UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 W. JACKSON BLVD
CHICAGO, IL 60604

16 JUL 2013

MEMORANDUM

SUBJECT: **ACTION MEMORANDUM:** Request for a Time-Critical Removal Action and Exemption from the $2 million Statuatory Limit at the W.C. Reed Playfield Site, Cleveland, Cuyahoga County, Ohio (Site ID # C5R3)

FROM: James Justice, OSC
Emergency Response Branch 1, Section 1

THRU: Jason H. El-Zein, Chief
Emergency Response Branch 1

TO: Richard C. Karl, Director
Superfund Division

I. PURPOSE

The purpose of this memorandum is to request and document your approval to expend up to $3,245,199 and grant an exemption from the $2 million statutory limit in order to conduct a time-critical removal action at the W.C. Reed Playfields Park Site (the Site) located in Cleveland, Cuyahoga County, Ohio. The presence of hazardous substances as defined by 40 C.F.R. Part 302.4 has been documented by the City of Cleveland (the City) during a Phase II environmental investigation completed on December 10, 2012, as part of planned improvements being undertaken by the City. The time-critical removal action proposed herein will mitigate the threat to public health, welfare, and the environment posed by the release of hazardous substances, or pollutants or contaminants to the environment. This will be accomplished by the installation of a two foot thick barrier (cap) at the Site. In addition, adjacent residential areas will be assessed for potential off-site migration.

The proposed removal action will be conducted in accordance with Section 104(a)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a)(1), to abate or eliminate the immediate threat posed to public health and/or the environment by the presence of the hazardous substances, pollutants and/or contaminants. The uncontrolled conditions of the hazardous substances, pollutants and/or contaminants present at the Site require that this action be classified as a time-critical removal action. The project will require approximately 90 working days to complete.

There are no nationally significant or precedent setting issues associated with the W.C. Reed Site and the Site is not on the National Priorities List (NPL).

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID: OHN000510891
Category: Time-Critical Removal Action

In 1942 the City purchased the property from the Cleveland Railway Company. At the time of the acquisition, according to the City, the City was unaware of any contamination present and has used the property solely for recreational purposes as a public park. As part of planned improvements the City was performing on the park, a Phase II Environmental Assessment in order to identify if any environmental impacts existed on the property. The sampling occurred in two phases. The first round of samples was collected on June 13-14, 2012 and the second round of samples was collected on September 27-28, 2012. The results of the Phase II environmental investigation indicated that high concentrations of polycyclic aromatic hydrocarbons (PAHs) were present in the surface soils of the Site at or near the ground surface (0-4 feet). Upon learning of the contamination present, the City closed the park and placed a fence around the Site to restrict access in late 2012.

On January 10, 2013, based on the results of a Phase II environmental investigation, the City requested that U.S. Environmental Protection Agency (EPA) assistance in conducting a removal action at the Site.

A. Site Description

1. Removal Site Evaluation

On December 10, 2012, Partners Environmental Consulting reported the results of a Property Improvement Environmental Support Phase II Investigation & Risk Evaluation of the W.C. Reed Playfield requested by the City of Cleveland. The assessment consisted of two sampling events. In June of 2012, 20 soil borings were advanced to a depth of 4 feet and samples were collected at each location and analyzed for volatile organic compounds (VOCs) based on field screening with a photo-ionization detectod, polynuclear aromatic hydrocarbons (PAHs), Resource Conservation and Recovery Act (RCRA) metals, total petroleum hydrocarbons and polychlorinated biphenyls. A second sampling event was conducted in September of 2012 that consisted of an additional 36 soil borings advanced to a depth of 4 feet at two foot intervals and analyzed for PAHs.

The OEPA Voluntary Action Plan (VAP) Generic Direct Contact Standards (GDCS) were used for comparison as they were identified as an Applicable or Relevant and Appropriate Requirement (ARAR). In consultation with the Agency for Toxic Substances and Disease Registry (ATSDR), the residential direct contact standards were

used as the base comparison due to the location of the Site, the proximity to the elementary school and the frequent use of the Site. The EPA Removal Management Levels (RMLs) are also included below as a reference. The RMLs used were the lower of the carcinogenic and non-carcinogenic values at the 10^{-4} risk level and using a Hazard Quotient of 3.

