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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

DATE: FEB 04 2003

SUBJECT: Request for a Time-Critical Removal Action at the Ford City Burn Dump Site, Ford City, Kern County, California

FROM: Hedy Ficklin, On-Scene Coordinator *Hedy Ficklin*
Emergency Response Section (SFD-9-2)

TO: Daniel Meer, Chief
Response, Planning & Assessment Branch (SFD-9)

THRU: Peter Guria, Chief *P. Guria*
Emergency Response Section (SFD-9-2)

I. PURPOSE

The purpose of this Action Memo is to obtain your approval to expend up to \$1,455,600.00 to mitigate threats to human health and the environment posed by the presence of uncontrolled hazardous substances (lead and dioxin) contained in burn ash and soil at the Ford City Burn Dump Site ("the Site"), located in Ford City, an unincorporated community outside of Taft, Kern County, California.

II. SITE CONDITIONS AND BACKGROUND

Site Status: Non-National Priority List (NPL)
Category of Removal: Time-Critical
SITE ID: 09KE CAN000905955

A. Site Description

1. Physical Location

The Site is a two-block area encompassed by Ash, Birch, Jackson, and Monroe Streets in the unincorporated townsite of Ford City near Taft in Kern County, California.

2. Site characteristics

The site encompasses private residences adjacent to a former itinerant burn

dump (burn ash from private home incinerators was dumped there) operated independent of county government at drill site 26 on Naval Petroleum Reserve (NPR) #2, from about the 1930s to 1950s. One of several NPR drill sites established in 1912 by the Navy, it is now owned by U.S. Department of Energy (DOE) (Figures 1 through 4). The exact period of operation, responsible party, and geographic origin of wastes relating to the site remain unknown. In 1997, DOE conducted cleanup of burn ash on NPR#2 drill site 26, but not on adjacent land.

Within the site there are ten private homes, county sidewalks, and alley easements which contain an estimated 3000 cubic yards (cy) of burn ash and soil contaminated with lead and dioxin. The proposed response area surrounds but does not include NPR#2 drill site 26.

3. Removal site evaluation

On January 21, 2003 On-Scene Coordinator (OSC) Hedy Johnson Ficklin, accompanied by a Superfund Technical Assistance and Response Team (START) representative and an Emergency and Rapid Response Services (ERRS) representative, performed a site walk with a California State Department of Toxic Substances Control (DTSC) representative. In June and September of 2002 DTSC had sampled the soil at home sites, unpaved sidewalks, and county easements within the area. Their sampling results revealed soil contaminated with lead and dioxin above Region 9 Preliminary Remediation Goals (PRG) (Figure 5 and Table 1). Most of the contaminated yards and sidewalks are unpaved. Bare soil underneath homes is also accessible to residents. Most of the homes were built elsewhere and moved to the site. They have no foundations and are supported by posts, with crawl spaces open to the yards. The terrain is flat. Residual burn ash is visible on some of the site. Measurement of the site by EPA's ERRS contractor estimated there to be 3,000 cubic yards of contaminated soil and ash. As the removal is beyond the State's budget, DTSC has requested EPA to assume the lead at the site. EPA did not collect additional samples during the site walk.

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

Levels of lead and dioxin in the soil and ash on and around private residences adjacent to a former burn dump constitute a release of hazardous substances to the environment. Lead was found in soil at concentrations up to 14,200 milligrams per kilogram (mg/kg). The Region 9 residential preliminary remediation goal (PRG) is 400 mg/kg. Dioxin was found in soil at concentrations up to 21.4 pg/g (picograms per gram) total equivalent (TEQ). Although the Region 9 residential PRG is 3.8 pg/g, the current cleanup level set by the Office of Solid Waste and Emergency Response (OSWER) is one microgram per gram (ug/g) in residential soil.

5. NPL status

This site is not on the NPL.

B. Other Actions to Date

In 1997, DOE conducted a cleanup action on NPR#2 drill site 26, which is two vacant lots fenced off from public access, and is located in the middle of a residential neighborhood. No sampling or remediation was conducted outside the site. No confirmation sampling was conducted after the cleanup.

C. State and Local Authorities's Roles

1. State and local actions to date

In 1998, the State of California Integrated Waste Management Board (IWMB) conducted a site investigation at the request of the Kern County Environmental Health Department. They sampled the area to the South of Birch Street between Jackson and Monroe, immediately adjacent to NPR #2 drill site 26. Soil samples at several locations had lead concentrations exceeding the California Total Threshold Limit Concentration and were therefore considered hazardous waste under California Title 22. The IWMB referred the site to DTSC as one of several burn dumps in California in need of remediation.

In June and September of 2002, DTSC sampled the area previously investigated by IWMB and the area encompassed by Ash, Birch, Jackson, and Monroe Streets. Their sampling results indicated that residual contamination from the burn dump exists on ten private residences in the neighborhood as well as sidewalks and alleys. In January of 2003, DTSC referred the site to US EPA.

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

A. Threats to Public Health, or Welfare or the Environment

Conditions at the Ford City Burn Dump Site present a release, and potential threat of release, of a CERCLA hazardous substance threatening to public health, or welfare, or the environment based upon the factors set forth in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR § 300.415(b)(2). These factors include:

1. Actual or potential exposure to hazardous substances or pollutants or contaminants by nearby populations or the food chain

Lead and dioxin have been found in on site soils at levels exceeding Region 9 PRGs. Families occupy the homes on site, and unpaved conditions could lead to off-site migration of hazardous substances.

