



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
EMERGENCY RESPONSE BRANCH
9311 GROH ROAD, ROOM 216
GROSSE ILE, MI 48138-1697

JUL 01 2003

REPLY TO ATTENTION OF

MEMORANDUM

SUBJECT: ACTION MEMORANDUM - Request for a Time-Critical Removal Action at the Monroe Street Site, Taylor, Wayne County, Michigan (Site ID # B55L)

FROM: Jeffrey W. Kimble, On-Scene Coordinator
Emergency Response Branch - Section 1 *[Signature]*

TO: William E. Muno, Director
Superfund Division

THRU: Richard C. Karl *[Signature]*
Emergency Response Branch

I. PURPOSE

The purpose of this memorandum is to request and document your approval to expend up to \$149,304 to conduct a time-critical removal action at the Monroe Street Site (Site). The actions are necessary in order to mitigate threats to public health, welfare and the environment posed by the presence of uncontrolled hazardous wastes at the Site. The facility has been abandoned and is not secure. During the Site assessment, the OSC documented that one exterior garage bay door was propped open allowing possible unrestricted public and/or animal access into the building. In addition, one facility glass door is broken contributing to potential public access to the Site. The building has been deemed unstable and a fire hazard by the City of Taylor.

The presence of hazardous substances at the Site have been documented and include flammable, toxic heavy metal, solvents, and corrosive wastes in drums, containers and open tanks. The response action proposed herein will mitigate Site conditions by properly identifying, consolidating, packaging, and disposing off-site of all hazardous wastes. Additional Site activities will include Site security if deemed necessary, perimeter and work zone air monitoring, and decontamination of heavily-contaminated building floors or process structures. The fact that hazardous wastes exist in drums, vats, and other containers in an uncontrolled manner requires that this removal be classified as time-critical. The project will require an estimated 30 on-site working days to complete.

The Site is not on the National Priorities List, does not set any precedents and is not considered nationally significant.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID #MID

A. Physical Location

The Site is located at 6850 Monroe Street (also cited as Monroe Road and Monroe Boulevard), Taylor, Michigan, 48180. The geographic coordinates of the Site are latitude 42°13'50.8" North and longitude 83°16'01.6 West. The Site is located in a mixed commercial/industrial area and is bordered to the east by Monroe Street, BG Industrial, and a vacant lot; to the south by a Kroger Grocery Store; to the west by Corby Energy Services; and to the north by railroad tracks and E&H Precision Machining. The Site is comprised of a 13,366 square-foot industrial building located on an approximate 3.23-acre parcel of land. Access to the property is restricted by a chain-link and barbed-wire fence that surrounds the yard portion of the property, with the building itself comprising a section of the fencing. The front door to the building and the gate to the fence were locked at the time of the investigation. Within the fenced area, doors to the building at two locations were damaged and permitted entry by animals. Specifically, the overhead door on the south side of the building did not close to the ground, leaving an opening approximately 1.5 feet high at the bottom and glass on the door on the west side of the building was broken. Animal tracks in the dust were present throughout the building, and a dead rodent was observed in the office closet.

B. Environmental Justice Analysis

According to the Region V Superfund Environmental Justice Analysis for Michigan, the low income percentage is 29% or greater and the minority percentage is 18%. To meet the Environmental Justice (EJ) concern criteria the area within one mile of the Site must have a population that is twice the state low income and/or twice the state minority percentage. That is, the area must be at least 58% low income and/or 36% minority. There are approximately 628 people who live in the area of the Site (Census Tract 5833, Block Group 1). The minority population is 0% and the low income population is 24%. Therefore, this Site does not meet the Region's EJ criteria based on demographics as identified in Region V's "Interim Guidelines for Identifying and Addressing a Potential EJ Case", June 1998. See attachment 3.

C. Site Description and Background

A Phase I Environmental Site Assessment Report (Phase I SA) of the property was prepared by AKT Environmental Consultants, Inc. (AKT), and submitted to the Downriver Area Brownfield Consortium U.S. EPA Pilot Program on February 26, 2001. The Phase I SA reported the following historical information: the Site was undeveloped prior to 1948 when the main building was constructed. An addition to the building was constructed in 1971. The property was occupied by 18 different businesses between 1948 and 2000. These businesses conducted a variety of operations including

machine rebuilding, salt storage, waste material handling, railroad construction, paint stripping, surface cleaning, and coating. Most recently, Brook Enterprises conducted parts and automobile stripping, power blasting, and coatings removal operations at the Site between 1991 and 2000.

