UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

MEMORANDUM

SUBJECT: Request for Approval of an Emergency Removal Action at Ector Drum Inc., Odessa, Ector County, Texas

FROM: William Rhotenberry, On-Scene Coordinator
Emergency Readiness Section (6SF-PE)

TO: Carl E. Edlund, Director
Superfund Division (6SF)

THRU: Ronald D. Crossland, Associate Director
Prevention and Response Branch (6SF-P)

I. PURPOSE

This memorandum requests approval for an Emergency Removal Action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, 42 U.S.C. §§9601 et seq., at the Ector Drum Inc. Site, located in Odessa, Texas. The action includes the removal of hazardous substances in tanks drums, totes, containment areas and excavation of contaminated soils at the Site.

This action meets the criteria for initiating a removal action under the National Contingency Plan (NCP), 40 CFR §300.415. This action is expected to require less than $2,000,000 and twelve months to complete. The Site was referred to EPA by the Texas Commission on Environmental Quality (TCEQ).

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID No: TXD064215759
Category of Removal: Emergency
Site Id: A6KS
Latitude: 31.886022°
Longitude -102.294535°

500009281

A. Site Description

1. Removal Site Evaluation

The site was in operation from approximately 1988 through 2011. According to TCEQ investigation reports, site activities consisted of drum recycling operations with drums that were received "RCRA Empty," as defined in 40 CRF 261.7, from oilfield industrial sources that included primarily crude oil treatment fluids, corrosive chemicals, and lubrication oils. Drums were washed with a mild caustic solution, triple-rinsed, dried, air pressure tested, and painted for eventual resale. The caustic rinsing solution was recycled until it became spent. The waste stream was then pH adjusted and stored in a 200 barrel above ground tank to await off-site disposal. The majority of the waste streams generated were Class I and II wastes. Small amounts of solvents were used during painting operations. Metal drums that were received in poor condition were triple-rinsed, crushed, and taken to a commercial metals recycler.

2. Physical Location

The Site is located at 2604 North Marco Avenue in Odessa, Ector County, Texas (Figure 1). The current site is comprised of approximately 4.5 acres; however, the facility operated on the west side of North Marco Avenue as well on 2.75 acres from at least 1996 until 2011. The 2.75 acre parcel west of the current site was sold to Energy Coil & Rigging, LLC in 2012. This property has since been mostly paved over and no longer contains any drums.

Figure 1 - Aerial View of Ector Drum

3. Site Characteristics

The main structures on the site include an office, a processing area, a drum unloading area, and a warehouse/storage structure. All site structures are in varying states of disrepair, the roof is completely missing over parts of the warehouse/storage structure, thus drums, totes and sacks of chemicals have all been exposed to the elements (Figure 2). There is an onsite water well (Figure 3) immediately east of the above ground storage tanks. TCEQ's emergency response contractor placed sandbags around the well to prevent further migration of contaminated surface water runoff from entering the wellbore. The secondary containment area with three above ground storage tanks (Figure 4) is partially filled with an unknown oily liquid and there is evidence of

Figure 2 - Inside Warehouse/Storage Area.

Figure 3 - Onsite water well with sandbags as a temporary emergency measure to prevent further migration of hazardous substances entering the wellbore.

Figure 4 - Secondary containment with three AST's, unknown oily liquid and several opened drums.

historical leaking from the containment area. The site also contains several large tractor trailers in the processing area, warehouse/storage area, and drum unloading area. There is a plugged oil/gas well immediately adjacent to the drum/tote storage area in the northern portion of the property. Properties immediately surrounding the site are dedicated primarily to commercial use. Businesses to the north of the site include a sign manufacturer, an oilfield service company, and a transportation company. An industrial yard and building border the site to the east. There is a funeral home and cemetery approximately 0.15 miles west of the Site. A residential area borders the cemetery further west, approximately 0.25 mile from the site, and newer residences have been constructed within 0.5 mile of the site to the north and northwest.

The condition of the approximately 15,000 drums at the site varies widely. There are many that are either opened or have overturned and their contents have spilled onto the ground. There is widespread visible soil contamination throughout the site. Despite the fact that Odessa has a relatively dry climate, many of the metal drums are rusting away and failing. The high ultraviolent (UV) exposure from the sun is causing rapid deterioration of the plastic drums. Some of the plastic drums appear to be bulging. There are several areas where repeated spills from the drums have mixed with the soil and formed tar like mats several inches thick.

4. Releases or threatened release into the environment of a hazardous substance, pollutant or contaminant

On July 25, 2014, the TCEQ received a complaint alleging that contaminated storm water was discharging from the site. Due to the threat that the existing site conditions posed, the TCEQ mobilized their emergency response contractor to the site to assess site conditions and mitigate immediate threats to human health and the environment. The onsite drinking water well was sampled and determined to have over a foot of phase separated hydrocarbons floating on the water. Water samples were collected and the water was found to exceed Maximum Contaminant Levels (MCLs) for several different metals as well as volatiles and semivolatiles associated with petroleum chemicals. (See Table 1). It was determined during the response that surface runoff from the site was entering the well bore directly through an electrical conduit. TCEQ has initiated a groundwater investigation in the immediate area of the Site to determine if there are other drinking water wells in the area which have become contaminated.

