

**U.S. ENVIRONMENTAL PROTECTION AGENCY
\$250,000 EMERGENCY ACTION MEMO / INITIAL POLLUTION REPORT**

SITE: <u>BCX Facility</u>
BREAK: <u>2.9</u>
OTHER: _____

Date: June 21, 2004

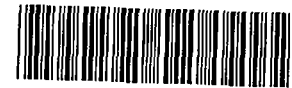
Subject: BCX Tank Site
Jacksonville, Duval County, Florida

From: Terry Stilman, OSC
Emergency Response and Removal Branch

To: Regional Response Center, 4WD-ERRB
Shane Hitchcock, ERRB
Matt Taylor, ERRB
FDEP

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I. PURPOSE

The purpose of this document is twofold. First, it documents the decision to initiate emergency response actions described herein for the BCX Tank Site located in Jacksonville, Duval County, Florida under the OSC's \$250,000 authority. Second, it serves as the Initial Pollution Report (POLREP #1) for the Site.

II. BACKGROUND

Site No: A4FE
TO Amount: \$200,000
Contractor: WRS Environmental Services
CERCLIS No: FLD982109761
Response Authority: CERCLA
State Notification: 6/21/04
Demobilization Date: N/A

NPL Status: Non-NPL
Start Date: 06/21/04
Completion Date: On-going

III. SITE INFORMATION

- A. Incident Category:** (check one)
- Active Production Facility
 - Inactive Production Facility
 - Active Waste Management Facility
 - Inactive Waste Management Facility
 - Midnight Dump
 - Transportation Related
 - Other (specify)

B. Site Location**1. Site description****a. Removal site evaluation**

On 21 June 2004, OSC Stilman mobilized to the BCX Tank Site along with the Florida Department of Environmental Protection, Bureau of Emergency Response (BER) personnel to conduct a removal site evaluation. While inspecting and assessing the site, OSC Stilman discovered approximately twelve abandoned tanks on the site, located near a public road which borders the site. The tanks are located within a concrete secondary containment wall that shows signs of past and present leakage outside of the facility. The secondary containment is also holding over two feet of waste water from various tank leaks and area rain. During the assessment OSC Stilman observed on-going leaks from cracks in the secondary containment wall. The largest tank is reported to have a capacity of 600,000 gallons. Based on personal observations made at the site, in addition to information from the City of Jacksonville, the tanks and waste in the secondary containment are suspected to contain industrial waste water and waste oil.

b. Physical location and Site characteristics

The Site is located at East Adams Street, Jacksonville, Florida. The past operational history of the site involved the storage and treatment of industrial waste water and waste oil. The facility is approximately 75 yards from a storm drain. The storm drain flows approximately 200 yards to the St. John's River.

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

There are abandoned and unsecured tanks located on the site, adjacent to a public road and areas routinely used by the public for parking near the Jacksonville Jaguars Alltel stadium. The tanks are within a secondary containment wall which is in poor condition that also contains over two feet of waste in some locations. The specific contents of the tanks are unknown, but, in the past, the facility experienced an explosion and fire at one of the tanks resulting in the death of an employee. Based on this incident the contents of the tanks are believed to contain waste that exhibits hazardous characteristics under RCRA (ie. Ignitability). Based on this determination the wastes at the facility are hazardous wastes, making them hazardous substances under CERCLA. All readily available information indicates that there has been an actual release into the environment of substances reasonably believed to be hazardous substances, and that there is a substantial threat of future releases of hazardous substances into the environment from the site.

d. Maps, pictures, and other graphic representations

Maps, pictures, and other graphic representations can be made available upon request.

2. Description of threat

Explanations of how this release or threat of release meets the criteria for threats to public health or welfare or the environment in section 300.415 (b)(2) of the NCP are discussed below.

a. **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"**

There are abandoned tanks that contain hazardous substances, pollutants or contaminants located on the site. These tanks are located near a public road which borders the site. There is a fence that only covers the front of the Site. There are breaches in the fence. The Site is approximately 200 yards from the St. Johns River. Any further release from the Site would flow overland to storm drains to the St. Johns River. The river is a sensitive ecosystem that supports endangered species (manatee).

b. **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"**

There are unsecured, abandoned tanks containing hazardous substances, pollutants or contaminants on the site. The integrity of these tanks are questionable and pose a threat of release. In addition, trespassers or vandals could access the site and cause a release by tampering with the tanks. The actual condition of the tanks cannot be determined due to the amount of waste water *within secondary containment*.