Suspected hazardous material used in Site processes include petroleum products, solvents, oxidizers, and acids. Numerous complaints and violations related to illegal discharges and dumping were noted throughout the Site's history. In 1967, a truckwell drain was observed discharging to German Drain, a surface water body to the northeast of the property. According to a complaint filed in 1990 (based on background information received for the Phase I SA from the Michigan Department of Environmental Quality [MDEQ]), paint stripping solution was dumped out the back door of the facility in the late 1980s. At the time of the AKT Phase I, approximately 200 drums in deteriorating condition were located in the yard behind the building. In addition, staining was noted on the floor at locations adjacent to drains within the building.

On January 2, 2003, U.S. EPA mobilized its Superfund Technical Assessment and Response Team (START) contractors to the Site. START assisted U.S. EPA in performing a Site assessment including sample collection and hazardous waste inventory. The Site assessment included documenting current Site conditions, taking inventory of containers, drums and vats, calculating volume estimates of drum material, collecting drum and vat samples and performing laboratory chemical analysis. A more detailed description of these activities will be documented in a Site Assessment Report generated by the START.

The following tables list the wastes encountered at the Site:

Waste Container	Waste Description	Capacity	Number	Estimated Volume
Drum	Varied liquids including acids, corrosives, solvents, and unknowns	55 gallons	39	1,140 gallons
Drum	Miscellaneous solids and trash, potentially contaminated, some sludges	55 gallons	31	1,705 gallons
Pail/Bucket	Flammable liquid/sludge	5 gallons	≈ 10 ^a	50 gallons
Pail/Bucket	Paint or paint-related material	1 gallon	≈ 10 ^a	10 gallons
Miscellaneous	Varied liquids including acids, corrosives, solvents, and unknowns	Up to 4 liters	≈ 30	15 gallons ^b
Box	Plastic pellets ^c	1 cubic yard	25	5,050 gallons
Baghouse Filters	Baghouse filters	10 gallons ^d	6	60 gallons
Vat	Residual sludge	4,000 gallons ^d	7	1,000 gallons

<p>Total Estimated Volume of Containerized Waste: 9,030 gallons</p>

^a Number of containers is estimated, containers of this type were not inventoried or counted.

^b Volume of solids and bottles of unknown volumes estimated. See Table 3-1 Small Container Inventory for volume details.

^c Contents of all boxes assumed to be identical to two boxes examined.

^d Volume of containers is estimated, containers of this type were not measured and are not of a standard recognizable volume.

III. THREATS TO PUBLIC HEALTH, WELFARE, OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

The conditions present at the Site constitute an imminent and substantial threat to the public health, or welfare, and the environment based upon the factors set forth in Section 300.415(b)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), as amended, 40 CFR Part 300. These factors include, but are not limited to, the following:

1) *Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;*

The Site is abandoned and unsecured and could be accessed by the public. During this Site visit, the OSC observed, due to a broken and propped up garage door, that the Site was open and could be accessed by the public or animals. Field observations made during the Site assessment indicate the presence of uncontrolled hazardous substances at the abandoned facility. Building doors are inoperable or structurally unsound and containers of hazardous materials on Site are open or deteriorated thereby making the contents readily accessible to animals or trespassers. At least one drum of an unknown liquid was observed leaking onto the ground in the yard of the property. Site inspections have revealed that animals have routinely gained access to the facility. These animals could readily come into contact with hazardous substances on Site. Should the exterior fencing become compromised, the contents of the building would be readily accessible to humans. In addition, small containers in the office closet that contain hazardous substances are small enough to be easily manipulated or transported off Site.

2) *Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;*

This factor is present at the Site due to the documented presence of drums and vats on the property. Based upon laboratory analyses and container labels, hazardous substances exist on Site and are contained in thirty-nine 55-gallon drums in varying condition. These include hazardous wastes as defined in the Resource Conservation and Recovery Act (RCRA) by Waste Codes D001 (Characteristic of Ignitability), D002 (Characteristic of Corrosivity), D008 (Toxicity Characteristic for Lead). The contents of

the drums and small containers are labeled as hydrochloric acid, phosphoric acid, isopropyl alcohol, mineral spirits, corrosive, flammable, or solvents. An additional thirty-one 55-gallon drums containing solid debris are located at the facility and may contain contaminated or used materials. Also, seven vats containing residual sludge are located inside the Site building. A sludge sample from one of these vats contained detectable levels of volatile organic compounds and metals. Many of the drums and all of the vats have open tops.

