UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MEMORANDUM

REPLY TO THE ATTENTION OF:

SUBJECT: Request for Approval and Funding for a Time-Critical Removal Action at the Crest Rubber Alliance Site, Alliance, Stark County, Ohio (Site ID # C5EE)

FROM: Jeff Kimble, On-Scene Coordinator
Emergency Response Section 2

Eric Pohl, On-Scene Coordinator
Andrew Kocher, On-Scene Coordinator
Emergency Response Section 1

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

TO: Margaret M. Guerriero, Acting Director
Superfund Division

I. PURPOSE

This Action Memorandum is to document the determination of an imminent and substantial threat to human health and the environment posed by the presence, release, and threatened release of uncontrolled hazardous substances, and to request and document your approval to expend up to $1,948,333 to conduct a time-critical removal action at the Crest Rubber Alliance Site (Site) located at 633 North Union Avenue, Alliance, Ohio 44601. The proposed time-critical removal action will mitigate the threats from tanks, totes, drums, sacks, small containers, and cylinders, which were sampled and found to contain hazardous waste and pollutants and contaminants, by securing, sampling, and arranging for off-site disposal.

The response actions proposed herein are necessary in order to mitigate threats to public health, welfare, and the environment posed by the presence of uncontrolled hazardous substances at the Site. The U.S. Environmental Protection Agency (EPA) and the Ohio Environmental Protection Agency (Ohio EPA) documented the presence of hazardous substances at the Site, as defined by Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14).

The time-critical removal action proposed herein is to prepare site plans, including a Work Plan, site-specific Health and Safety Plan (HASP), and Emergency Contingency Plan; establish site security and safety, and an incident command post; inventory and perform hazard

characterization on substances contained in vats, tanks, pits, drums, sacks, and other containers; perform sampling and analysis; and transport and dispose off-site any hazardous substances, pollutants and contaminants at a CERCLA-approved disposal facility in accordance with EPA's Off-Site Rule, 40 Code of Federal Regulations (C.F.R.) § 300.440.

This Action Memorandum serves as approval for expenditures by EPA, as the lead technical agency, to take actions described herein to abate the imminent and substantial threat posed by hazardous substances and pollutants and contaminants at the Site. The proposed removal of hazardous substances would be taken pursuant to Section 104(a)(1) of CERCLA, 42 U.S.C. § 9604(a)(1), and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. § 300.415, to abate or eliminate the immediate threats posed to 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 work will require approximately 120 on-site working days to complete.

There are no nationally significant or precedent setting issues associated with the proposed response at this non-National Priorities List (NPL) Site.

II. SITE CONDITIONS AND BACKGROUND

Superfund Site ID (SSID):	C5EE
CERCLIS Number:	OHN000507025
RCRA ID:	OHR000203281
Site Address:	633 North Union Avenue, Alliance, Ohio 44601
Lat/Long:	40° 55'39.6 North, 81° 06'19.4 West
NPL Status:	Non NPL
Category:	CERCLA Time-Critical Removal

A. Site Description

The Crest Rubber Company has historically utilized buildings located on an Alliance, Ohio, property for warehousing and rubber reprocessing. The property was transferred from the Alliance Rubber Company to C. F. Capital Investment, Ltd (C. F. Capital Investment) on September 23, 1992. On July 27, 2015, both C. F. Capital Investment and Crest Rubber Company entered receivership. On November 18, 2015, the court appointed Receiver moved to abandon the Site as burdensome to the estate. On December 21, 2015, the Portage County Court of Common Pleas authorized the abandonment of the Site by the Receiver.

The Site area is approximately 3.65 acres and contains six parcels which are identified by the Stark County Assessor with Parcel Identification Numbers (PINs): 21-0400, 21-1500, 21-01400, 21-1300, 21-1200, and 21-0600. The Site contains three buildings. One building is approximately 700 square feet. The other two larger buildings have containers of hazardous substances, pollutants, or contaminants. Of the larger buildings, one is located on the southwestern portion of the site property and is approximately 27,000 square feet (Process

Building). The other larger building is located on the northeastern portion of the site property and is approximately 34,000 square feet (Warehouse).

On November 9, 2016, Ohio EPA requested assistance of the EPA in performing a potential removal action.

1. Removal Site Evaluation

On October 21, 2016, Ohio EPA performed an inspection of the Site and documented at least 500 55-gallon drums and 1,000 smaller containers of abandoned wastes. Some containers displayed labels indicative of listed hazardous wastes. Numerous containers were in poor condition and releasing their contents onto the ground.

On October 26, 2016, the City of Alliance Fire Department (AFD) requested assistance from EPA (AR #2) in conducting a hazardous mitigation and removal of unknown products, materials, and containers at the Site. AFD expressed security concerns due to the large size and poor condition of the Site and the threat of fire posed by the large fire load of stored plastics and rubber and no existing fire suppression system. The City Fire Inspector condemned the Process Building on June 7, 2016 due to the structure being unsafe and requiring major repairs – principally a collapsed roof (AR#1). The buildings lack basic utility services including electricity, heating, or water.

On November 15, 2016, Ohio EPA led a limited Site Assessment with participation from EPA, AFD, and the City of Alliance Fire Inspector. Two EPA On-Scene Coordinators (OSCs) were present on this date. Site Assessment activities included a site reconnaissance, container inventory, drum and container sampling, and photographic and written documentation of Site features. During these activities, and while entering the Warehouse and Process buildings, EPA OSCs conducted air monitoring, to assess the air in the breathing zone, using a RAE Systems MultiRAE Pro multi-gas meter equipped with sensors to detect carbon monoxide (CO), hydrogen sulfide (H_2S), flammable vapors (percent lower explosive limit, or LEL), oxygen, and volatile organic compounds (VOCs). All ambient air-monitoring levels were at or below background levels during the initial Site reconnaissance, except a slight increase of VOCs in the northeast room of the Warehouse.

