



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 4  
 ATLANTA FEDERAL CENTER  
 61 FORSYTH STREET  
 ATLANTA, GEORGIA 30303-8960

2 9 0007


SITE: Circle Env #1  
 BREAK: 2.9  
 OTHER: \_\_\_\_\_

NOV 7 2007

**ACTION MEMORANDUM**

**SUBJECT:** Request for a Removal Action Ceiling Increase for the Circle Environmental #1 Site in Dawson, Terrell County, Georgia

**FROM:** James W. Webster  
 On-Scene Coordinator

**THRU:** Shane Hitchcock, Chief  
 Emergency Response and Removal Branch 

**TO:** Franklin E. Hill, Director  
 Superfund Division

**I. PURPOSE**

The purpose of this Action Memorandum is to request a ceiling increase in the amount of \$264,000 to cover completion of a time-critical removal action at the Circle Environmental #1 Site in Dawson, Terrell County, Georgia. The removal was initiated as an emergency response under the On-Scene Coordinator's (OSC) delegated contracting authority. A ceiling increase is necessary to complete the disposal phase of the removal. The total project ceiling following the approval of this increase will be \$499,000 of which \$200,000 will come from the FY'08 Regional Removal Allowance.

**II. SITE CONDITIONS AND BACKGROUND**

<b>Site No:</b> A4RC	<b>CERCLIS:</b> GAR000005439
<b>NPL Status:</b> No	<b>Removal Category:</b> Emergency
<b>State Notification:</b> 09/10/2007	<b>Start Date:</b> 09/11/2007

**III. SITE INFORMATION**

**A. Site Location and Description**

The Circle Environmental #1 Site is located at 170 5<sup>th</sup> Street in downtown Dawson, Terrell County, Georgia. The facility consists of a brick/wood-construction warehouse measuring approximately 120 by 60 feet in size (Figure 1). The geo-coordinates of the Site are 31.77295 N Latitude and 084.44770 W Longitude.



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Figure 1. Front of Circle Environmental #1 (double doors to left) relative to nearby businesses. Tattoo parlor shares wall with CE#1 to the west. Large brick building in left background is the Dawson City Hall building.

The U.S. Environmental Protection Agency (EPA) received a request from the Georgia Environmental Protection Division to take action at the Site on September 10, 2007. Reports from the State indicated that Circle Environmental is an inactive waste management facility that cleaned oil and solvent tainted wipe rags. The OSC responded to the facility on September 10, 2007, met with local officials, and noted the following either through direct observation or through city and county officials:

- Approximately 500 drums of suspected wastes stored within the subject warehouse (Figure 2).
- Many of the drums carried labels indicating waste oil and oil sorbents, flammable materials, and tetrachloroethylene (PCE) wastes.
- Total airborne volatile organic compound (VOC) readings at the warehouse doorway were on the order of 8 to 10 parts-per-million (MultiRae).
- The warehouse is located within the downtown business district of Dawson, immediately adjacent to the City Hall and actually abutted a number of active businesses.

- Residential buildings are located within three city blocks of the warehouse.
- Local officials indicated that heavy solvent odors emanating from the warehouse was one of the factors that had brought the Site to local and state attention.



Figure 2. Partial view of contents of Circle Environmental #1 warehouse prior to initiation of removal action. Note deteriorated conditions of drums. Gray material on floor is Oil-Dry that had been applied in past to contain spillage and leaks from drums.

Based upon his observations, the OSC determined that Site conditions met criteria identified under the National Contingency Plan 40 CFR §300.415(b) for initiation of a removal action. Consequently, a Fund-lead emergency removal action was started under the OSC's delegated contracting authority (Ref. 1).

#### **B. Actions to Date**

The EPA mobilized to the Site on September 10, 2007. The Superfund Technical Assistance Response Team (START) and the Emergency Response and Rapid Services (ERRS) contractors were mobilized the same day and arrived on site on September 11, 2007. The current and planned response actions initiated by the Federal include the following (Refs. 2-6):

- Air monitoring inside and in the immediate vicinity of the Site.
- Inventory of the contents of the warehouse, written and photographic documentation of all drums and their markings.
- Overpacking of all drums containing free-liquids (Figure 3).
- Preliminary segregation and staging of drums for waste-stream characterization and disposal profiling.
- Inspection of the contents of all drums and hazard characterization and sampling, as appropriate to accomplish waste disposal profiling.
- Further segregation and staging of drums according to waste-stream.

