



# Explanation of Significant Differences Standard Auto Bumper Superfund Site

**Site Name:** Standard Auto Bumper Superfund Site  
**CERCLA ID #:** FLD004126520  
**Site Location:** 2500 West 3<sup>rd</sup> Court, Hialeah, FL  
**Support Agency:** Florida Department of Environmental Protection  
**Lead Agency:** EPA, Region 4



Hialeah, Florida

## I. Introduction

This decision document presents an Explanation of Significant Differences (ESD) for the Standard Auto Bumper Superfund Site (Site), located in Hialeah, Florida. The Record of Decision (ROD) addressed by this ESD is:

ROD for Operable Unit (OU) 1, signed on September 28, 1992.

The ESD is issued in accordance with § 117(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), § 300.435(c) (2) (i). The Director of the Superfund Division has been delegated the authority to sign this ESD. EPA is the lead agency and the State is the support agency. All work was conducted and funded by EPA.

This ESD will become part of the Administrative Record for the Standard Auto Bumper Superfund Site (NCP 300.825(a)(2)), which has been developed in accordance with § 113 (k) of CERCLA, 42 U.S.C. § 9613 (k).

The Administrative Record is available for review at the John F. Kennedy Memorial Library, 190 West 49<sup>th</sup> Street, Hialeah, Florida 33012. Phone: (305)821-2700 Hours: 9:00 a.m. to 9:00 p.m., Monday through Thursday; 9:00 a.m. to 6:00 p.m., Friday. The Administrative Record is also available at the U.S. EPA Region 4, 11th Floor Library, 61 Forsyth Street SW, Atlanta, Georgia 30303, Monday - Friday, 7:30 a.m. to 4:30 p.m.

## II. Statement of Purpose

Since the 1992 ROD and Five Year Reviews, an issue regarding implementation of institutional controls in the form of a restrictive covenant has been discussed for the Site.

The purpose of this ESD is to document a final decision to implement a restrictive covenant on the property for the main facility. The cleanup levels determined for the Site are not appropriate for a residential scenario. The entire area is currently zoned for industrial/commercial use.

The restrictive covenant pertains to the remedial action of the soil. The cleanup goals were established based upon the current zoning of the property, which is zoned for industrial/commercial use. The two buildings adjacent the main facility may be impacted with contamination underneath their respective foundations. Remedial actions



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addressed the soil reaching the building foundations but did not affect the local business structures.

In addition to a restrictive covenant, a county notification system is in place to warn county officials of any permit requests for potential changes at the adjoining properties. The notification system was in place prior to delisting the Site from the NPL. In addition, EPA met with the adjacent property owners and provided a certified letter identifying the notification system and potential contamination under the building foundations.

EPA prepares an ESD when it is determined by the Agency that changes to the original selected remedy are significant, but do not fundamentally alter the remedy selected in the ROD with respect to scope, performance, or cost.

### **III. Site History and Contamination**

#### *Site History*

The facility operated as a chrome plating facility from 1959 until the early 1990s. Prior to 1970, processed and untreated electroplating waste was discharged on the property behind the main building along a drainage ditch west of the property. This discharged waste percolated into the soil and groundwater. In 1972, the facility began pretreating the waste water before discharging it into the septic tank. The treatment system was constructed to convert hexavalent chromium to trivalent chromium. Pretreated waste water was routed to the Hialeah waste water treatment system in 1979.

In August of 1985, the EPA conducted a site inspection and field investigation at the site. During this multi-media investigation, groundwater samples, surface and subsurface soil samples were collected. Analytical data later revealed contamination of soil and groundwater. Chromium and nickel, substances used in the facility's process, were detected in the soil and groundwater. In addition, the analytical data indicated the presence of cadmium, lead, cyanide, and copper.

The site is in the recharge zone of the Biscayne Aquifer, which supplies drinking water for Dade County. Four municipal well fields, the Upper and Lower Miami Springs, the Hialeah, and the John E. Preston, that supply drinking water to over 750,000 people, are within three miles of the site.

The site was included on the National Priority List in October of 1989 based upon a Hazard Ranking System (HRS) package from 1987.

In early 1993, Standard Auto Bumper ceased operations and abandoned the facility. The Site property was taken by Miami-Dade County in 2004 due to nonpayment of property taxes. The property was sold in July 2005 for the taxes owed to the county.

#### *Site Contamination*

The contaminants found at this site were chromium, hexavalent chromium and nickel. Some or all of the contaminants identified are hazardous substances as defined in § 104(14) of CERCLA, 42, U.S.C. § 9601(14), and 40 C.F.R. § 302.4. In October of 1992, the EPA issued a notice letter to the PRP pursuant to 122(a) of CERCLA for conducting the Remedial Design and Remedial Action (RD/RA) for OU1. There was no response from the PRP resulting in EPA conducting the OU1 RD/RA. The OU1 RD/RA conducted by EPA in 1993 and 1994 consisted of removal of the tanks, process water and drums along with approximately 10,000 tons of contaminated soils. Contaminated soils immediately adjacent to or underlying the Gilda Bakery and Quality manufacturing buildings as well as under West 3<sup>rd</sup> Court were inaccessible and were left in place.