Results from the sampling identified the following:

- Benz(a)anthracene in surface soils in concentrations as high as 584 milligrams per kilogram (mg/kg) exceeding both the residential and industrial OEPA VAP GDCS of 11 and 76 mg/kg respectively. These concentrations also exceeded the EPA residential and industrial RMLs of 15 and 210 mg/kg, respectively.
- Benzo(a)pyrene in surface soils in concentrations as high as 203 mg/kg exceeding both the residential and industrial OEPA VAP GDCS of 1.1 and 7.7 mg/kg, respectively. These concentrations also exceeded both the EPA residential and industrial RMLs of 1.5 and 21 mg/kg, respectively.
- Benzo(b)fluoranthene in surface soils in concentrations as high as 574 mg/kg exceeding both the residential and industrial OEPA VAP GDCS of 11 and 77 mg/kg, respectively. These concentrations also exceeded both the EPA residential and industrial RMLs of 15 and 210 mg/kg, respectively.
- Dibenz(a,h)anthracene in surface soils in concentrations as high as 33.2 mg/kg exceeding both the residential and industrial OEPA VAP GDCS of 1.1 and 7.7 mg/kg, respectively. These concentrations also exceeded both the EPA residential and industrial RMLs of 1.5 and 21 mg/kg, respectively.
- Indeno(1,2,3-cd)pyrene in surface soils in concentrations as high as 117 mg/kg exceeding both the residential and industrial OEPA VAP GDCS of 11 and 77 mg/kg, respectively. These concentrations also exceeded the EPA residential RML of 15 mg/kg.
- Napthalene in surface soils in concentrations as high as 175 mg/kg exceeding both the residential and industrial OEPA VAP GDCS of 69 and 150 mg/kg, respectively.
- Lead in surface soils in concentrations as high as 735 mg/kg exceeding both the residential OEPA VAP GDCS of 400 mg/kg. These concentrations also exceeded the EPA residential RML of 400 mg/kg.
- Arsenic in surface soils in concentrations as high as 32 mg/kg exceeding the residential OEPA VAP GCDS of 6.7 mg/kg.

Overall, 43 of the 56 boring locations had at least one parameter that exceeded the OEPA VAP Generic Direct Contact Standard for residential areas. Furthermore, of these 43 locations, 17 of them exceeded OEPA VAP Generic Direct Contact Standard for industrial areas. Concentrations of some contaminants also increased with the depth in some areas.

2. Physical location

The W.C. Reed Site is an approximately 12 acre park located northwest of the intersection of West 15th Street and Denison Avenue, Cleveland, Cuyahoga County, Ohio 44109. The geographical coordinates for the Site are 41° 27' 9" North latitude and -81° 41' 36" West longitude. The park is bordered to the east and west by residential properties, to the south by residential properties and an elementary school and to the north by a cemetery.

An Environmental Justice (EJ) analysis for the Site was conducted. Screening of the surrounding area used Region 5's EJ Screen Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT). Region 5 has reviewed environmental and demographic data for the area surrounding the site at the intersection of W. 15th Street and Denison Avenue and determined there is a high potential for EJ concerns at this location.

3. Site characteristics

W.C. Reed Playfield Park is approximately 12 acres in size and was originally the location of the Cleveland Railway Company. A ravine that was part of the property was partially filled in as well. The source material is unknown; however, the 4 foot borings did not identify anything other than soil, slag (a common fill material throughout the City of Cleveland) and small amounts of brick and glass. The fill material and the contaminants are consistent with the former ownership and use of the property by the Cleveland Railway Company.

Residential housing properties border the Site to the west and east. A senior housing development, an elementary school and residential housing border form the southern border of the Site. The northern property line borders a cemetery. The park consists of four basketball courts, two tennis courts, two volleyball courts, two baseball diamonds, grass fields and walking path. The W.C. Reed Playfields Park is a central feature to the immediate neighborhood as well as the surrounding community. Its location between the two main east/west interstates makes it easily accessible. It is also used as the recess area for children at the adjacent elementary school. In addition to its general recreational use and use for practices for baseball and softball leagues, City programmed use of the park includes but is not limited to: two different teen baseball leagues two times a week, one adult softball league two times a week, at least two little league baseball leagues three times a week, a fast pitch softball league as well as tournament league play. Additional use includes adult touch football practice and league games.

The W.C. Reed Playfields is a high use park; that is the main reasons it was identified for renovation and as a result how the contamination was identified. The City has held several public meetings to finalize the plans and design of the park. Renovations include the addition of a playground for the elementary school, improving and lengthening the bike/walking path and a community garden. At a public meeting on March 7, 2013,

residents were concerned about the length of time the park would be closed due to its frequent use within the neighborhood and the community.