A total of 536 drums are currently staged within the warehouse. Identified waste-streams include flammable liquids and solids, waste oil, and F001 hazardous waste (spent Tetrachloroethylene waste). Current actions consist of weekly inspection of the drums and around-the-clock security at the Site.

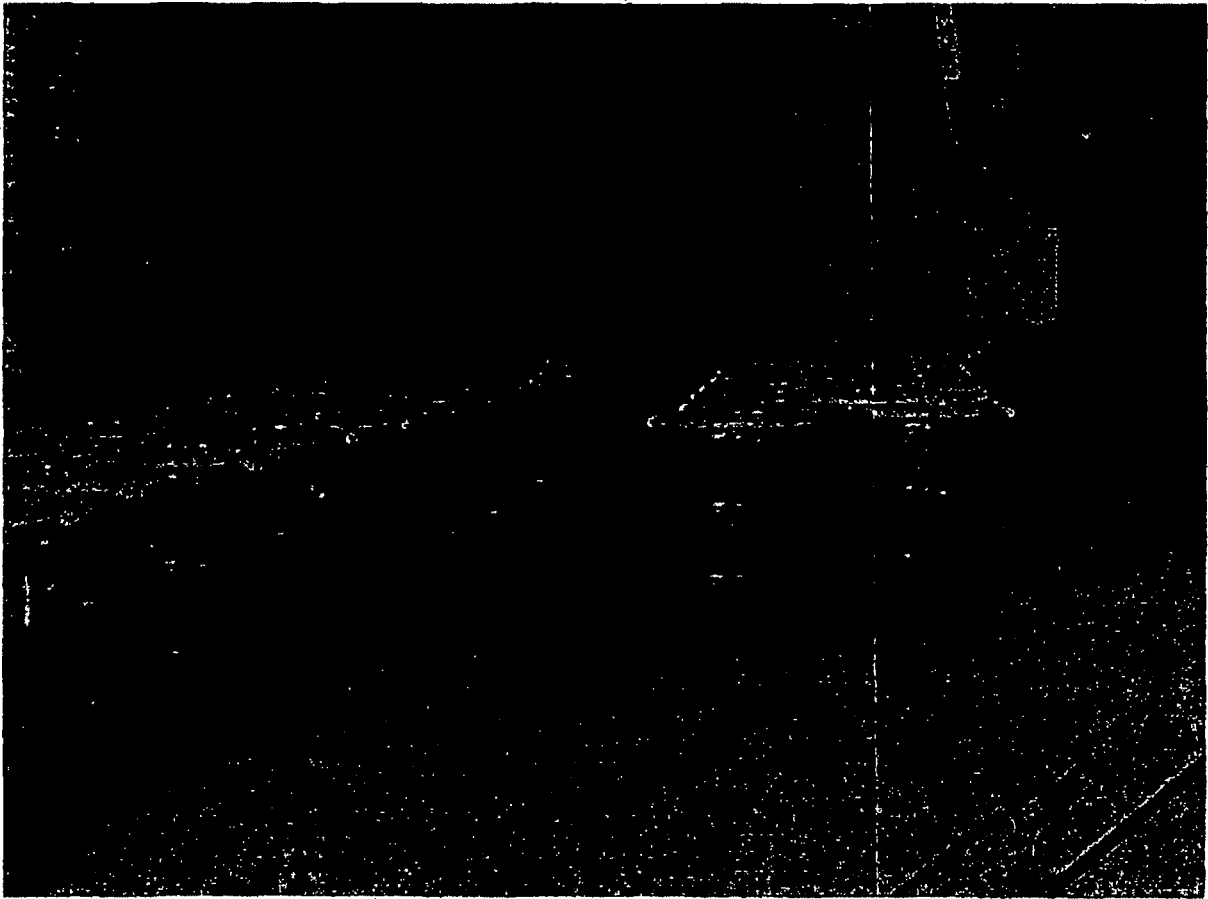


Figure 3. View of overpacked drums and cleaned floor at completion of stabilization phase of emergency response action.

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

The primary threat posed by the Site is that of an explosion posed by the flammable materials currently stored within the warehouse. The foremost chemical of concern is tetrachloroethylene, a CERCLA hazardous substance. A description of the threats posed by the Site relative to 40 CFR §300.415(b)(2) criteria is as follows:

- 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.**

The Site is located within the downtown business district of Dawson, Georgia and within close proximity to residential areas immediately adjacent to the downtown area (Figures 1, 4). Hazardous substances are currently stored at the Site. Intentional dumping of materials from the drums or a fire at the warehouse through vandalism, natural causes, or other means may expose nearby populations to hazardous substances. EPA has instituted around-the-clock security at the Site. However, this is not a final solution to mitigating the threat posed by the Site.