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

Secondary containment at the facility presently has between two to three feet of waste water in some locations. There are also indications of ongoing leaks through cracks in the containment wall. Reports from the City and State indicate that the containment continues to fill with each successive rain event.

d. **300.415(b)(2)(vi) "Threat of fire and explosion"**

An explosion and fire occurred in the past at one of the facility's tanks, resulting in the death of an employee.

IV. RESPONSE INFORMATION

A. Situation

1. **Current situation**
2. **Removal activities to date**

a. Federal Government/Private Party

EPA OSC Stilman initiated an emergency removal action to stabilize the secondary containment wall and secure the tanks on the site. ERRS contractor WRS has been mobilized to conduct the removal as directed by the OSC. The BER is also on site to assist with the response.

3. Enforcement¹

An EPA Region 4 attorney has been assigned to investigate any potential enforcement actions.

B. Planned Removal Actions

1. Proposed action description

The specific tasks involved in the proposed response to the threats include:

- Emergency stabilization of the secondary containment wall which may be leaking or have questionable integrity;
- Sampling of waste from tanks and secondary containment to determine the specific nature of contents, if necessary;
- Bulking of materials and disposal off site, if necessary, in compliance with Federal regulations including the CERCLA off site rule;
- Determination of the extent of sludge and soil contamination and disposal off-site, if necessary, in compliance with Federal regulations including the CERCLA off site rule.
- Movement and/or removal of tanks to allow for the safe clean-up of the Site.

2. Contribution to remedial performance

The proposed actions will, to the extent practicable, contribute to the efficient performance of any long-term remedial action at the site.

3. Description of Alternative Technologies

N/A

4. ARARs

¹ Enforcement strategy is not part of the Action Memo for purposes of NCP consistency.

The Federal ARARs identified for the site include:
 RCRA Treatment, Storage and Disposal
 RCRA Transportation
 DOT
 OSHA

5. Project schedule

The initial emergency action to stabilize the site is expected to be of a short duration (weeks), however, subsequent time-critical removal activity is expected.

V. COSTS

Extramural Costs:

	<u>Ceiling</u>	<u>To Date</u>
ERRS	\$ 200,000	1,000
USCG Strike Team	\$ 25,000	
<u>Contingency</u>	<u>\$ 25,000</u>	
TOTAL PROJECT CEILING	\$ 250,000	

The Project Ceiling has been approved by the OSC as documented in this Action Memo/ Initial Pollution Report. The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor. Other financial data, which the OSC must rely upon, may not be entirely up to date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

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-judgement interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of the 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.

VI. DISPOSITION OF WASTES

Disposal analysis will be conducted on waste as appropriate in order to identify potential disposal options.

VII. 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, present an imminent and substantial endangerment to public health, welfare, or the environment.

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

A delay in action or no action at this Site would increase the actual or potential threats to the public and the environment.

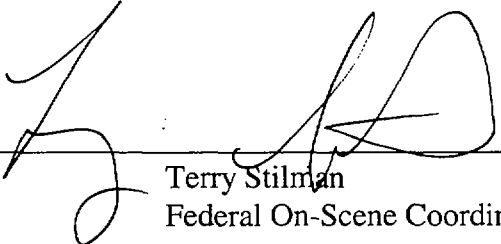
IX. OUTSTANDING POLICY ISSUES

NONE

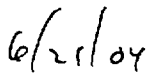
X. APPROVAL

This decision document represents the selected removal action for this Site, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. This decision is based on the administrative record for the site.

Conditions at the site meet the NCP section 300.415(b)(2) criteria for a removal and through this document, I am approving the proposed removal actions. The total project ceiling is \$250,000, of which, \$ 250,000 will be funded from the Regional removal allowance.



Terry Stilman
Federal On-Scene Coordinator



Date