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

The release or threatened release into the environment of a hazardous substance, pollutant or contaminant occurred at the W.C. Reed Playfields Park and was discovered when the City performed a Phase II environmental investigation on the property as part of planned park improvements. Analytical results from the samples collected by the City's consultant indicated that elevated concentrations of CERCLA hazardous substances were present in surface soils including, but not limited to the following PAHs: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd) pyrene, naphthalene, lead and arsenic. The concentrations of some these contaminants exceed not only the residential and industrial OEPA VAP Generic Direct Contact Standards, but also exceeded the 10^{-4} cancer risk residential and industrial EPA Removal Management Levels for many of the contaminants. Lead concentrations found also exceeded the residential screening levels of 400 mg/kg. As a result, the City closed the park immediately after learning the results of the environmental investigation. These contaminants are present in an uncontrolled environment and have the potential to migrate across the Site and onto adjacent residential yards as well as onto the elementary school grounds.

A public meeting held on March 7, 2013, the community expressed deep concerns about the continuing presence of contaminants at the Site as well as the potential for the contaminants to continue to migrate from the Site to neighboring yards and the school grounds.

5. NPL status

There are no nationally significant or precedent setting issues associated with this Site and the Site is not on the National Priorities List (NPL).

6. Maps, pictures and other graphic representations

Figure A-1: Site Aerial Map
Figure A-2: Soil Boring and Sampling Locations

B. <u>Other Actions to Date</u>

1. Previous actions

As part of planned improvements to the park, the City of Cleveland ordered a Phase II environmental investigation performed on the property. The results of the Phase II investigations were reported to the City in December 2012, and, as a result, the City

closed the park in late 2012 and requested a U.S. EPA fund-lead removal action at the Site.

2. Current actions

The City of Cleveland has installed a fence to restrict access to the park and posted park closed signs. The closing of W.C. Reed Playfields Park has been announced in local media outlets and the City has held several public meetings to discuss the reasons for the park closing, to address immediate concerns of area residents and discuss potential plans of working with the EPA to return the park to recreational use.

C. State and Local Authorities' Roles

1. State and local actions to date

As part of planned improvements to the park, the City of Cleveland ordered a Phase II environmental investigation performed on the property in December 2012. Due to the results of the investigation, the City closed the park in late 2012, erected a fence to restrict access and requested a U.S. EPA fund-lead removal action at the Site.

2. Potential for continued State/local response

The City of Cleveland has indicated that it does not have the resources to fully address the waste at the Site. However the City of Cleveland has agreed to work with EPA and to coordinate their limited resources to remediate and restore the Site. As part of the City's efforts to assist with the cleanup, the City has already taken the lead on the coordination and planning of public outreach. In addition the City has committed to carrying out much of the restoration work following the removal action including but not limited to: replacing any pavement removed as part of the removal action, reconstructing the baseball field and backstop, reinstalling any electrical lines and poles that are removed and replacing any removed vegetation. A significant quantity of water will be needed for dust suppression efforts and the City is providing access to water to fulfill this need.

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

The conditions at the WC Reed Site present a substantial threat to the public health or welfare, and the environment, and meet the criteria for a time-critical removal action as provided for in the NCP, 40 C.F.R. § 300.415(b)(2). These criteria include, but are not limited to, the following:

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

Residential properties are located directly adjacent to the Site. In most cases the W.C. Reed Playfields is contiguous to the backyards of the residential properties. Although the

Site is currently fenced to restrict access, evidence of continued use of the park is evident and will only likely increase as the weather warms. An elementary school is located adjacent to the southern border of the site and has used the site for recess. The City of Cleveland also uses the playfield as the location for a number of children's baseball and softball leagues. The amenities of the park (basketball and tennis courts, baseball diamonds, etc) make it attractive for recreational use despite the City officially closing the park.

The presence of high concentrations of several PAHs, lead and arsenic in the surface soils of the Site pose exposure risks to anyone using the Site for recreational activities. In addition, there is a potential exposure risk to City personnel when conducting maintenance activities at the Site. In addition, use of maintenance activities may disturb soils resulting in further migration of contamination at the Site.