The purpose of the Site Assessment was to identify and quantify containers that may be a potential threat to the public health and welfare or the environment. A small gravel area was located in the central portion of the Site separating all three buildings. The Warehouse also has a truck dock with three truck trailers located on the Site property. During the Site Assessment, it was not possible to gain access to inspect or visualize the interior of the trailers. During the assessment activities, the Site was non-operational and vacant.

Visual observation of the the Warehouse and Process Buildings by the OSCs confirms that the buildings contained numerous open and closed drums, buckets, totes, sacks, and other containers with no secondary containment. Some containers showed signs of corrosion and deterioration, which for the Process Building was possibly caused by water that had leaked through the building's damaged and leaking roof. There was evidence of many containers which had

released contents to the ground or which were open to the ambient air. Although many containers were labeled or identified with Hazardous Materials Identification System (HMIS) information, most labelling was in poor condition or illegible. It was not possible to determine if a container's contents matched information provided by labelling on the drum. Some containers also exhibited evidence of physical reactions including burst and split drums. In many interior areas of the buildings, containers were not stored safely. Labeled drums/containers were observed indicating that incompatible materials are in close proximity to one another. In some locations of the Warehouse, containers are stacked to the height of the roof (in excess of approximately 50 feet). Additionally, the Warehouse also had containers which had fallen from buckled and collapsed storage shelving. A pit in the Warehouse was observed to contain an unknown liquid or contaminants and with a metal drum floating on the surface. The Process Building also contained a pit or sump containing an unknown liquid. The doors and walls of the buildings were not secure. Broken windows were observed which could provide easy access to both the Process Building and the Warehouse. The interior of the Process Building was open to the environment in many places due to a roof collapse. A chain fence with locked gate surrounds the perimeter of the property, but the large size of the property and lack of security can allow trespassers to bypass this feature. During the joint Site Assessment, the City of Alliance Fire Inspector verbally informed EPA that he had observed a suspected serial arsonist in the vicinity of the Site in the past. The ground surface consisted of concrete, asphalt, and gravel. The Site topography is relatively flat and level.

EPA obtained an approximate inventory of storage containers located in the Warehouse and Process Building. In total, approximately 681 steel 55-gallon drums, 223 fiber drums, 34 250-gallon totes, 184 super sacks, and 218 pallets containing other smaller containers (buckets, cans, jars, and bottles less than 5 gallons in size) were identified. During the Site reconnaissance, Ohio EPA reported to EPA that the third, smallest, building on Site did not contain any containers of hazardous substances, pollutants or contaminants, but this determination was not substantiated by EPA.

Ohio EPA obtained six samples from containers located on the Site to determine if hazardous substances were present in the buildings. Samples were collected while using Level B Personal Protective Equipment (PPE). EPA OSCs were present at the time samples were collected, and monitored the performance of Ohio EPA personnel for consistency with EPA waste sampling standard practices, and the Sampling Analysis Plan for the Crest Rubber Alliance Site prepared by Ohio EPA for the sampling event. The sample identification numbers and descriptions are as follows:

- CR-01: Liquid sample from a 5-gallon metal container in the Warehouse.
- CR-02: Liquid sample from a 55-gallon metal closed-top drum in the Warehouse.
- CR-03: Liquid sample from a 55-gallon metal closed-top drum in the Warehouse; drum is corroded and in poor condition. The labeling from the drum indicated "acetone/flammable."
- CR-04: Liquid sample from a 55-gallon metal closed-top drum in the Warehouse. The drum is corroded. No labels or markings were noted on the drum.
- CR-05: Liquid sample from a 55-gallon metal closed-top drum in the Process Building. No labels or markings were noted on the drum.

- CR-06: Liquid sample from a 5-gallon metal container in the Process Building.

Based on the results of field tests and observations, the samples were analyzed using EPA SW-846 methods for a combination of the following parameters: total and toxicity characteristic leaching procedure (TCLP) volatile organic compounds (VOCs) using Method 8260B, and flashpoint/ignitability using Method 1010. The sample analysis report was provided by Ohio EPA as part of the documents included in the request for assistance transmitted to EPA on November 9, 2016.

Flashpoint/Ignitability Results

The flashpoints of Samples CR-01, CR-03, CR-04, and CR-06 were 52 degrees Celsius (°C), 0 °C, 59 °C, and 25 °C respectively. Each of these is below the ignitability criteria of 60 °C (or 140 °F)therefore the waste associated with these samples is considered hazardous for the characteristic of ignitability (D001) according to 40 C.F.R. § 261.21.

VOC Results

Benzene was measured at 1,470 micrograms per liter (µg/L) in sample CR-02; 87,100 µg/L in sample CR-03; and 46,300 µg/L in sample CR-04. The analytical results for benzene in these samples are above the toxicity characteristic, defined in 40 C.F.R. § 261.24 as 500 µg/L, meeting and exceeding the threshold value for a substance to be considered a (D018) hazardous waste.

Tetrachloroethene (tetrachloroethylene, perchloroethylene) was measured at 17,100 µg/L in sample CR-03. The analytical result for tetrachloroethene is above the toxicity characteristic defined in 40 C.F.R. § 261.24 value of 700 µg/L, meeting and exceeding the threshold value for a substance to be considered a (D039) hazardous waste. Methyl Ethyl Ketone (MEK) was also detected in sample CR-03 at 21,500 µg/L. This value is below the regulatory limit of 200 milligrams per liter (mg/L) for a substance to be considered a (D035) hazardous waste as defined by 40 C.F.R. § 261.24.

2. Physical Location

The Site is located in a mixed use industrial and residential area located at 633 North Union Avenue in Alliance, Stark County, Ohio 44601 (Attachment 4) and is adjacent to residential structures. The geographical coordinates for the site are 40° 55'39.6 North latitude, 81° 06'19.4 West longitude.