Chemical	Maximum Detected Value (ppm)	Comparison Value [a] (ppm)
Arsenic	**2.46**	**0.01**
Chromium	**33.1**	**0.1**
Copper	**5.00**	**1.3**
Lead	**3.34**	**0.015**
Nickel	**2.92**	**0.49**
Zinc	**274**	**7.3**
Benzene	**2.90**	**0.005**
Aliphatic Hydrocarbons C12-16	**4.61**	**2.4**
Aliphatic Hydrocarbons C21-C35	**264**	**39**

a United States Environmental Protection Agency Primary Maximum Contaminant Level (MCL) or TCEQ Texas Risk Reduction Program Residential Groundwater Ingestion Protective Concentration Level (PCL). ppm = parts per million. (Table 1)

With the exception of benzene, all of the contaminants listed in Table 1 were detected in either soil or liquid waste samples collected by EPA during a Removal Assessment sampling event May 19-20, 2015. Spills and releases from drums were observed throughout the Site. TCEQ Investigators noted sacks of caustic soda (sodium hydroxide) and sodium nitrite on wooden pallets, metal totes, and numerous 4.3 gallon metal containers labeled "toluene," "xylene," and "isopropyl alcohol".

5. NPL Status

The Site is not on the NPL.

6. Maps, Pictures and other graphic representations

Attachment 1 Enforcement Addendum
Attachment 2 Site Map

B. Other Actions to Date

1. Previous actions

According to TCEQ records there were several previous investigations at the site. There was one waste complaint for the facility on an unknown date that did not note any violations, but investigators suggested that Ector Drum improve their housekeeping practices.

On August 10, 2009, an odor complaint was filed with the TCEQ. The investigation that followed resulted in a Notice of Violation (NOV) for conducting outdoor spray painting without proper authorization.

On April 5, 2011 a complaint was filed alleging waste water spillage around the loading dock area, and accumulating waste water in containers in two tractor trailers and assorted drums and totes in the lot behind the office building. During the investigation, it appeared that the facility was no longer operating. The investigator called Mr. Randy Beard, the owner, who informed him that he had laid off all of his employees on March 30, 2011.

The July 2014 Complaint Investigation resulted in a Notice of Violation for "Failure to dispose of the excessive amount of industrial waste that was collected and stored on-site, that could be discharged into the surrounding areas, cause a nuisance for the surrounding area, and cause the endangerment to the public health and welfare".

2. Current actions

The Site has not been operational since 2011. Mr. Randy Beard, the owner, still resides in Odessa and has been contacted by both TCEQ and EPA and has been cooperative with regard to site access and questions regarding former site operations.

C. State and Local Authorities' Roles

1. State and local actions to date

The TCEQ has taken the lead role in the groundwater investigation which began after confirmation that the onsite drinking water well had been contaminated. The State has also agreed to provide EPA with copies of all pertinent site records. TCEQ has requested assistance from the EPA Prevention and Response Branch to conduct a Removal Action in order to prevent further surface water and ground water contamination at the site.

2. Potential for continued State/Local response

The TCEQ has indicated that they do not have the resources to address the surface threats at the Site. They have indicated that they will continue to assist EPA with the Removal Action. After completion of this Removal Action, the site will be referred back to TCEQ for any further actions.

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

A. Threats to Public Health or Welfare

The current conditions at the Site meet the following factors which indicate that the Site is a threat to the public health, welfare and the environment and a removal action is appropriate under Section 300.415(b)(2) of the National Contingency Plan. Any or all of these factors may be present at the Site yet any one of these factors may determine the appropriateness of a removal action.

1. Actual or Potential Exposure to Nearby Populations, Animals, or the Food Chain From Hazardous Substance or Pollutants or contaminants. NCP Section 300.415(b)(2)(i)

Although the site is fenced there are multiple openings where access is possible. Spills and releases from the drums and containment areas are evident throughout the Site. Releases have been observed from several drums. It is not necessary for people to enter the Site to potentially come into contact with the released hazardous substances. Complaints have already been registered in the past year that contaminants from the site were being transported offsite via surface water runoff.

2. Actual or Potential Contamination of Drinking Water Supplies or Sensitive Ecosystems. NCP Section 300.415(b)(2)(ii)

The TCEQ has already documented that the onsite drinking water well has been heavily contaminated. The source of the contamination is runoff from rainfall mixing with chemicals which have leaked from drums (see Figure 5) and containment areas as well as existing

contaminated areas of soil.