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

Elevated concentrations of PAHs, lead and arsenic were identified in surface soils that exceeded the residential OEPA VAP Generic Direct Contact Standard for at least one parameter in 26 of the 56 samples collected and exceeded the industrial OEPA VAP Generic Direct Contact Standard for at least one parameter in an additional 17 of the 56 samples collect. Heavy rains and winds that occur in the area can cause the contaminants to migrate off site to the adjacent residential properties as well as the adjacent elementary school property. In addition, some areas of the property lack adequate ground thereby exacerbating the potential migration of contaminants by wind and/rain.

High Levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate;

A total of 56 soil bores were collected during the Phase II Environmental Investigation conducted by the City of Cleveland. Analytical results were compared to residential OEPA VAP Generic Direct Contact Standard as the property is located immediately adjacent to residential properties and used as the recess area for the elementary school.

- Benzo(a)anthracene had a maximum concentration of 584 milligrams per kilogram of soil (mg/kg). Seventeen of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 11 mg/kg.
- Benzo(a)pyrene had a maximum value concentration of 203 mg/kg. Forty-two of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 1.1 mg/kg.
- Benzo(b)fluoranthene had a maximum value concentration of 574 mg/kg. Seventeen of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard 11 mg/kg.
- Dibenz(a,h)anthracene had a maximum value concentration of 33.2 mg/kg. Twelve of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 1.1 mg/kg.

- Indeno(1,2,3-cd)pyrene had a maximum value concentration of 117 mg/kg. Two of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 11 mg/kg.
- Naphthalene had a maximum value concentration of 175 mg/kg. One of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 69 mg/kg.
- Lead had a maximum value concentration of 735 mg/kg. Four of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 400 mg/kg.
- Arsenic had a maximum value concentration of 32 mg/kg. Eighteen of the 56 samples collected exceeded the residential OEPA VAP Generic Direct Contact Standard of 6.7 mg/kg.

The hazardous substances listed above pose threats to the animals that may inhabit the affected areas, in addition to threatening human health. The actual or potential human health effects of PAHs are described below (as compiled from the Agency for Toxic Substances and Disease Registry ToxFAQs [www.atsdr.cdc.gov/toxfaqs/index/asp] and the National Toxicology Program, Department of Health and Human Services 12th Report on Carcinogens [www.ntp.niehs.nih.gov]).

The PAHs listed (excluding Napthalene) are included in 15 specific PAHs that are reasonably anticipated to cause cancer in humans according to the 12th Report on Carcinogens published by the National Toxicology Program. According to the report, uptake of PAHs through the skin is substantial. Some people who have breathed or touched mixtures of PAHs and other chemicals for long periods of time have developed cancer.

The Department of Health and Human Services concluded that naphthalene is reasonably anticipated to cause cancer in humans. In addition, exposure to large amounts of naphthalene may damage or destroy red blood cells resulting in a condition called hemolytic anemia. Symptoms include fatigue, lack of appetite, restlessness and pale skin as well as vomiting, diarrhea, blood in the urine and a yellow color to the skin.

According to the ATSDR ToxFAQ, lead can affect almost every organ and system in your body. The main target for lead toxicity is the nervous system, both in adults and children. Long-term exposure of adults can result in decreased performance in some tests that measure functions of the nervous system. It may also cause weakness in fingers, wrists, or ankles. Lead exposure also causes small increases in blood pressure, particularly in middle-aged and older people and can cause anemia. Exposure to high lead levels can severely damage the brain and kidneys in adults or children and ultimately cause death. In pregnant women, high levels of exposure to lead may cause miscarriage. High level exposure in men can damage the organs responsible for sperm production (ATSDR, 2007b).

The Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQ indicates that breathing high levels of inorganic arsenic can cause sore throat or irritated lungs.

Ingesting very high levels of arsenic can result in death. Exposure to lower levels can cause nausea and vomiting, decreased production of red and white blood cells, abnormal heart rhythm, damage to blood vessels, and a sensation of "pins and needles" in hands and feet. Several studies have shown that ingestion of inorganic arsenic can increase the risk of skin cancer and cancer in the liver, bladder, and lungs. Inhalation of inorganic arsenic can cause increased risk of lung cancer. The Department of Health and Human Services (DHHS) and the EPA have determined that inorganic arsenic is a known human carcinogen (ATSDR, 2007).

The availability of other appropriate Federal or state response mechanisms to respond to the release;

In the January 10, 2012 Request for Clean-Up/Removal Assistance from the City of Cleveland and subsequent meetings, the City has indicated that do not have the financial resources to remediate the Site and reopen it for public use.