#### Circle Environmental #1 Site Location Relative to Local Receptors

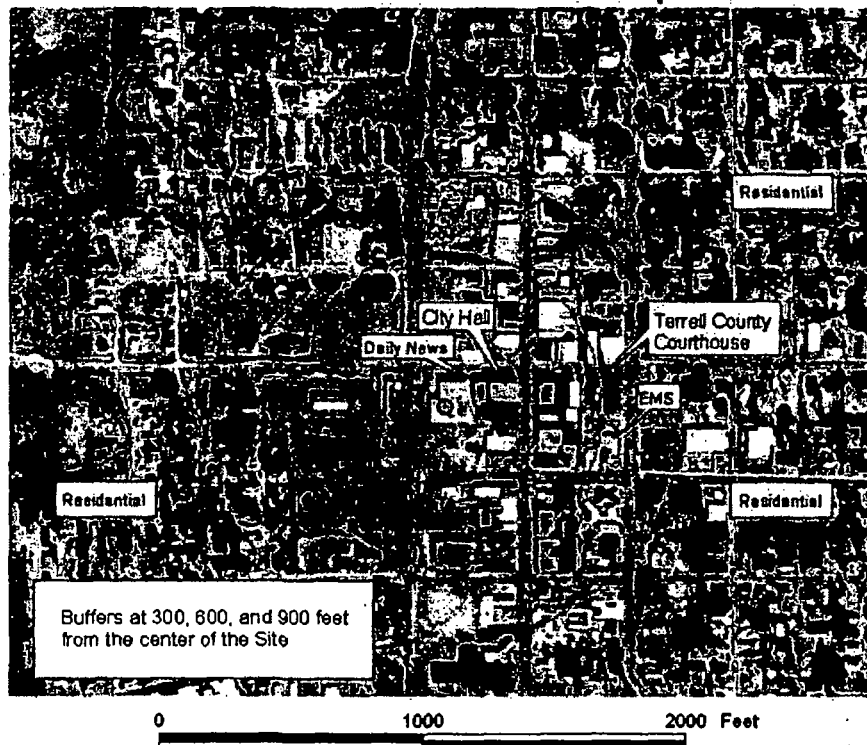


Figure 4. Circle Environmental #1 relative to nearby receptors. Note proximity to City Hall, Terrell County Courthouse, EMS, and residential areas.

**B. 300.415(b)(2)(ii) Actual or potential contamination of drinking water supplies or sensitive ecosystems.**

Potential contamination of drinking water supplies or sensitive ecosystems is not thought to be a significant factor at this specific Site.

**C. 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**

In excess of 500 drums of hazardous substances are within the warehouse. Many of the drums are deteriorated. Though the drums containing free liquids have been overpacked, this is not a final solution to mitigating the threat posed by the Site. Vandalism, natural causes, or other factors could result in catastrophic release of hazardous substances from the Site.

**D. 300.415(b)(2)(iv) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate**

Soils contamination is not thought to be significant factor that this specific Site.

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

Weather conditions are not thought to be a major concern at this specific Site. However, a lightning strike or severe weather might lead to a fire at the facility, which, in turn, could lead to release or threatened release of hazardous substances from the Site.

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

The State of Georgia has the regulatory and response authority to take action at the Site. The Georgia Environmental Protection Division referred the Site to EPA citing lack of resources to perform a state-funded cleanup.

**G. 300.415(b)(2)(viii) Other situations or factors that may pose threats to public health or welfare of the United States or the environment.**

Although EPA is maintaining security at the Site, this is not a viable long-term solution for mitigating the threats posed by the Site. Vandalism will be a continuing potential cause of release of hazardous substances as long as the drummed waste remains at the Site.

**V. 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 and imminent and substantial endangerment to the public health, welfare, or the environment.

## VI. PROPOSED ACTIONS AND ESTIMATED COSTS

### A. Proposed Actions

#### 1. Proposed Action Description

Proposed actions for completing removal actions at the Site are as follows:

##### a. Tetrachloroethylene Waste

This waste-stream consists primarily of liquids that may meet the definition of F001 spent solvents. Reclamation and recycling of tetrachloroethylene will be considered for drums containing entirely free-liquids.

##### b. D001 Hazardous Waste

This waste stream consists of liquids and solids meeting the hazardous waste characteristic of flammability. Incineration and/or fuels blending is the proposed disposal method for this waste-stream category.