Four schools are located within 1-mile of the Site: Franklin Elementary School, Alliance Early Learning School, Northside Elementary School, and South Lincoln Elementary School. There are four parks (most with playgrounds) located within 1-mile of the Site: Thompson-Snodgrass Park, Freedom Square, Rockhill Park, and Early Hill Park. There are also numerous small businesses and houses of worship in the 1-mile radius extending from the Site, as well as an

Amtrak intercity passenger railroad station. A commercial railroad line runs adjacent to the Site. The Mahoning River is 0.30 miles from the Site.

EPA conducted an Environmental Justice (EJ) analysis for the Site (see Attachment 2). Screening of the surrounding area used Region 5's EJ Screen Tool. Region 5 has reviewed environmental and demographic data for the area surrounding the Site and has determined there is high potential for EJ concerns at this location.

3. Site Characteristics

C. F. Capital Investment is in receivership. The Receiver moved to abandon the Site in November 2015 and the Portage County Court of Common Pleas authorized the abandonment of the property in December 2015. Three buildings exist on the Site. Many containers of chemicals and rubber processing materials exist in the Process Building and the Warehouse. There are large amounts of waste rubber products in the two larger buildings. The Process Building is structurally unsound due to a collapsed roof.

EPA's proposed time-critical removal action will be the first removal at the Site.

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

A release or threat of release of hazardous substances, pollutants, and/or contaminants is present at the Site. EPA confirmed the presence of hazardous substances as defined by Section 101(14) of CERCLA including benzene, tetrachloroethylene, and characteristic hazardous waste including ignitable waste; and pollutants and contaminants as defined by Section 101(33) of CERCLA. EPA inventoried approximately 184 super sacks, 2 pits, 681 55-gallon drums, 223 fiber drums, 34 plastic totes, and numerous other containers. Some of the drums and other containers were in poor condition, leaking or without lids.

Exposure could occur from dermal contact with material in drums, pits, containers, or from leaking and spillage of hazardous substances onto the floor or other surfaces; incidental ingestion of material following dermal contact; inhalation of volatile materials in open containers; inhalation via fugitive dust generation; and inhalation of toxic vapors released into the air via fire. Potential human receptors include nearby residents, trespassers, emergency response workers, and future site workers. There was evidence of trespassing at the Site. Residential properties are adjacent to the Site.

5. NPL status

The Site is not on the NPL, and is not expected to be scored for the NPL.

6. Maps, pictures and other graphic representations

Attachment 4: Site Location Map

Attachment 5: Photo Log

B. Other Actions to Date

1. Previous actions

There have been no previous response actions at the Site. This Action Memorandum documents previous investigatory actions in the Background section.

2. Current actions

No current actions are being taken at the Site. The Site is not currently occupied.

C. State and Local Authorities' Roles

1. State and local actions to date

On October 21, 2016, the Ohio EPA conducted a hazardous waste inspection at the Site. On October 26, 2016, the AFD requested assistance from the EPA. On October 27, 2016, the Ohio EPA sent a Notice of Violation (NOV) letter to the present owner of the property. The NOV specified violations of Ohio Revised Code (ORC) § 3734.02(E) and (F) regarding waste accumulation beyond 180 days and Ohio Administrative Code (OAC) Rule 3745-52-11 regarding the requirement for a waste generator to determine if that waste is a hazardous waste. On November 9, 2016, Ohio EPA requested assistance from US EPA to perform a time-critical removal action at the Site (AR #3). On November 15, 2016, Ohio EPA and EPA conducted an inspection and site assessment of the Site.

2. Potential for continued State/local response

The State and Local governments do not have the resources to mitigate the threat of a release.

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

Existing conditions at the 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 National Contingency Plan (NCP), 40 C.F.R. § 300.415(b)(2). These criteria include, but are not limited to, the following:

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

Hazardous substances, pollutants, and contaminants are present in drums, pits, and other containers. Hazardous substances represent an actual or potential exposure threat to nearby human populations. Possible exposure routes for hazardous substances include dermal contact with material in drums and containers, or from leaking and spillage of hazardous substances onto

the floor or other surfaces; incidental ingestion of material following dermal contact; inhalation of volatile materials in open containers; inhalation via fugitive dust generation; and inhalation of toxic vapors released into the air via fire. Potential human receptors include trespassers, emergency response workers, and nearby residents. Graffiti, gaps in the fence and broken windows showed evidence of trespassing at the Site. Residential properties are located adjacent to the Site.

Labeled materials included acids, caustics, volatile organics, reactive compounds, and peroxides. Analytical results from the Site Assessment indicate that hazardous substances, as defined by CERCLA § 101(14), pollutants, and contaminants are present at the Site and represent an actual or potential exposure threat to nearby human populations. These included ignitable hazardous waste.

Information on toxicological effects of these hazardous substances, pollutants, and contaminants is listed below and referenced in the Administrative Record (Attachment I).

Benzene:

Breathing very high levels of benzene can result in death, while high levels can cause drowsiness, dizziness, rapid heart rate, headaches, tremors, confusion, and unconsciousness. Eating or drinking foods containing high levels of benzene can cause vomiting, irritation of the stomach, dizziness, sleepiness, convulsions, rapid heart rate, and death.

The major effect of benzene from long-term exposure is on the blood. Benzene causes harmful effects on the bone marrow and can cause a decrease in red blood cells leading to anemia. It can also cause excessive bleeding and can affect the immune system, increasing the chance for infection.

Long-term exposure to high levels of benzene in the air can cause leukemia, particularly acute myelogenous leukemia, often referred to as AML. This is a cancer of the blood-forming organs. The Department of Health and Human Services (DHHS) has determined that benzene is a known carcinogen. The International Agency for Research on Cancer (IARC) and the EPA have determined that benzene is carcinogenic to humans.