Although the City does not have the resources to address the contamination at the site they have offered assistance in other areas of the project including but not limited to the following:

- Coordination of community outreach efforts;
- Acquiring meeting space for public meetings;
- Assisting in preparation of fact sheets;
- Providing temporary fencing to restrict access;
- Providing a staging location for work trailers and equipment;
- Replacement of any utilities removed during the removal action;
- Replacement of any and all paved services removed during the removal action;
- Restoration of the baseball field and associated amenities;
- Assisting with the final replacement and replanting of any removed vegetation;
- Long term operation and management of the cap;
- Assisting in the development of a Risk Management Plan for future work on the Site.

Other situations or factors that may pose threats to public health or welfare of the United States or the environment;

Although the City officially closed the park and fenced the Site, the park is still accessible. Numerous residential properties border the Site allowing for easy access to the contamination present in the surface soils.

IV. ENDANGERMENT DETERMINATION

Given the Site conditions, the nature of the suspected hazardous substances, pollutants or contaminants on-Site, and the potential exposure pathways described in Sections II and

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

V. EXEMPTION FROM STATUTORY LIMITS

Section 104 (c) of CERCLA, as amended by SARA limits the Federal emergency response to $2 million unless three criteria are met. The quantities and levels of hazardous substances at the W.C. Reed Playfield Site warrant the $2 million exemption based on the following factors:

A) There is an immediate risk to public health or welfare or the environment;

The Site is located in a residential neighborhood and is bordered by at least 36 residential properties and an elementary school. All these properties are immediately contiguous to the W.C. Reed Playfields and in many easily accessible despite fencing placed at the work as park as part of the City's efforts to secure and close the park. Additionally, amenities at the park that include two baseball fields, basketball and tennis courts that continue to be accessed and used despite closure signs and fencing.

The concentrations of benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd) pyrene, naphthalene, lead and arsenic present in the surface soils not only exceed the residential OEPA VAP Generic Direct Contact Standard but also the industrial OEPA VAP Generic Direct Contact Standard. The continued and unmitigated presence of these elevated concentrations of these contaminants present and immediate risk to human health, welfare and the environment at the Site as well as in the surrounding neighborhood. Furthermore, if left unmitigated the contaminants will continue to migrate and potentially impact a wider area, specifically immediately adjacent residential properties as well as the grounds of an elementary school.

Additionally, despite the fencing and official closing of the park, the location and amenities continue to draw attention and use by the community.

B) Continued response actions are immediately required to prevent, limit, or mitigate an emergency;

The continued presence of hazardous substances at the Site constitutes an imminent threat to human health, welfare, and the environment and as such emergency and continued response actions are immediately required. Despite the park closure, the park is still accessible and is used by area residents and children resulting in potential exposures to elevated concentrations of benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd) pyrene, naphthalene, lead and arsenic in the soil.

The effects of wind and rain on the contaminated soils constitute an additional threat of release that, if left unmitigated, could impact the environment and surrounding residential neighborhoods as well as the adjacent elementary school.

As mentioned, W.C. Reed Playfields Park is a valued asset for the community and was used frequently and despite fencing and the official closing of the Park, there is evidence that the park is still used.

C) Assistance will not otherwise be provided on a timely basis;

In a letter dated January 10, 2013, The City of Cleveland requested that EPA assist the City by conducting a time-critical removal action at the WC Reed site. The City has indicated that they do not have the resources to address the contamination at the Site in a timely manner. Neither Ohio EPA nor any other local government has adequate resources to conduct a time-critical removal action of this magnitude. If the Site is left unmitigated there is will be continued risks to those in and around the park and a high potential for further migration of the contaminants into the adjacent properties and surrounding neighborhood.