##### c. RCRA Non hazardous Combustible Liquids and Solids

This waste stream consists of liquids and solids which though combustible and which contain hazardous substances, do not meet the hazardous waste criteria of flammability. Incineration and/or fuels blending is the proposed disposal method for this waste-stream.

##### d. RCRA Empty Drums

All empty metal drums known or suspected of having containing hazardous substances will be crushed and recycled as scrap metal or landfilled.

##### e. Investigation/Removal Action-Derived Waste

Solid waste (e.g. discarded PPE, miscellaneous trash) will be characterized and landfilled, as appropriate.

#### 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**

Alternative technologies will be employed to the extent practicable considering the time-sensitive nature of this removal action. Technologies being considered include recycling, fuels blending, incineration, and reuse.

4. **Engineering Evaluation / Cost analysis (EE/CA)**

This proposed is time-critical and does not require and EE/CA.

5. **Applicable or Relevant and Appropriate Requirements (ARARs)**

CERCLA on-site removal actions only need to comply with ARARs to the extent practicable, given the exigencies of the situation. The potential Federal ARARs identified for the Site include portions of the Resource Conservation and Recovery Act (RCRA), the Department of Transportation (DOT), and the Occupational Safety and Health Administration (OSHA). The CERCLA off-site rule will also be adhered to for waste-streams containing hazardous substances and/or hazardous wastes. The Georgia Environmental Protection Division (GAEPD) has been requested to provide State-specific ARARs.

6. **Project Schedule**

This project is anticipated for completion prior to December 31, 2007.

**B. Estimated Cost**

The total estimated extramural cost for this removal action is \$499,000.

<b>Extramural Costs</b>	<b>Current Ceiling</b>	<b>Proposed Increase</b>	<b>Proposed Ceiling</b>
<b>Regional Allowance Costs</b>			
ERRS	175,000	200,000	375,000
<b>Non-Regional Allowance Costs</b>			
START	40,000	20,000	60,000
<b>Subtotal Extramural Costs</b>	<b>215,000</b>	<b>220,000</b>	<b>435,000</b>
<b>Contingency</b>	<b>20,000</b>	<b>44,000</b>	<b>64,000</b>
<b>TOTAL PROJECT CEILING</b>	<b>235,000</b>	<b>264,000</b>	<b>499,000</b>

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. 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.



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

Inaction or a delay in action at this Site would increase the actual or potential threats to the public and the environment. The worst-case scenario would like be a fire resulting from vandalism, or natural or other causes. Such an incident would likely result in release of hazardous substances and pollutants or contaminants to the air and would in all likelihood necessitate evacuation of downtown Dawson and nearby areas.

**VIII. OUTSTANDING POLICY ISSUES**

No outstanding policy issues that have been identified at this time.

**IX. ENFORCEMENT**

See the Enforcement Addendum for details regarding the enforcement history of this Site. 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 \$750,387 using the following formula: (Total removal Project Ceiling + EPA Direct intramural Costs) + (41.85% X (Total removal Project Ceiling + EPA Direct Intramural costs)) or (\$499,000 + \$30,000) + (41.85% X (\$499,000 + \$30,000)) = \$750,387.

**X. RECOMMENDATION**

This decision document represents the selected removal action for the Circle Environmental #1 Site, in Dawson, Terrell County, Georgia, 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 §300.415(b)(2) criteria for a removal, and I recommend your approval of the proposed project ceiling increase to allow completion of the action. The total project ceiling, if approved, will be \$499,000. Of this amount, an estimated \$200,000 comes from the FY08 Regional Removal Allowance.

Approval: Franklin E. Hill Date: 11/7/07  
Franklin E. Hill, Director  
Superfund Division

Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_  
Franklin E. Hill, Director  
Superfund Division

Attachments

**ATTACHMENT I  
REFERENCES**

1. \$250,000 emergency Action Memorandum. James W. Webster, U.S. Environmental Protection Agency. September 21, 2007.
2. Pollution Report #1. James W. Webster, U.S. Environmental Protection Agency. September 12, 2007.
3. Pollution Report #2. James W. Webster, U.S. Environmental Protection Agency. September 16, 2007.
4. Pollution Report #3. James W. Webster, U.S. Environmental Protection Agency. September 19, 2007.
5. Pollution Report #4. James W. Webster, U.S. Environmental Protection Agency. September 26, 2007.
6. Pollution Report #5. James W. Webster, U.S. Environmental Protection Agency. October 1, 2007.

Note: Due to the CONFIDENTIAL nature of the material, pages 2 9 0017 – 2 9 0018 of this document have been withheld. Withheld material is available, for Judicial review only, in the Records Center at EPA Region IV, Atlanta, Georgia.