

NPL Partial Site Deletion Narrative

Tar Lake Mancelona Township, Michigan

On January 9, 2012, EPA deleted two parcels of the Tar Lake Superfund site from the National Priorities List (NPL). The site is located in Mancelona Township, Antrim County, Michigan. This partial deletion pertains only to the non-East Tailings Area (ETA) part of property PIN 05-11-129-006-00 and the non-ETA part of property PIN 05-11-129-007-00 and does not include the other portions of the site. The non-ETA parts of property PIN 05-11-129-006-00 and property PIN 05-11-129-007-00 consist of approximately 41.4 acres and 33.63 acres respectively. The deletion of these two parcels from the site affects all surface soils, subsurface soils, structures and groundwater within the boundaries of these parcels.

From 1882 through 1945, the Tar Lake site was the location of an iron manufacturing facility. The Antrim Iron Works Company produced iron using the charcoal production process. From approximately 1910 to 1944, a tar-like residue from the charcoal production process was discharged into a 4-acre depression located on site. Tar and water that remained in this depression are referred to as Tar Lake. Groundwater coming from the Tar Lake was determined to be contaminated with phenolic compounds as early as 1949. Tar Lake caught fire in 1969 and burned for several months before being extinguished by natural action. Ownership of the site changed several times after 1945, and in 2009 Mancelona Private Power Producers (MP3) purchased the two parcels that are the subject of this partial deletion.

The Remedial Investigation (RI) noted that groundwater sampling conducted up gradient and between the 4-acre depression and the two deleted parcels did not contain benzene, 2,4-dimethylphenol or iron above maximum contaminant levels (MCLs) or EPA risk-based levels. EPA has no further concern with groundwater beneath the non-ETA parts of properties PIN 05-11-129-006-00 or PIN 05-11-129-007-00.

The Record of Decision (ROD) for the second operable unit (OU2) was signed in February 2002 to address these unacceptable risks. Components of the selected remedy were: institutional controls (ICs), including recording legal notices on property deeds to restrict on-site land and groundwater use; and long-term monitoring to assess groundwater conditions over time. The selected remedy in the 2002 ROD did not specify any ongoing operation and maintenance on the two parcels being proposed for deletion, other than ensuring compliance with the recorded ICs and conducting monitoring to ensure groundwater is not being impacted by the benzene contaminated groundwater beneath Tar Lake.

On September 14, 2009, EPA issued an Explanation of Significant Difference (ESD) clarifying that groundwater at the site with chemical concentrations below MCLs may be used for either drinking water or non-potable purposes before the biosparge groundwater treatment cleanup is complete; provided the use of the groundwater does not negatively impact EPA's selected remedy for the site, including, but not limited to, the biosparge system and groundwater monitoring wells, or pose an unacceptable risk to human health.

EPA conducted a five-year review (FYR) of the site in 2009 and determined that the remedy selected in the 2002 ROD was protective in the short-term. The FYR did not recommend any modifications to the selected remedy for the deleted two parcels. These two deleted parcels will be reviewed during the site-wide FYR to ensure compliance with the ICs. The next FYR will be conducted in 2014.

On April 16, 2010 and June 10, 2010 MP3 recorded two Declarations of Restrictive Covenants for the non-ETA parts of PIN 05-11-129-006-00 and PIN 05-11-129-007-00, respectively. These Declarations are consistent with the land and groundwater use restrictions required in EPA's 2002 ROD and 2009 ESD. These restrictive covenants were approved by both EPA and the state before being recorded.

EPA, with concurrence of the State of Michigan, has determined that all appropriate responses under CERCLA have been completed and that no further response actions are necessary at the non-ETA parts of properties PIN 05-11-129-006-00 and PIN 05-11-129-007-00. Therefore, EPA is deleting these portions of the Tar Lake site from the NPL.