VI. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions Taken

1. Action description

Anticipated removal activities on Site include, but are not limited to:

a) Develop and implement a Site Health and Safety Plan and Site Security Plan;

b) Develop and implement an Air Monitoring and Sampling Plan;

c) Develop and implement a Storm Water Pollution Prevention Plan;

d) Develop and implement a plan to allow the return of the park to recreational use. Current plans (subject to adjustment)include the following:

   a. Excavate areas and/or re-grade existing areas to prepare for the installation of a cap;
   b. Install drainage along perimeter of Site;
   c. Install marking layer/geofabric barrier over contaminated areas;
   d. Place two feet of clean fill/cap material over foot print of exposed contaminated areas;

e) Develop and implement a Sampling Plan to determine extent of contamination in surrounding residential areas;

f) Characterize, excavate, and dispose of soils and debris as/if needed;

g) Decontaminate heavy equipment as necessary, and appropriately dispose of decontamination water;

h) Site restoration, including, but not limited to grading and backfilling;

i) Take any necessary response action to address any release or threatened release of a hazardous substance, pollutant or contaminant that EPA determines may pose an imminent and substantial endangerment to the public health or the environment;

Post Removal Site Controls - The removal action will be conducted in a manner not inconsistent with the NCP. The OSC has initiated planning for provision of post-removal Site control consistent with the provisions of Section 300.415(l) of the NCP. The OSC has began to coordinate these efforts with the City of Cleveland and will be incorporated with restoration work that will be conducted by the City of Cleveland as part of the removal action.

Off-Site Rule - 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 EPA, with the EPA Off-Site Rule, 40 C.F.R. § 300.440.

2. Contribution to remedial performance:

The proposed action will not impede future actions based on available information.

3. Engineering Evaluation/Cost Analysis (EE/CA)

Not Applicable

4. Applicable or Relevant and Appropriate Requirements (ARARs)

All applicable, relevant, and appropriate requirements (ARARs) of Federal and state law will be complied with to the extent practicable considering the exigencies of the circumstances.

Federal
RCRA Subtitle C

State
On March 7, 2013, EPA asked Nancy Zikmanis of Ohio EPA via mail to identify any State of Ohio ARARs which may apply.

5. Project Schedule

The removal activities are expected to take 90 on-Site working days to complete.

6. Disproportionate Funding

The response actions described in this memorandum directly address the actual or threatened release at the Site from hazardous substances, pollutants or contaminants, which may pose an imminent and substantial endangerment to public health, welfare, or the environment. EPA does not believe that these response actions will impose a disproportionate burden on the affected property.

B. Estimated Costs

The detailed cleanup contractor cost is presented in Attachment 2 and the Independent Government Cost Estimate is presented in Attachment 3. Estimated project costs are summarized below:

REMOVAL ACTION PROJECT CEILING ESTIMATE	
Extramural Costs:	
Regional Removal Allowance Costs:	
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 of $338,249)	$2,593,239
Other Extramural Costs Not Funded from the Regional Allowance:	
Total START, including multiplier costs	$ 228,960
Total Decontamination, Analytical & Tech. Services (DATS)	$ 0
Total CLP	$ 0
Subtotal	$ 228,960
Extramural Costs Contingency (15% of Subtotal, Extramural Costs rounded to nearest thousand)	$2,822,199
TOTAL REMOVAL ACTION PROJECT CEILING	$ 423,000
	$3,245,199

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

Contamination may migrate from the Site to the adjacent residential and school properties if action is delayed or not taken. Furthermore, delayed action may increase the risk to the environment and animal populations if the hazardous substances and/or pollutants or contaminants in the surface soils are not addressed. The local human population could be exposed to the hazardous substances, pollutants or contaminants through trespass at the Site.

VIII. OUTSTANDING POLICY ISSUES

None

IX. ENFORCEMENT

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

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 $5,365,774.[1]

($3,245,199 + $75,000) + (61.61% x $3,320,199) = $5,365,774

X. RECOMMENDATION

This decision document represents the selected removal action for the WC Reed Site, located at the intersection of West 15th Street and Denison Avenue, Cleveland, Cuyahoga County, Ohio. It was developed in accordance with CERCLA, as amended, and is not inconsistent with the NCP. This decision is based upon the Administrative Record for the Site (Attachment 4). Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a removal action and I recommend your approval of the proposed removal action.

[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-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 deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

The total removal action project ceiling if approved will be $3,245,199. Of this, an estimated $3,016,239 may be used for cleanup contractor costs. You may indicate your decision by signing below.