Tetrachloroethylene:

High concentrations of tetrachloroethylene can cause dizziness, headaches, sleepiness, confusion, nausea, impaired motor function, and death. DHHS has determined that tetrachloroethylene may reasonably be anticipated to be a carcinogen

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

During the Site Assessment, hazardous substances, or pollutants or contaminants were documented in approximately 681 steel 55-gallon drums, 2 pits, 223 fiber drums, 34 250-gallon totes, 184 super sacks, and 218 pallets containing other smaller containers (buckets, cans, jars, and bottles less than 5 gallons in size) inside the buildings. The Site is non-operational and vacant; however, chemicals are still present. Several containers showed signs of deterioration and/or corrosion. Evidence of former releases including staining and bulk chemicals present on

the ground were observed throughout the buildings. Five of the six samples collected during the Site Assessment contained hazardous wastes. There is a very high potential of a release of hazardous substances from the drums and other bulk storage containers, particularly where containers are stored in an unsafe or precarious manner.

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

The Site is no longer occupied and is no longer maintained. The buildings are in poor condition, including a roof collapse in one building. The buildings likely will continue to deteriorate. Several containers and drums were observed stored outdoors. A collapsed roof was observed at the Process Building. The roof collapse will continue to allow snow, rain, and other precipitation access the interior of the building. Precipitation that enters the building through this and other ingress points can overfill open totes and other containers and release their contents, as well as wash existing spills throughout the building and beyond through floor drains and other migration routes. There is a high possibility that water-reactive chemicals exist on the Site.

Rainwater could affect the contents of the drums and cause them to overflow onto the ground and surrounding environment. Water accumulation may also cause or accelerate the corrosion of the metal containers and weaken their structure, which may lead to a release of their contents. EPA OSCs documented some drums being stored outside the buildings where a directly release to the ground and migration through rainwater is a possibility. During cold weather, freeze/thaw cycles can stress the drums and could potentially cause them to rupture or burst.

300.415(b)(2)(vi) Threat of fire or explosion

The threat of fire or explosion at the Site is high based on the flammable or reactive nature of some of the wastes located at the Site, and because the Site buildings are unoccupied and unsecured. During the Site Assessment, four samples exhibited the characteristic of ignitibility. If incompatible materials were to come in contact with each other, an exothermic chemical reaction could occur. Many other containers, which were not sampled, had HMIS labelling which indicated combustibility, flammability or ignitability. In addition, the storage of potentially incompatible chemicals without secondary containment could result in an unintentional fire caused by the interaction of the contents from deteriorating containers. One 55-gallon steel drum displayed a label which indicated the presence of spontaneously combustible substances.

The Site is without a fire suppression system. In addition, on November 15, 2016, the City of Alliance Fire Inspector verbally informed EPA that he had observed a known arsonist to be in close proximity of the Site. The enormous quantities of rubber, rubber products, and rubber waste also stored in the building demonstrates the large fire load contained within the Site. If a fire were to start in the buildings, the rubber materials could feed the fire and cause a large conflagration affecting most of the materials within the buildings.

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

On October 26, 2016, the AFD requested assistance from EPA. On November 9, 2016, Ohio EPA requested assistance from EPA. Neither the City of Alliance nor the State of Ohio have the resources to immediately mitigate the threat of release.

IV. ENDANGERMENT DETERMINATION

Given the Site conditions, the nature of the known and suspected hazardous substances on Site, and the potential exposure pathways described in Sections II and III above, actual or threatened releases of hazardous substances 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, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The response actions described in this memorandum directly address actual or potential releases of hazardous substances on Site, which may pose an imminent and substantial endangerment to public health, or welfare, or the environment. These response actions do not impose a burden on the affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

Removal activities on Site will include:

a) Develop and implement a Site-specific Health and Safety Plan, including an Air Monitoring Plan, and a Site Emergency Contingency Plan;

b) Develop and implement a Site Work Plan and Site Security Plan;

c) Secure, stabilize, or demolish building structures to protect the health and safety of employees, workers, contractors, and others working on behalf of EPA;

d) Inventory and perform hazard characterization on all substances contained in drums, pits, tanks, and other containers;

e) Perform sampling and analysis;

f) Secure, characterize, remove, transport and properly dispose of the drums, containerized wastes, spilled waste materials, associated contaminated soil if future sampling reveals contaminated soils, hazardous debris, hazardous

substances, pollutants and contaminants located at the Site, in accordance with EPA's Off-Site Rule (40 C.F.R. § 300.440); and

g) Take any other response actions to address any release or threatened release of a hazardous substance, pollutant or contaminant that the EPA On-Scene Coordinator (OSC) determines may pose an imminent and substantial endangerment to the public health or the environment.

All hazardous substances, pollutants, and/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.

The removal action will be conducted in a manner not inconsistent with the NCP. The OSC has initiated planning for provisions of post-removal Site control consistent with the provisions of 40 C.F.R. § 300.415(l). Elimination of all threats presented hazardous substances in the buildings is, however, expected to eliminate the need for post-removal Site controls.

2. Contribution to remedial performance:

The proposed action will not impede future actions based on available information. The proposed actions will, to the extent practicable, contribute to the efficient performance of any long-term remedial action with respect to the release or threatened release concerned. However, this action is anticipated to eliminate the need for any significant post removal control requirements.

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

Not Applicable

4. Applicable or relevant and appropriate requirements (ARARs)

EPA will comply with all applicable or relevant and appropriate requirements (ARARs) of Federal and State law to the extent practicable considering the exigencies of the circumstances.

State: An OSC sent an email on January 9, 2016, to Frank Zingales at the Ohio EPA requesting the identification of any applicable state ARARs (AR #4). Ohio EPA identified the following ARARs in a letter email dated January 11, 2017. The State identified the following ARARs:

1. Chapter 3734 of the ORC - Solid and Hazardous Waste. In particular, ORC § 3734.03 prohibits open dumping of solid waste.

