



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

Enforcement-Sensitive Information Attached

MEMORANDUM

DATE: July 19, 2001

SUBJ.: Request for a Removal Action at the B&S Leasing Corporation Superfund Removal Site, Plainfield, Sullivan County, New Hampshire

FROM: Paul R. Groulx, On-Scene Coordinator
Site Evaluation and Response Section I *Paul R. Groulx*

THRU: David McIntyre, Chief *DMC*
Site Evaluation and Response Section I

TO: Richard A. Cavagnero, Acting Director
Office of Site Remediation and Restoration

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the proposed removal action described herein for the B&S Leasing Corporation Superfund Removal Site, Plainfield, New Hampshire (the Site).

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# : NHN000103118 7
SITE ID# : 018U
CATEGORY : Time-Critical Removal Action

A. SITE DESCRIPTION

1. Physical Location and Site Characteristics

The Site consists of two parcels located on the north and south sides of NH Route 12-A, approximately two miles south of the Lebanon town line and approximately one-third of a mile from the Connecticut River in Plainfield, Sullivan County, New Hampshire. The property is identified on Plainfield Tax Map #4, Lots 1900 and 1800 and recorded at the Sullivan county Registry of Deeds in Book 1091, Page 750.

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The area surrounding the Site is a mixture of farm land, tall trees and wetlands. The Site is in the flood plain within 1000 feet of the Connecticut River. An intermittent stream and wetland on the property flows into the Connecticut River. The Site is bounded: to the north by active agricultural fields; to the east and to the south by forested land; and to the west by residential properties. The closest residence is within 200 feet. There are thirteen homes within a quarter-mile radius, all of which depend upon ground water wells for drinking water. Access to the Site and buildings is unrestricted and trespassers have been observed on the property.

2. Site History

The 3.5 acre parcel on the north side of Route 12-A (Lot 1900) formerly housed B&S Leasing, Inc., a truck leasing operation owned by the Berwick family which operated from 1967 to 1992. The business operated from a one-story steel and wood frame garage and office building. A fire severely damaged the structure in 1994. All that remains is the steel structure and a small attached building.

The 20.4 acre parcel on the south side of Route 12-A (Lot 1800) was the location of the primary residence of Donald and Virginia Berwick. This house is a wooden two story structure with an extension in the back that has been unoccupied since 1992. Berwick and Sons, Inc., a drum reconditioning business, operated from the rear extension of the residence from 1959 until 1969.

The Berwick family owned the property from 1937 to 1994, when it was taken over by the FDIC for default on a loan. In 1995, FDIC transferred the property to Mundaca Investment Corporation, a mortgage lender, which subsequently assigned it in 1996 to Del Norte, Inc., its affiliate. On March 19, 2001 Del Norte transferred the property to Eureka Investment, Inc., an Alaskan corporation, set up to handle Del Norte's contaminated real estate. Eureka Investment is the current owner of the Site.

Since 1991, NH DES has been involved with the Site for underground oil storage tanks and soil contamination issues. See NH DES Site file for more information.

3. Removal Site Evaluation

On September 29, 2000, NH DES requested EPA's assistance to address the imminent and substantial public health threat and environmental risk associated with the potential release of hazardous substances and other contaminants from the Site.

On October 19, 2000, the On-Scene Coordinator (OSC) met on site with Dave Bowen, NH DES for a site orientation and briefing.

On March 21, 2001, EPA sent Request for Access letters to twelve property owners within a quarter mile of the Site to request permission to sample their water supplies.

On March 27, 2001, the OSC sampled abutting residential drinking water wells. EPA found no evidence of contamination in the water supplies.

On April 18, 2001, EPA obtained access from the owner to conduct a site investigation.

On 30 April through 4 May 2001, OSC Groulx, Andre Zownir from the EPA Environmental Response Team (ERT), Roy F. Weston Investigation team (START), and Dave Bowen mobilized to the Site.

Results from the PA/SI indicated the following contaminants in the surface soil:

<i>Contaminant</i>	<i>Concentration</i>	<i>Contaminant</i>	<i>Concentration</i>
lead	13,000 ppm	xylene	31,000 ppb
total chromium	2,590 ppm	1,4-dichlorobenzene	11,000 ppb
arsenic	104 ppm	1,2,4-trichlorobenzene	11,000 ppb
polychlorinated biphenyls (PCBs)	107 ppm	chlorobenzene	9,200 ppb
		ethylbenzene	7,800 ppb
		toluene	750 ppb

In addition, asbestos was identified at 75% within the fragments of the roofing material that is dispersed throughout the surface soils as a result of the 1994 fire.

4. Release or Threatened Release into the Environment of a Hazardous Substance or Pollutant or Contaminant

The OSC identified CERCLA hazardous substances on site. Access to the Site is not restricted.