APPROVE _____ DATE: 7/16/2013
for Director, Superfund Division

DISAPPROVE _____ DATE: _____
Director, Superfund Division

Enforcement Addendum

Figure:

A-1: Site Map
A-2: Soil Boring and Sampling Locations

Attachments

I. Detailed Cleanup Contractor Cost Estimate
II. Independent Government Cost Estimate
III. Administrative Record Index

cc: S. Fielding, U.S. EPA 5202 G (email: Sherry Fielding/DC/USEPA/US)
C. Valencia, U.S. Department of Interior, **w/o Enf. Addendum**
(email: valincia_darby@ios.doi.gov)
Scott Nally, Director, OEPA, w/o **Enf. Addendum**
(email: scott.nally@epa.state.oh.us)
Mike DeWine, Ohio Attorney General, **w/o Enf. Addendum**
(email: Mike.DeWine@ohioattorneygeneral.gov)

BCC PAGE HAS BEEN REDACTED

NOT RELEVANT TO SELECTION OF

REMOVAL ACTION

ENFORCEMENT ADDENDUM

ENFORCEMENT SENSITIVE – DO NOT RELEASE – NOT SUBJECT TO DISCOVERY – FOIA EXEMPT

W.C. REED PLAYFIELD SITE

CLEVELAND, CUYAHOGA COUNTY, OHIO

JULY 2013

NOTE: THIS ENFORCEMENT ADDENDUM ALSO SERVES AT THE PRELIMINARY POTENTIALLY RESPONSIBLE PARTY(PRP) SEARCH REPORT REQUIRED BY HEADQUARTERS TO DETERMINE IF THERE PRPS THAT ARE ABLE TO PERFORM OR FINANCE ALL OR A PORTION OF THE REMOVAL ACTION AT A SITE