2. Chapter 3745 of the OAC. In particular, these include the general facility standards found in OAC Chapters 3745-54 and 3745-55, including the closure (decontamination/remediation) of all areas where hazardous waste was managed pursuant to OAC Rules 3745-55-10 through 3745-55-20, 3745-55-78, 3745-55-97

and corrective action pursuant to Ohio law. In addition, OAC Rule 3745-3-04 prohibits discharges and OAC Rule 3745-17-08 restricts fugitive dust.

3. Chapter 6111 of the OAC -Water Pollution Control. In particular, ORC § 6111.04 prohibits water pollution.

Federal: The OSC identified the following primary federal ARARs:

1. Hazardous substances, pollutants or contaminants removed off-site pursuant to this emergency response action for treatment, storage and disposal shall be treated, stored, or disposed at a facility in compliance, as determined by EPA, with the EPA Off-Site Rule, 40 C.F.R. § 300.440.

2. Subtitle D of the Resource Conservation and Recovery Act (RCRA), Sections 1008 and Section 4001, 42 U.S.C. § 6901, et seq., regulates the management of nonhazardous solid waste.

3. 49 U.S.C. § 5101, et seq. regulates the transportation of hazardous waste and hazardous substances by aircraft, railcars, vessels, and motor vehicles to or from a site.

4. 29 C.F.R. § 1910 promulgates occupational safety and health standards for hazardous waste operations and emergency response. It regulates cleanup operations at uncontrolled hazardous waste sites.

5. Project Schedule

The proposed activities listed in Section V of this memorandum will require an estimated 120 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 of 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.

Estimated Costs

The Detailed cleanup contractor cost is presented in Attachment 6 and the Independent Government Cost Estimate is presented in Attachment 3; estimated costs are summarized below:

REMOVAL ACTION PROJECT CEILING ESTIMATE	
Extramural Costs:	
Regional Removal Allowance Costs:	
Cleanup Contractor Costs	$1,524,812

Other Extramural Costs Not Funded from the Regional Allowance:	
Total START	$166,400
Total USCG	$80,000
Subtotal	$1,771,212
Costs Contingency (10% of Subtotal)	$177,121
TOTAL REMOVAL ACTION PROJECT CEILING	$1,948,333

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

Given the Site conditions, the nature of the hazardous substances and pollutants or contaminants documented on Site, and the potential exposure pathways to nearby populations described in Sections II, III and IV above, actual or threatened release of hazardous substances and pollutants or contaminants from the Site, failing to take or delaying action may present an imminent and substantial endangerment to public health, welfare, or the environment by increasing the potential that hazardous substances will be released, thereby threatening the adjacent population and the environment.

VII. OUTSTANDING POLICY ISSUES

None

VIII. 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 $3,427,613[1].

($1,948,333 + $168,000) + (61.96% x $2,116,333) = $3,427,613

IX. RECOMMENDATION

[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.

This decision document represents the selected removal action for the Crest Rubber Alliance Site, Alliance, Stark County, Ohio developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. This decision is based on the administrative record for the Site (Attachment 1).

Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a removal, and I recommend your approval of the removal action proposed in this Action Memorandum. The total project ceiling, if approved, will be $1,948,333, of which, as much as $1,701,933 may be used from the Regional removal allowance. I recommend your approval of the proposed removal action. You may indicate your decision by signing below.

Approve: _____ 3/30/2017
Acting Director, Superfund Division — Date

Disapprove: _____ _____
Acting Director, Superfund Division — Date

Enforcement Addendum

Attachments
1. Administrative Record Index
2. Region 5 EJ Analysis
3. Independent Government Cost Estimate
4. Site Location Map
5. Photo Log
6. Detailed Cleanup Contractor Costs

cc: B. Schlieger, U.S. EPA 5202G, (Email: Schlieger.Brian@epa.gov)
L. Nelson, U.S. Department of Interior, **w/o Enf. Addendum**
(Email: valincia_darby@ios.doi.gov)
Craig Butler, Director, Ohio EPA **w/o Enf. Addendum**
(Email: craig.butler@epa.state.oh.us)
Mike DeWine, Ohio Attorney General **w/o Enf. Addendum**
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BCC PAGE HAS BEEN REDACTED

NOT RELEVANT TO SELECTION

OF REMOVAL ACTION

ENFORCEMENT ADDENDUM

HAS BEEN REDACTED – EIGHT

PAGES

ENFORCEMENT CONFIDENTIAL

NOT SUBJECT TO DISCOVERY FOIA

EXEMPT

NOT RELEVANT TO SELECTION OF

REMOVAL ACTION

ATTACHMENT 1

U.S. ENVIRONMENTAL PROTECTION AGENCY
REMOVAL ACTION

ADMINISTRATIVE RECORD
FOR
CREST RUBBER ALLIANCE SITE
ALLIANCE, STARK COUNTY, OHIO

ORIGINAL
MARCH 2017

NO.	SEMS ID	DATE	AUTHOR	RECIPIENT	TITLE/DESCRIPTION	PAGES
1	931231	8/10/11	Alliance Fire Department	File	Violation Notice with Case Files	12
2	931230	10/26/16	Hunt, J., Alliance Fire Department	Augustyn, J., U.S. EPA	Letter re: Request for U.S. EPA Assistance	16
3	931232	11/9/16	Butler, C., OEPA	Augustyn, J., U.S. EPA	Letter re: Time Critical Removal Request (with Attachments)	129
4	931226	1/11/17	Zingales, F., OEPA	Kocher, A., U.S. EPA	Email re: Crest Rubber Alliance ARARs Request	2
5	-	-	Kimble, J.., U.S. EPA	Guerriero, M.., U.S. EPA	Action Memorandum re: Request for a Time-Critical Removal Action at the Crest Rubber Alliance Site (***PENDING***)	-

ATTACHMENT 2

ENVIRONMENTAL JUSTICE ANALYSIS
FOR
CREST RUBBER ALLIANCE SITE
ALLIANCE, OHIO
MARCH 2017

EJSCREEN Report (Version 2016)