At least one possible drain was noted in the vicinity of drums inside the building. Should the drums in the vicinity of this drain deteriorate, the drain could provide a pathway to surface water or soils in the area.

Because the facility is abandoned, contingencies and precautions to prevent an uncontrolled release of potentially hazardous substances from the Site are absent.

3) *Threat of fire or explosion;*

This threat is present at the Site due to the presence of flammable and combustible material contained in drums and other containers at the Site. Ignitable waste (D001) was confirmed to be present on Site by laboratory analysis, revealing material on Site with a flash point as low as 74 degrees Fahrenheit. A fire at the facility could release toxic fumes as a result of combustion or incomplete combustion of the hazardous materials present.

4) *Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;*

The majority of the drums on Site are located outside with no protection from the elements. As a result, many of these drums are in advanced stages of deterioration and at least one has failed and leaked its contents onto the ground. Furthermore, on-site reconnaissance indicates that the poor condition of building rooftops along with open doors allow rain or snow into the buildings that accumulates as standing water. Many containers storing hazardous materials are resting directly on the floors of the buildings where, if they were inundated with water, the integrity of the containers could be compromised due to rusting or other wear.

5) *The availability of other appropriate Federal or State response mechanisms to respond to the release;*

The City of Taylor requested U.S. EPA assistance in conducting a time-critical removal action at the Site due to lack of resources necessary to address site conditions.

IV. ENDANGERMENT DETERMINATION

Given the Site conditions, the nature of the known and suspected hazardous substances on Site, and the potential exposure pathways described in Sections II and III above, actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response actions selected in this Action Memorandum, present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

The OSC proposes to undertake the following actions to mitigate threats posed by the presence of hazardous wastes at the Site:

- 1) Develop and implement a Site Health and Safety plan, including an air monitoring plan, and a Site Contingency Plan;
- 2) Develop and implement a Site Work Plan and a Site Security Plan;
- 3) Inventory and perform hazard characterization of all wastes contained in containers, drums and vats, and loose wastes on the facility floor;
- 4) Consolidate and package all waste for transportation and off-site disposal;
- 5) Dismantle and decontaminate vats and equipment associated with the process area, as necessary;
- 6) Collect and analyze soil samples to determine if the exterior grounds of the property, or soils beneath the building foundation, have been contaminated with hazardous substances;
- 7) Excavate and dispose of any soils identified to be contaminated with hazardous substances and collect confirmatory samples to be analyzed to determine if cleanup of the contaminated soils has been completed;
- 8) Scrape, sweep, and decontaminate any areas of facility floor where spills have occurred;
- 9) Transport and dispose of all characterized or identified hazardous substances, pollutants, wastes, or contaminants at an EPA-approved disposal facility in accordance with U.S. EPA's Off-Site Rule (40 CFR § 300.440);
- 10) Take any necessary response action to address any release or threatened release of a hazardous substance, pollutant, or contaminant that the U.S. EPA

determines may pose an imminent and substantial endangerment to the public health or the environment.

This removal action will be conducted in a manner not inconsistent with the NCP. The OSC has initiated planning for post-removal Site control consistent with the provisions of Section 300.415(l) of the NCP. However, elimination or mitigation of the threats is expected to minimize the need for post-removal Site control at the Site.

The activities described in this memorandum will require an estimated 30 on-site working days to complete.

The detailed cleanup contractor cost estimate is presented in Attachment 1 and estimated project costs are summarized below:

REMOVAL PROJECT CEILING ESTIMATE

EXTRAMURAL COSTS:

Regional Removal Allowance Costs: \$ 103,420

Total Cleanup Contractor Costs
(This cost category includes estimates for: ERRS, subcontractors, Notices to Proceed, and Interagency Agreements with Other Federal Agencies. Includes a 15% contingency.)

Other Extramural Costs Not Funded from the Regional Allowance:

Total START, including multiplier costs	\$ 21,000
Subtotal, Extramural Costs	\$ 124,420
Extramural Costs Contingency (20% of Subtotal, Extramural Costs)	+ \$ 24,884

TOTAL, REMOVAL ACTION PROJECT CEILING \$ 149,304

The response actions described in this memorandum directly address the actual or threatened release at the Site of a hazardous substance, or of a pollutant, or of a contaminant which may pose an imminent and substantial endangerment to public health or welfare or to the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

Applicable or Relevant and Appropriate Requirements

All applicable and relevant and appropriate requirements (ARARs) of federal and state law will be complied with to the extent practicable. The OSC has sent a letter dated May 30, 2003, requesting ARARs to Ms. Teresa A. Ducsay, MDEQ, Lansing, Michigan for any applicable state ARARs. Any state ARARs identified in a timely manner will be complied with to the extent practicable.