3. Hazardous Substances or Pollutants or Contaminants in Drums, Barrels, Tanks or Other Bulk Storage Containers That May Pose a Threat of Release. NCP Section 300.415(b)(2)(iii)

There are approximately 15,000 drums at the site and a significant number of them have either deteriorated to the point that they threaten to leak or they have already been opened/overturned (See Figure 5) and are actively leaking.

Figure 5 - Active releases from drums onsite

4. Weather Conditions That May Cause Hazardous Substances or Pollutants or Contaminants to Migrate or Be Released. NCP Section 300.415(b)(2)(v)

Precipitation is a major factor for the migration of the released hazardous substances. A large component of the initial emergency response actions taken by TCEQ in 2014 was to pump down the secondary containment areas which were at or near the freeboard limit after heavy Spring rainfall. Odessa has experienced another wet Spring in 2015 and containment areas are once

again filling up with a mixture of rainfall and chemicals released from tanks and drums. The hot Odessa Summers are also exacerbating the deterioration of the many plastic drums onsite.

5. Threat of Fire or Explosion. NCP Section 300.415(b)(2)(vi)

The threat of fire is present at the site. During the EPA Removal Assessment in May 2015, hazard categorization testing of several different liquids from drums and totes indicated that they were flammable. This was further corroborated in an interview with the owner, Randy Beard, when he stated that he personally knew of 5 different occasions when there was a fire started at the site. As mentioned earlier, the site is currently accessible to people through existing gaps in the fence. A fire involving a large area of drums could release very dangerous concentrations of hazardous substances to the water run-off pathway as well as to the adjacent businesses and residential areas. Also mentioned earlier, there are operating businesses at the fence line of the site that would be immediately impacted in the event of a fire.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances, pollutants or contaminants from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to the public health, welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed actions

1. Proposed Action Description

The proposed removal action involves the identification of the contents of the drums, bulking, combining, or isolating the contents, profiling the waste streams and ultimately disposal offsite. Metal from the drums will be sent for metal recycling to the extent practicable and the plastic drums will be sent for fuel blending. The removal of the drums is also necessary to address the soil contamination. Contaminated soil will be excavated to a maximum of two feet below ground surface and disposed of offsite. The ability to clean and decontaminate the loading dock, containment areas and storage areas will be evaluated during the Removal Action. The potential reuse for this site is industrial.

2. Contribution to remedial performance

If any remedial action should occur, the proposed removal action is consistent with the remedial action as it removes the source of the contamination.

3. Description of alternative technologies

There is no reasonable alternative.

4. Applicable or relevant and appropriate requirements (ARAR)

This removal action will be conducted to eliminate the actual or potential exposure to hazardous substance, pollutant or contaminant to the environment, pursuant to CERCLA, 42 U.S.C. §9601 et seq., and in a manner consistent with the National Contingency Plan (NCP), 40 CFR Part 300, as required at 33 U.S.C. §1321(c)(2) and 42 U.S.C. §9605. Pursuant to 40 CFR Part 300.415(j), fund-financed removal actions under CERCLA §104 and removal actions pursuant to CERCLA §106 shall, to the extent practicable considering the exigencies of the situation, attain the applicable or relevant and appropriate requirements under Federal environmental law.

5. Project Schedule

The duration of the work is expected to be three months after mobilizing to the Site.

B. Estimated Costs

Extramural Costs	Requested Ceiling
Cleanup Contractor	$1,400,000
START	$275,000
Total Extramural	$1,675,000
Site Contingency	$280,000
TOTAL CEILING	$1,955,000

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

If this action is not taken at the Site, hazardous substances will continue to be released from the Site. The rate of failure of the drums will increase and the quantity of hazardous substances will also increase. Contaminated surface water runoff will continue to be a threat to nearby businesses. Contaminated groundwater originating from the site will continue to adversely impact the onsite drinking water well and potentially impact offsite drinking water wells. The chance of fire will increase as the overall stability of the Site deteriorates. The chance for a catastrophic release will also increase.

VIII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues associated with this site.

IX. ENFORCEMENT

The total cost for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be $3,400,628.

(Direct Cost) + (Other Indirect Costs) + 61.55% (Direct + Indirect Costs) =Estimated EPA Cost

$1,955,000 + $150,000 + 0.6155($1,955,000 + $150,000) = $3,400,628

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, 2002. The estimates do not include pre-judgment 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 the deviation of actual total costs from this estimate will affect the United States' right to cost recover.

X. RECOMMENDATION

This decision document represents the selected removal action for the Ector Drum Inc. Site in Odessa, Ector County, Texas, developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This decision is based on the administrative record for the Site.

Conditions at the Site meet the criteria as defined by 40 CFR Section 300.415(b)(2) of the NCP for a removal. I recommend your approval of the proposed removal action. The total project ceiling will be $1,955,000.

APPROVED Pam Phillips, Acting DATE 2/24/15

Carl E. Edlund, P.E. Director
Superfund Division (6SF)