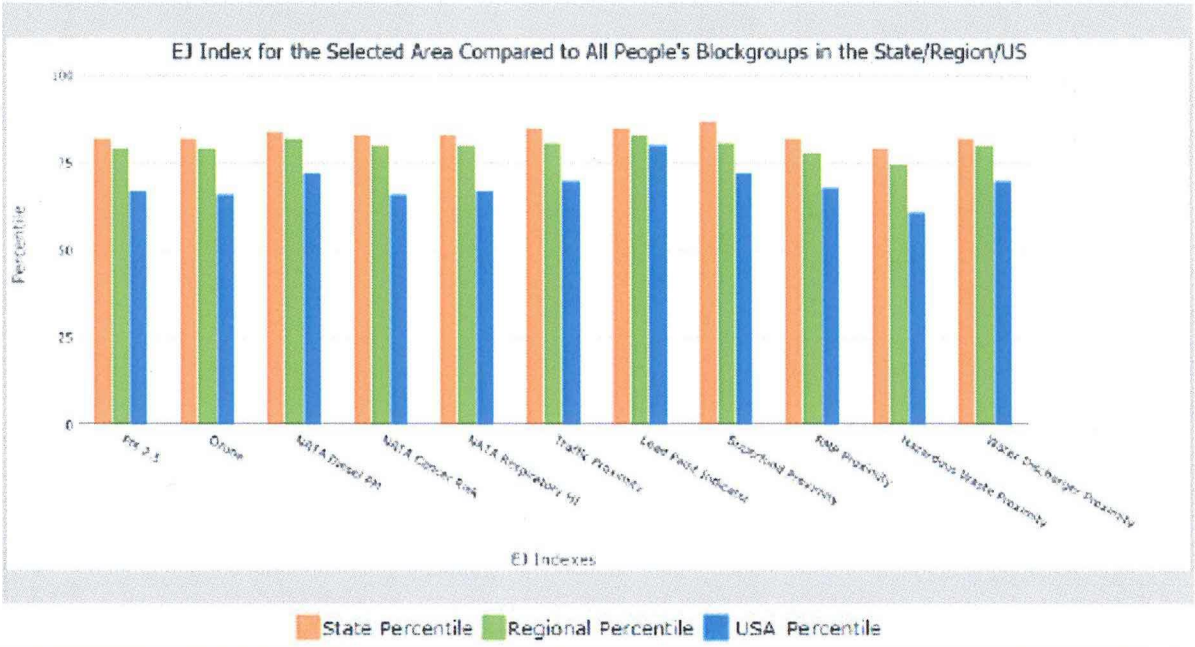
1 mile Ring Centered at 40.927696,-81.105843, OHIO, EPA Region 5

Approximate Population: 8,442

Input Area (sq. miles): 3.14

Crest Rubber Alliance Site

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	82	79	67
EJ Index for Ozone	82	79	66
EJ Index for NATA* Diesel PM	84	82	72
EJ Index for NATA* Air Toxics Cancer Risk	83	80	66
EJ Index for NATA* Respiratory Hazard Index	83	80	67
EJ Index for Traffic Proximity and Volume	85	81	70
EJ Index for Lead Paint Indicator	85	83	80
EJ Index for Superfund Proximity	87	81	72
EJ Index for RMP Proximity	82	78	68
EJ Index for Hazardous Waste Proximity*	79	75	61
EJ Index for Water Discharger Proximity	82	80	70



This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

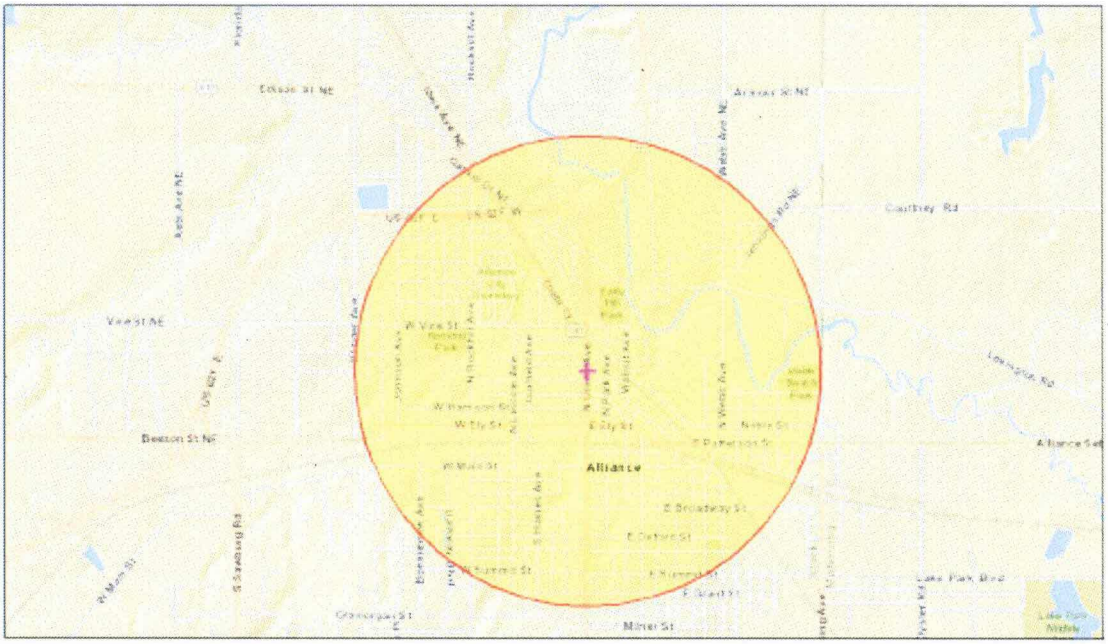
EJSCREEN Report (Version 2016)

1 mile Ring Centered at 40.927696,-81.105843, OHIO, EPA Region 5

Approximate Population: 8,442

Input Area (sq. miles): 3.14

Crest Rubber Alliance Site



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0
National Pollutant Discharge Elimination System (NPDES)	0