HAS BEEN REDACTED

TWELVE PAGES

ENFORCEMENT SENSITIVE

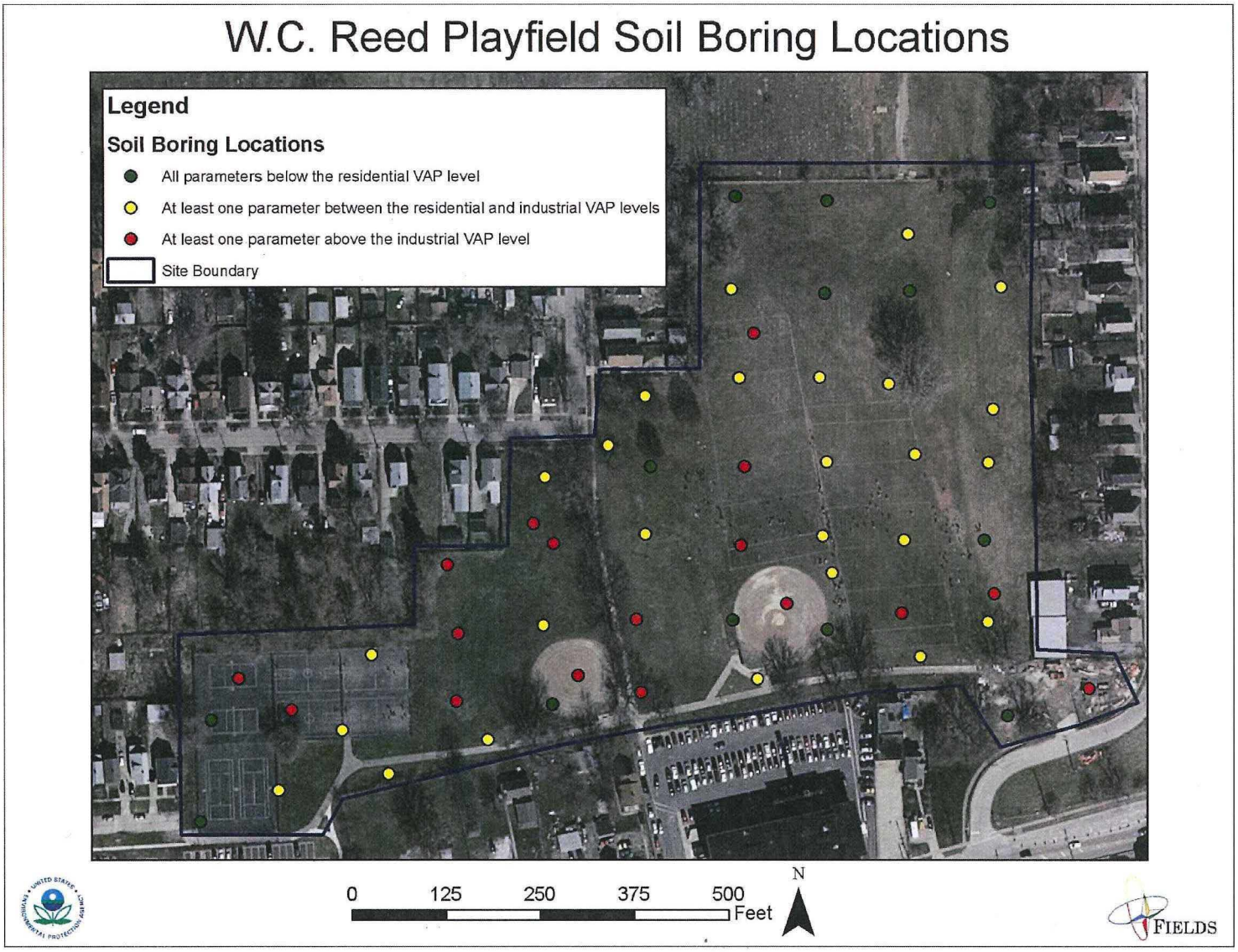
NOT APPLICABLE TO DISCOVERY

NOT RELEVANT TO SELECTION OF REMOVAL ACTION

FIGURE A-1: SITE MAP

W.C. Reed Playfield Site Map
Cleveland, Ohio

FIGURE A-2: SOIL BORING AND SAMPLING LOCATIONS



ATTACHMENT I

DETAILED CLEANUP CONTRACTOR COST ESTIMATE
W.C. REED PLAYFIELD SITE
CLEVELAND, OHIO
JUNE 2013

HAS BEEN REDACTED

ONE PAGE

ENFORCEMENT SENSITIVE

NOT APPLICABABLE TO DISCOVERY

NOT RELEVANT TO SELECTION OF REMOVAL ACTION

ATTACHMENT II

INDEPENDENT GOVERNMENT COST ESTIMATE

W.C. REED PLAYFIELD SITE

CLEVELAND, OHIO

JULY 2013

HAS BEEN REDACTED

TWO PAGES

NOT TO RELEVANT TO SELECTION OF REMOVAL ACTION

ATTACHMENT III

EJ ANALYSIS
W.C. REED PLAYFIELD SITE
CLEVELAND, OHIO
JULY 2013

An Environmental Justice (EJ) analysis for the Site was conducted. Screening of the surrounding area used Region 5's EJ Screen Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT). Region 5 has reviewed environmental and demographic data for the area surrounding the site at the intersection of W. 15th Street and Denison Avenue and determined there is a high potential for EJ concerns at this location.

ATTACHMENT IV

U.S. ENVIRONMENTAL PROTECTION AGENCY
REMOVAL ACTION

ADMINISTRATIVE RECORD
FOR
WC REED SITE
CLEVELAND, CUYAHOGA COUNTY, OHIO

ORIGINAL
March, 2013

NO.	DATE	AUTHOR	RECIPIENT	TITLE/DESCRIPTION	PAGES
1	09/00/96	ATSDR	Public	ATSDR ToxFAQs for Poly-Cyclic Aromatic Hydrocarbons (PAHs)	2
2	08/00/05	ATSDR	Public	ATSDR ToxFAQs for Naphthalene	2
3	06/10/11	USDHHS	Public	EXERPT from Report On Carcinogens-Polycyclic Aromatic Hydrocarbons	8
4	06/10/11	USDHHS	Public	EXERPT from Report On Carcinogens-Naphthalene	3
5	08/00/07	ATSDR	Public	ToxFAQs for Arsenic CAS# 7440-38-2	2
6	08/00/07	ATSDR	Public	ToxFAQs for Lead CAS# 7439-92-1	2
7	12/10/12	Partners Environmental Consulting, Inc.	City of Cleveland	Property Improvement Environmental Support Phase II Investigation & Risk Evaluation	289
8	01/10/13	Blair, M. & Funk, L. WestonSolutions	Justice, J. U.S. EPA	Remedial Options W.C. Reed Playfield Site	10
9	3/7/13	Justice, J. U.S. EPA	Zikmanis, N. Ohio EPA	Letter Request for ARARS	1
10	12/10/12	Princic, K. Ohio EPA	Justice, J. U.S. EPA	Response to Request for ARARS	55
11	03/28/13	Butler, K. Cleveland Department of Public Health	Durno, M. U.S. EPA	Request for Removal	19
12	00/00/00	Justice,J.,	Karl, R.,	Action Memorandum re:	

U.S. EPA	U.S. EPA	Request for a Time-Critical Removal Action and Exemption from the $2 Million Statutory Limit at the WC Reed Site **(PENDING)**