The following table shows identified contaminants released into the environment, and their respective media, that exceed NH soil and groundwater standards:

<i>Contaminant</i>	<i>Drum Sludge</i>	<i>Soil</i>	<i>Ground Water</i>
acetone	Yes	---	---
arsenic	---	Yes	---
asbestos	---	Yes	---
benzene	---	Yes	Yes
chlorobenzene	Yes	Yes	---
chromium	---	Yes	---
ethyl benzene	Yes	Yes	---
isopropyl benzene	Yes	---	---
lead	---	Yes	---

<i>Contaminant</i>	<i>Drum Sludge</i>	<i>Soil</i>	<i>Ground Water</i>
naphthalene	Yes	---	Yes
nathalene	---	---	Yes
polychlorinated biphenyls (PCB)(1248)	---	Yes	---
toluene	Yes	---	---
tetrachloroethene	---	---	Yes
trichloroethene	---	---	Yes
trichloroethylene	---	Yes	---
n-butylbenzene	---	Yes	Yes
n-propylbenzene	Yes	Yes	---
p-isochlorotoluene	---	Yes	---
p-isopropyltoluene	Yes	---	Yes
o-xylene	Yes	---	---
m/p-xylene	Yes	---	---
1,2-dichlorobenzene	Yes	---	---
1,4-dichlorobenzene	Yes	Yes	---
2-methyl-2-pentone	Yes	---	---
1,2,4-trichlorobenzene	Yes	Yes	---
1,2,4-trimethylbenzene	Yes	Yes	Yes
1,3,5-trimethylbenzene	Yes	Yes	Yes

5. National Priorities List (NPL) Status

The Site is not currently on the NPL, nor is EPA planning to propose the Site for NPL inclusion.

6. State and Local Authorities Role

a. State and Local Actions to Date

The Town of Plainfield has requested state assistance and has documented numerous problems at the Site. Police reports document that the area is a place where local youths frequently gather and spend time.

Since 1991, NH DES has been involved with the Site on underground oil storage tank and soil contamination issues. See NH DES Site file for more information.

On September 1, 2000, Security National Inc. (a/k/a Del Norte) environmental consultant contacted NH DES concerning an excavation at the southwestern portion of the property, where the drum reconditioning operation took place. The excavation, which was originally planned to remove oil-contaminated soil, revealed fourteen (14) buried containers. In addition, the excavation crew encountered a pipe that appeared to lead from a floor drain in the facility and had an unknown blue chemical residue. A second test pit encountered several containers that were left in place. An estimated one half acre could be imbedded with buried containers.

On September 7, 2001, NH DES conducted a Site inspection and documented buried containers, chemical residue and other potential sources of contamination on the property. Due to the constituents detected in the groundwater and excavated soil at the Site, NH DES had reason to believe that a discharge of hazardous waste had occurred.

On September 13, 2000, NH DES sent a Notice of Responsibility letter to Security National, Inc. (a/k/a Del Norte). On October 6, 2000, Jed Callen, NH counsel representing Security National, requested a sixty day extension to research the situation and to review their environmental consultant's findings before providing an appropriate response.

On September 29, 2000, NH DES referred the Site to EPA's Removal Program.

On November 7, 2000, NH DES sent a letter to Mr. Callen stating that NHDES had asked EPA to conduct an assessment and possible removal action at the Site, and requesting that Security National arrange for the disposal of contaminated soil and containers staged at the Site, continue groundwater monitoring of onsite monitoring wells and adjacent residential water supply wells, characterize the extent of contamination in the former drum reconditioning operation area, and secure the Site buildings.

On November 28, 2000, NH DES received a response from Mr. Callen (responding for both Security National and Del Norte) which said that Security National did not have an ownership interest in the property; it served only as the servicing company for the financial interests of Del Norte; and Security National, Mundaca Investments and Del Norte were exempted from liability under NH lender liability provisions. Del Norte was willing to continue to cooperate with NH DES and, without waiving its denial of legal liability for cleanup of the Site, agreed to have the buildings secured. Mr. Callen further stated that Del Norte would not incur any further expenses regarding cleanup of the property but would grant necessary permission for the cleanup to be done at NH DES or EPA expense should either agency deem it necessary.

b. Potential for Continued State/Local Response

The Town does not have the resources to conduct the removal action. NH DES does not have sufficient funds to undertake a removal action at this Site and has requested that EPA take the lead.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants persists due to the above-identified materials that exist on Site as potential sources of contamination.

IV. ENDANGERMENT DETERMINATION

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

V. PROPOSED ACTIONS AND ESTIMATED COSTS

EPA will issue a Unilateral Administrative Order (UAO) to the property owner (PRP) to conduct a cleanup at the property, which will be monitored by the OSC. If the PRP for any reason cannot or will not perform the cleanup, the OSC will conduct the following steps under a fund lead action.