EJSCREEN Report (Version 2016)

1 mile Ring Centered at 40.927696,-81.105843, OHIO, EPA Region 5

Approximate Population: 8,442

Input Area (sq. miles): 3.14

Crest Rubber Alliance Site

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in µg/m³)	11.4	11.3	54	10.6	75	9.32	90
Ozone (ppb)	50.7	52.8	20	50.3	52	47.4	66
NATA* Diesel PM (µg/m³)	1.46	0.995	83	0.931	80-90th	0.937	80-90th
NATA* Cancer Risk (lifetime risk per million)	43	37	79	34	80-90th	40	60-70th
NATA* Respiratory Hazard Index	2.1	1.8	69	1.7	70-80th	1.8	70-80th
Traffic Proximity and Volume (daily traffic count/distance to road)	88	170	64	370	52	590	49
Lead Paint Indicator (% Pre-1960 Housing)	0.75	0.42	83	0.39	83	0.3	89
Superfund Proximity (site count/km distance)	0.09	0.091	72	0.12	67	0.13	63
RMP Proximity (facility count/km distance)	0.29	0.44	63	0.51	58	0.43	65
Hazardous Waste Proximity+ (facility count/km distance)	0.036	0.1	29	0.11	26	0.11	22
Water Discharger Proximity (facility count/km distance)	0.29	0.33	66	0.31	70	0.31	73
Demographic Indicators							
Demographic Index	43%	27%	82	29%	79	36%	67
Minority Population	20%	19%	70	24%	62	37%	40
Low Income Population	67%	34%	90	33%	91	35%	90
Linguistically Isolated Population	0%	1%	68	2%	58	5%	44
Population With Less Than High School Education	19%	11%	82	11%	83	14%	73
Population Under 5 years of age	7%	6%	61	6%	60	6%	57
Population over 64 years of age	13%	15%	44	14%	48	14%	52

* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: https://www.epa.gov/national-air-toxics-assessment.

+ The hazardous waste environmental indicator and the corresponding EJ index will appear as N/A if there are no hazardous waste facilities within 50 km of a selected location.