Short term exposure to lead can cause reversible kidney damage, but prolonged exposure at high concentrations may result in progressive kidney damage and failure. Anemia, due to the inhibition of hemoglobin synthesis and a reduction in the life span of red blood cells, is an early manifestation of lead poisoning. The most serious effects associated with markedly elevated blood lead levels are severe neurotoxic effects that include irreversible brain damage.

Although dioxin found at the site exceeds the Region 9 PRG of 3.8 pg/g TEQ, the current OSWER policy on cleanup of dioxin in residential soil sets the cleanup level at 1 ug/g.

2. Actual or potential contamination of drinking water supplies

None identified to date.

3. High levels of hazardous substances or pollutants or contaminants in soils at or near the surface, that may migrate

Lead and dioxin have been found in on site soils at levels exceeding Region 9 PRGs. Families occupy the homes on site, and unpaved conditions could lead to off-site migration of hazardous substances.

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

The site is located in the Central Valley of California. Weather conditions include heavy winds that may cause contaminated soil particles to become airborne. Rainfall could lead to surface runoff of hazardous substances resulting in off-site migration of contaminants.

5. Availability of other appropriate Federal or State response mechanisms to respond to the release

Kern County, IWMB, and DTSC do not have the necessary resources to address necessary response actions. DTSC will assist EPA in the temporary relocation of residents during the response and with disposal of contaminated soil.

B. Threats to the Environment

Threats to environmental receptors have not been identified.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from this site, if not

addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

EPA proposes to excavate contaminated soil and ash in the yards of ten residences and along unpaved portions of sidewalks and alley easements. Soil under residences will also be removed. Confirmation sampling will be performed on all excavations, the excavations backfilled with clean soil and any removed vegetation restored or replaced. During the excavation air monitoring for particulates and lead will be conducted.

DTSC has agreed to provide funds for relocation of residents during the excavation at their homes.

2. Contribution to remedial performance

Not applicable at this time.

3. Description of alternative technologies

Alternative technologies have not been considered.

4. Applicable or relevant and appropriate requirements (ARARs)

Section 300.415(l) of the NCP provides that removal actions must attain ARARs to the extent practicable, considering the exigencies of the situation.

Section 300.5 of the NCP defines applicable requirements as cleanup standards, standards of control, and other substantive environmental protection requirements, criteria or limitations promulgated under Federal environmental or State environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location or other circumstances at a CERCLA site.

Section 300.5 of the NCP defines relevant and appropriate requirements as cleanup standards, standards of control and other substantive requirements, criteria, or limitations promulgated under Federal environmental or State environmental or facility siting laws that, while not "applicable" to a hazardous substance, pollutant, or contaminant, remedial action, location, or other circumstances at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA

site and are well-suited to the particular site.

Because CERCLA on-site response actions do not require permitting, only substantive requirements are considered as possible ARARs. Administrative requirements such as approval of, or consultation with administrative bodies, issuance of permits, documentation, reporting, record keeping, and enforcement are not ARARs for the CERCLA sections confined to the site.

Only those State standards that are identified by a State in a timely manner and are more stringent than Federal requirements may be applicable or relevant and appropriate. The State has not identified State ARARs at this time.

The following ARARs have been identified for the proposed response action. All can be attained.

Federal ARARs: Potential Federal ARARs are the RCRA Land Disposal Restrictions (LDRs) 40 CFR 268.40 Subpart D implemented through Title 22 Section 66268.40; the CERCLA Off-Site Disposal Rule OSWER Directive 9347.3-8FS; and the U.S. Department of Transportation of Hazardous Materials Regulations 49 CFR Part 171, 172 and 173.

State ARARs: None identified at this time.

5. Project schedule

The removal action is estimated to require approximately 90 on-site days to complete.

B. Estimated Costs

Regional Removal Allowance Costs

Cleanup Contractor	\$1,000,500
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Extramural Costs Not Funded from the Regional Allowance

START Contractor	<u>100,000</u>
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Extramural Subtotal	\$1,100,500
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Extramural Contingency (20%)	<u>\$ 220,100</u>
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TOTAL, Removal Action Project Ceiling \$1,320,600

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

Given the site conditions, the nature of the hazardous substances documented on site, and the potential exposure pathways to nearby populations described in Sections III and IV above, actual or threatened releases of hazardous substances from the Ford City Burn Dump 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.

VII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues.

VIII. ENFORCEMENT

Please see the attached Confidential Enforcement Addendum.

A. Estimated Removal Action Costs¹

Intramural Costs

U.S. EPA Direct Costs	\$100,000
U.S. EPA Indirect Costs	\$ 35,000


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 \$1,455,600.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Ford City Burn Dump Site, Ford City, Kern County, California developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site.

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 costs from this estimate will affect the United States' right to cost recovery.

Because conditions at the site meet the NCP criteria for a time-critical removal, I recommend you concur on the removal action proposed in this Action Memorandum. The total project ceiling if approved will be \$1,455,600, of which an estimated \$1,000,500 comes from the Regional removal allowance. You may indicate your decision by signing below.

Approve:  4 Feb 2003
Daniel Meer, Chief Date
Response, Planning and Assessment Branch

Disapprove: _____
Daniel Meer, Chief Date
Response, Planning and Assessment Branch

Enforcement Addendum

Attachments:

- Administrative Record (AR) Index
- Detailed cleanup contractor costs
- State of California Request for Federal Action

Figures:

1. Site Location
2. Location Map
3. Parcel Map
4. Area Map With DTSC Sampling Locations
5. Typical Home Site

Tables:

1. DTSC Sampling Results, September 24, 2002

cc: M. Pixton, DTSC
K. Mould, OERR, HQ
P. Port, DOI
Site File
H. Ficklin, SFD-9-2
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