A. PROPOSED ACTION

1. Proposed Action Description

1. Identify the technical approach for cleanup activities with the contractor, and state and local officials.
2. Prepare a scope of work and time line for remediation, transportation and disposal of contaminants of the following:
 - ✓ contaminated soil;
 - ✓ buried drums;
 - ✓ demolition and disposal of the asbestos-contaminated materials; and
 - ✓ demolition of the collapsed drum cleaning room.
3. Ship drums, contaminated soil, and debris to a disposal facility in accordance with the EPA Off-Site Rule.
4. Restore the site.

2. Community Relations

As part of the Site mobilization activities, EPA will coordinate with the Town of Plainfield and NH DES. If the OSC determines it to be necessary, EPA will hold a public informational meeting for the community surrounding the Site. During this meeting, the community will be provided specific information of the removal action plans and will address questions and/or

concerns from the public. The OSC will be available by visiting or telephoning the command post during working hours to address questions and/or concerns from the public. Additionally, the Administrative Record will be available in a local repository for review and the OSC will be preparing pollution reports detailing actions that were taken on the Site.

3. Contribution to Remedial Performance

The removal action will not impede any future remedial actions.

4. Description of Alternative Technologies

No alternative technology is currently planned for this Site.

5. Applicable or Relevant and Appropriate Requirements (ARARs)

The federal ARARs tentatively identified at this time are: 40 CFR 262 Subpart C, Pre-transport Requirements regarding packaging, labeling and marking.

The State ARARs as identified by the OSC will be adhered to in accordance with the National Contingency Plan and EPA Guidance Documents. The OSC will determine the applicability and practicability of complying with each identified ARAR.

6. Project Schedule

Response actions will commence immediately after the signing of this Action Memorandum, dependent on the availability of funds or the commitment by the potentially responsible parties to undertake the cleanup. Completion of the proposed removal action is expected within 120 days after the mobilization date.

B. ESTIMATED COSTS

If this site is conducted as anticipated as a PRP lead, the EPA will not incur the cost listed below, which are the estimated costs of a fund-lead action.

Extramural Costs**Regional Allowance Costs**

Removal Cleanup Contractor	\$ 450,000
START ¹	\$ 100,000

Subtotal, Extramural Costs	\$ 550,000
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Extramural Costs Contingency	\$ 70,000
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Total, Extramural Costs	\$ 620,000
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Intramural Costs

Total, Intramural Costs, Direct	\$ 100,000
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Total Removal Project Ceiling ²	\$ 720,000
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VI. EXPECTED CHANGES IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed action will increase both environmental and health risks posed by the presence of contaminated soil, buried drums and asbestos material identified on the property. No other organization has the capability to address this situation, so lack of EPA action would result in a continued exposure threat. Additionally, EPA needs to act in order to eliminate the threat of the environment and to the public by removing these contaminants from the Site.

VII. OUTSTANDING POLICY ISSUES

There are no known outstanding policy issues concerning this removal action.

VIII. ENFORCEMENT . . . For Internal Distribution Only

See attached.

IX. SUMMARY OF CRITERIA FOR CONDUCTING THE REMOVAL ACTION

¹ Superfund Technical Assessment and Response Team

² The project cost computed for cost recovery purposes will follow the Superfund Full Cost Accounting Guidance, i.e., the amount the government submits for cost recovery will be the government's total project costs multiplied by the currently applicable Regional indirect cost rate.

"Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants" [300.415(b)(2)(i)];

"Actual or potential contamination of drinking water supplies or sensitive ecosystem" [300.415(b)(2)(ii)];

"Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release" [300.415(b)(2)(iii)];

"High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate" [300.415(b)(2)(iv)];

"Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released" [300.415(b)(2)(v)];

"The availability of other appropriate federal or state response mechanisms to respond to the release" [300.415(b)(2)(vii)] and

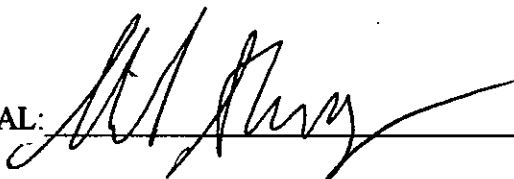
"Other situations or factors that may pose threats to public health or welfare of the United States or the environment" [300.415(b)(2)(viii)].

X. RECOMMENDATION

This decision document represents the selected removal action for the B&S Leasing Corporation Superfund Site in Plainfield, New Hampshire, developed in accordance with CERCLA and the National Contingency Plan. This decision is based on the Administrative Record for the Site.

I recommend approval of this removal action. The estimated Total Removal Project Ceiling is \$720,000. Of this total cost, \$450,000 is intended for the Removal Contractor costs, if a fund lead removal action becomes necessary.

APPROVAL: _____



DATE: _____

7-25-01

DISAPPROVAL: _____

DATE: _____