For additional information, see: www.epa.gov/environmentaljustice

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

ATTACHMENT 3

INDEPENDENT GOVERNMENT COST ESTIMATE

HAS BEEN REDACTED – THREE PAGES

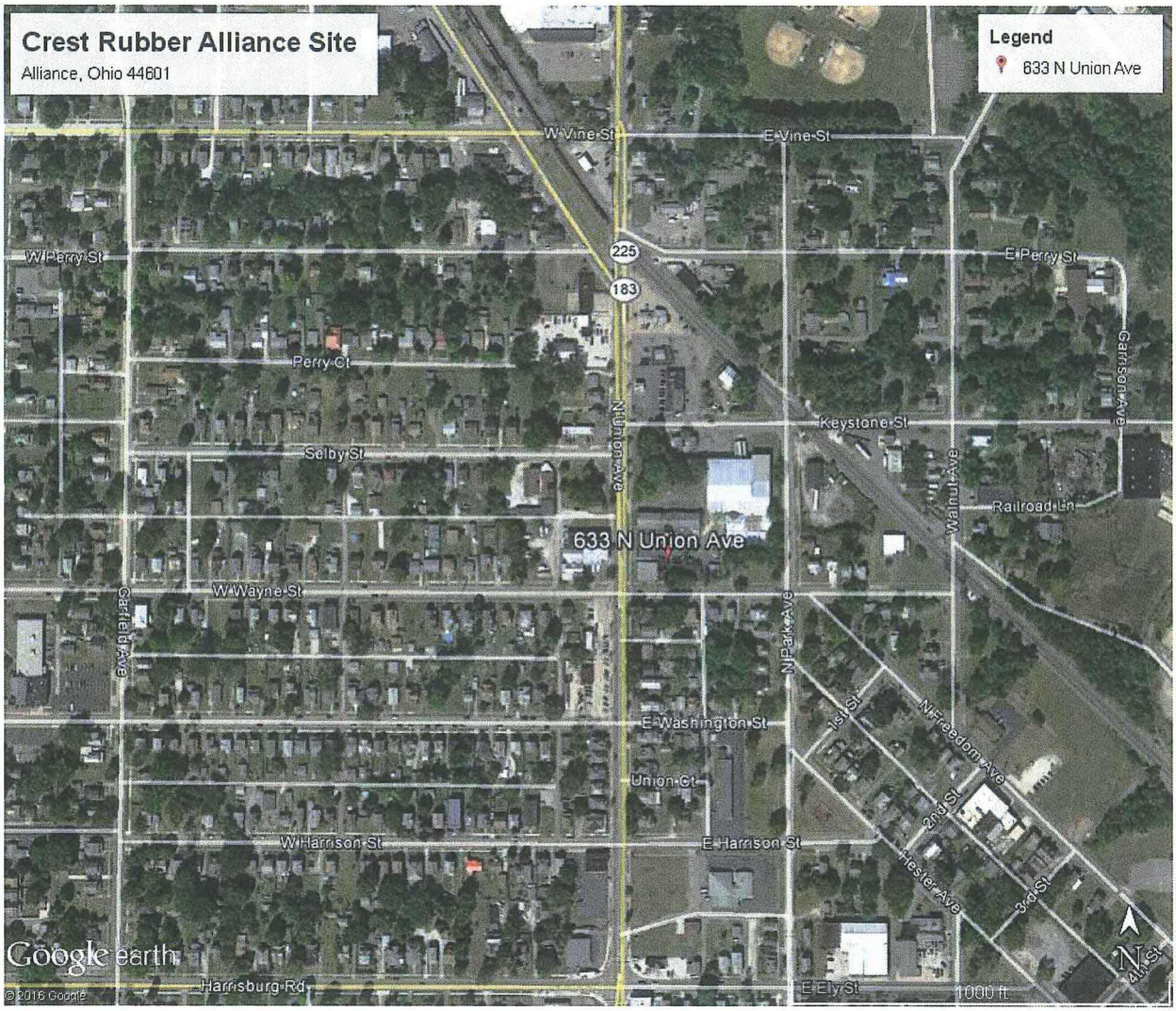
NOT RELEVANT TO SELECTION

OF REMOVAL ACTION

ATTACHMENT 4
SITE LOCATION MAP

CREST RUBBER ALLIANCE SITE

ALLIANCE, OH
MARCH 2017



ATTACHMENT 5
PHOTO LOG

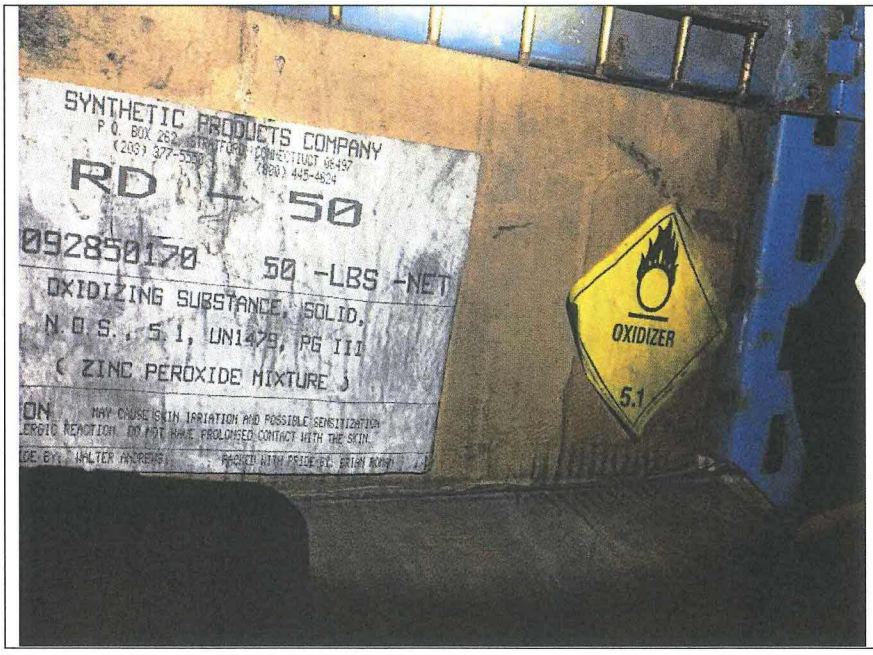
Number	1
Description	Crest Rubber Alliance
Photographer	U.S. EPA
Date	11/15/2016

Number	2
Description	Broken Windows / Access
Photographer	U.S. EPA
Date	11/15/2016

Number	3
Description	Collapsed Roof
Photographer	U.S. EPA
Date	11/15/2016

Number	4
Description	Bulging Drums
Photographer	U.S. EPA
Date	11/15/2016

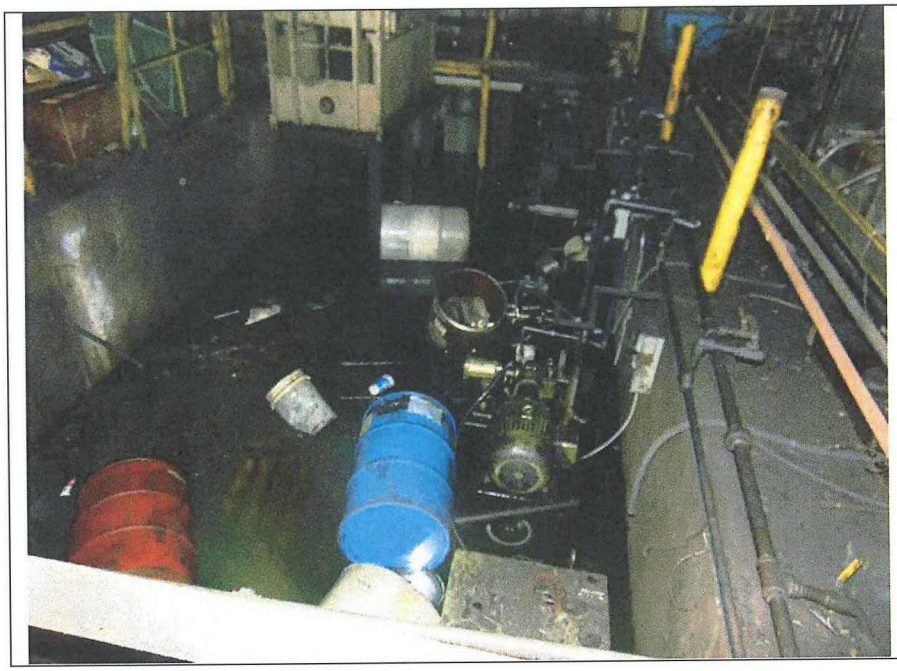
Number	5
Description	Inappropriate Waste Containers
Photographer	U.S. EPA
Date	11/15/2016



Number	6
Description	Oxidizer
Photographer	U.S. EPA
Date	11/15/2016

Number	7
Description	Spilled Waste Material
Photographer	U.S. EPA
Date	11/15/2016

Number	8
Description	Drums
Photographer	U.S. EPA
Date	11/15/2016



Number	9
Description	Waste Pit
Photographer	Alliance Fire Dept.
Date	N/A

Number	10
Description	Toppled Over Drums
Photographer	Alliance Fire Dept.
Date	N/A

Number	11
Description	Drum label "Metyl Ethyl Ketone"
Photographer	Alliance Fire Dept.
Date	N/A

Number	12
Description	Super sacks and waste rubber
Photographer	Alliance Fire Dept.
Date	N/A

ATTACHMENT 6

DETAILED CLEANUP CONTRACTOR ESTIMATE

HAS BEEN REDACTED – ONE PAGE

NOT RELEVANT TO SELECTION

OF REMOVAL ACTION