### **IV. Selected Remedy**

A Record of Decision (ROD) was signed on September 28, 1992 for OU1 (soil). A ROD was signed on December 10, 1993 for OU2 (groundwater).

The ROD for OU1 selected a remedy to address the soil. The remedial objective for OU1 was to prevent current or future human exposure to the soil contaminated with nickel and chromium, as well as prevent the migration of these contaminants from the soil to groundwater. The OU1 ROD required all soils above the cleanup levels to be excavated and disposed at an off-site permitted landfill. The OU1 ROD also required up to five years of groundwater monitoring. The OU1 ROD did not specify the soil to be restored to unlimited use and unrestricted exposure.

The ROD for OU2 selected a remedy to address groundwater contamination. The remedial objective for the OU2 remedy was to prevent current and future human exposure to contaminated groundwater from nickel and other inorganic compounds and to restore groundwater to drinking water standards. This remedy addressed groundwater contamination through natural attenuation, groundwater use controls, and groundwater monitoring for a minimum of 18 months. The OU2 remedy was designed to follow the OU1 source removal and the required groundwater monitoring was to be conducted as part of the OU1 groundwater monitoring plan.

## **V. Description of Significant Differences and Basis for the ESD**

An institutional control in the form of a restrictive covenant was recorded on October 9, 2007 by the property owner. In addition, a permit notification system has been implemented at the Site because the remedial action results in hazardous substances, pollutants, or contaminants potentially remaining at the Site that may be above levels that allow for unlimited use and unrestricted exposure to soil. The remedial action provided in the ROD did not include institutional controls for soil. As a result, an explanation of significant differences is needed to include institutional controls in the form of deed restrictions and a county permit notification system. In addition to these restrictive measures, a statutory requirement for Five Year Reviews will continue for the Site.

The potential soil contamination remaining on site in areas inaccessible for removal during OU1 is being addressed through institutional controls as required by CERCLA. Proper notification and facility information has been provided to potentially affected parties in adjacent buildings. EPA, FDEP and DERM met with each property owner affected by the Site and a certified letter was issued to document the permit notification system tagged to each owner's property. A flagging system has been implemented through the Florida Department of Environmental Resources Management (DERM) which utilizes the county permitting requirements for facility structural changes and improvements. Any permit request or change in structure on the adjacent properties will prompt notification to FDEP and the EPA to assure that appropriate steps are taken to address potentially contaminated soils that may be remaining underneath the building foundations. In addition to the flagging system, FDEP-Bureau of Waste Cleanup maintains a registry database for tracking former waste sites where remedial actions include the use of institutional controls.

The OU2 groundwater monitoring was conducted by EPA in 1994. FDEP conducted groundwater monitoring from May 1995 through February 2001 as required under CERCLA. Groundwater sampling in February 2001 confirmed that groundwater met federal and state drinking water standards. The Pollution Remediation Section of DERM concurred that sufficient groundwater monitoring for the chemicals of concern has occurred in accordance with the requirements of Chapter 24, Code of Miami-Dade County. In addition, there are no further requirements to address groundwater contamination at the site.

An institutional control was required for the OU2 ROD. However, prior to conducting the first Five Year Review, the cleanup goals specified in the ROD were met for the groundwater and no institutional controls were implemented.

All appropriate Fund-financed response under CERCLA has been implemented. No further response action is necessary.

## VI. Support Agency Comments

EPA consulted with the FDEP and provided an opportunity to comment on this ESD in accordance with the NCP § 300.435 (c) (2) and § 300.435 (c) (2) (i) and CERCLA § 121(f). The FDEP did not provide comments on this ESD.

## VII. Statutory Determinations

EPA has determined that these significant changes comply with the statutory requirements of CERCLA § 121, 42 U.S.C. § 9621, are protective of human health and the environment, comply with Federal and State requirements that are applicable or relevant and appropriate to the remedial action, are cost-effective, and utilize permanent solutions and alternative treatment technologies to the maximum extent practicable.

Because this remedy will result in hazardous substances, pollutants, or contaminants remaining on site above levels that allow for unlimited use and unrestricted exposure, a statutory review will be conducted no less often than each five years after the initiation of the remedial action to ensure that the remedy is, or will be, protective of human health and the environment.

## VIII. Public Participation

The public participation requirements set out in the NCP § 300.435(c)(2) have been met by publishing this ESD, making it available to the public in the Administrative Record, and publishing a notice summarizing the ESD in a major local newspaper.

## IX. Authorizing Signature

I have determined the remedy for the Site, as modified by this ESD, is protective of human health and the environment, and will remain so provided the actions presented in this report are implemented as described above.

This ESD documents the significant changes related to the remedy at the Site. U.S. EPA selected these changes after consultation with the FDEP.

U.S. Environmental Protection Agency

By:



Franklin E. Hill  
Director  
Superfund Division

Date:

3/15/11