https://response.epa.gov/abrachemchemical)