All hazardous substances, pollutants or contaminants removed off Site pursuant to this removal action for treatment, storage and disposal shall be treated, stored, or disposed of at a facility in compliance, as determined by U.S. EPA, with the U.S. EPA Off-site Rule, 40 CFR § 300.440.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Continued risk to public health and the environment will result if no action or delayed action ensues at the Site.

VII. OUTSTANDING POLICY ISSUES

None

VIII. ENFORCEMENT

For administrative purposes, information concerning the enforcement strategy for this Site is contained in the Enforcement Confidential Addendum (Attachment II).

The total EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be \$247,676¹

$$(149,304 + 24,650) + (42.38\% \times 173,954) = \$247,676$$

¹ Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgement interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States's right to cost recovery.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Monroe Street Site located in Taylor, Wayne County, Michigan. This document has been developed in accordance with CERCLA as amended and is consistent with the NCP. This decision is based on the Administrative Record for the Site (see Attachment III). Conditions at the Site meet the NCP S300.415 (b)(2) criteria for a time-critical removal action and I recommend your approval of the proposed action. The total removal project ceiling, if approved, will be \$149,304 of which \$128,304 may be used for the cleanup contractor costs. You may indicate your decision by signing below.

APPROVE: Wm. E. Myers DATE: 7/1/03
Director, Superfund Division

DISAPPROVE: _____ DATE: _____
Director, Superfund Division

Enforcement Addendum**Attachments**

1. Detailed Cleanup Contractor Cost Estimate/Independent Government Cost Estimate
2. Administrative Record Index
3. Region 5 EJ Analysis

cc: R. Worley, U.S. EPA, 5203-G .
M. Chezick, U.S. DOI, w/o Enf. Addendum
M. Cox, Atty. General, State of Michigan, w/o Enf. Addendum
S. Chester, Director, MDEQ, w/o Enf. Addendum
T. Duscay, MDEQ, w/o Enf. Addendum
Lansing District Office
525 W. Allegan (Constitution Hall, 4th Floor, North), P.O. Box 30242
Lansing, MI 48909-7742
L. Bonner, City of Taylor, w/o Enf. Addendum
Brownfield Development Manager
23555 Goddard Road
Taylor, MI 48180

ENFORCEMENT ADDENDUM

**MONROE STREET SITE
TAYLOR, WAYNE COUNTY, MICHIGAN**

JUNE 2003

**ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY**

(REDACTED 4 PAGES)

NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION

ATTACHMENT 1

DETAILED CLEANUP CONTRACTOR COST ESTIMATE

**MONROE STREET SITE
TAYLOR, WAYNE COUNTY, MICHIGAN
JUNE 2003**

The estimated cleanup contractor costs necessary to complete the removal action at the Site are as follows:

Personnel	\$ 38,430
Equipment	\$ 5,200
Other Costs	\$ 15,000
Transportation and Disposal	<u>\$ 31,300</u>
Subtotal	\$ 89,930
15% contingency	<u>\$ 13,490</u>
Total	\$103,420

INDEPENDENT GOVERNMENT CLEANUP CONTRACTOR ESTIMATE

**MONROE STREET SITE
TAYLOR, WAYNE COUNTY, MICHIGAN**

JUNE 2003

**ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY**

(REDACTED 2 PAGES)

NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION



ATTACHMENT 2

U.S. ENVIRONMENTAL PROTECTION AGENCY REMOVAL ACTION

ADMINISTRATIVE RECORD FOR MONROE STREET SITE TAYLOR, WAYNE COUNTY, MICHIGAN

ORIGINAL
JUNE 19, 2003

<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1	11/21/02	Bonner, L., City of Taylor	Powers, R., U.S. EPA	Phase I Environmental Site Assessment Report for the Downriver Area Brownfield Consortium, Southgate, Michigan w/ Cover Letter	128
2	12/16/02	Zorn, F., City of Taylor	Blakely, M., U.S. EPA	Initial Proposal: U.S. EPA Brownfields Grants Preliminary Infor- mation w/Cover Letter	24
3	05/30/03	Kimble, J., U.S. EPA	Ducsay, T., MDEQ	Letter re: U.S. EPA's Request that MDEQ Iden- tify all ARARs for the Monroe Street Site	1
4	06/02/03	Weston Solutions, Inc.	U.S. EPA	Site Assessment for the Monroe Street Site	75
5	00/00/00	Kimble, J., U.S. EPA	Muno, W., U.S. EPA	Action Memorandum: Request for a Time Critical Removal Action at the Monroe Street Site (PENDING)	

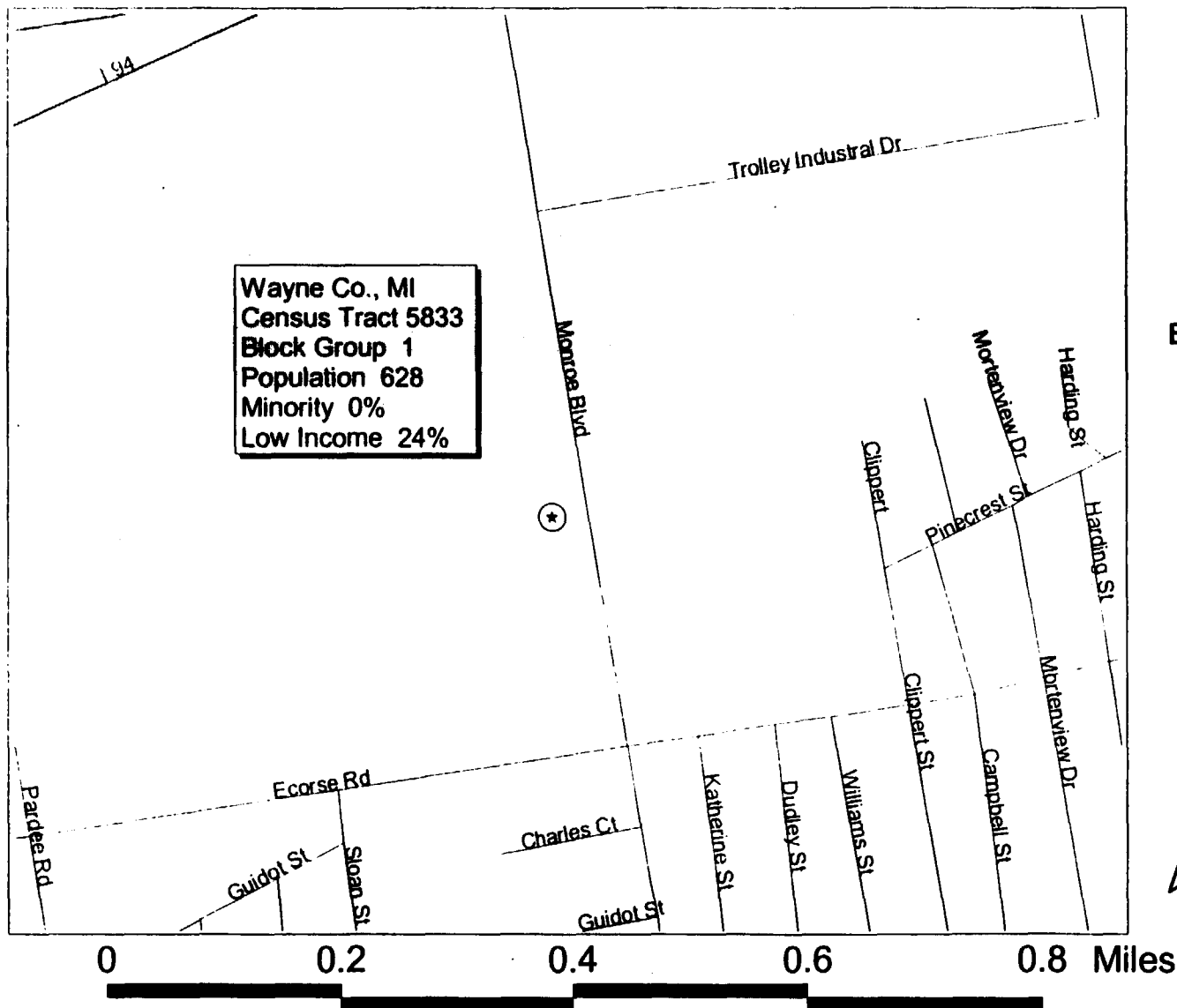
ATTACHMENT 3

REGION 5 EJ ANALYSIS

Region 5 Superfund EJ Analysis

Monroe Street Site

Taylor, MI



State of Michigan averages:
Minority: 18%
Low Income: 29%

U.S. EPA Region 5
Environmental Justice Case Criteria
for State of Michigan

Minority: 36% or greater
Low Income: 58% or greater