

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

DATE: OCT 29 1991

SUBJECT: ACTION MEMORANDUM - Ceiling Increase and 12-Month Exemption Request to Continue Removal Action at the Textile Road Site, Ypsilanti, Washtenaw County, MI (Site ID #AM)

FROM: Robert W. Bowlus, On-Scene Coordinator *Robert W. Bowlus*  
Emergency and Enforcement Response Branch - Section I

TO: David A. Ullrich, Director  
Waste Management Division

THRU *for* Norman R. Niedergang, Associate Division Director  
Office of Superfund *Jodi Kraus*



I. PURPOSE

The purpose of this memorandum is to request and document your approval to expend up to an additional \$173,700 and continue the removal action beyond 12 months in order to continue time-critical removal response actions at the Textile Road site in Washtenaw County, Michigan. Should the PRP fail to perform the necessary tasks specified and agreed to in the Administrative Order by Consent pursuant to Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended, 42 U.S.C. Section 9606(a), these funds will be available to complete the work. This site was identified as the Holtzman-Silverman site in the August 8, 1988, Action Memorandum. The name was changed to provide better locational identity to the site and to conform with the name used by the state agency and others. Continued response activities include off-site disposal of drummed hazardous materials and site fencing/posting.

This site is not on the National Priorities List, does not set any precedents, and is not nationally significant.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID = MID 980 825 558

Please see Action Memorandum dated August 8, 1988 (Attachment 3).

Removal actions were started at the Textile Road site on March 27, 1989. To date, the following removal objectives have been completed:

- A) Conducted an extent-of-contamination study and geophysical study on site.
- B) Negotiations with the PRPs have continued.
- C) In February 1984, the PRPs disposed of 49 drums and staged others inside a fenced area on site.

The following removal objectives require continued response actions and a project ceiling increase to complete:

- A) Fencing the site to secure contamination.
- B) Removal and disposal off site of drummed wastes.

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

Please see Action Memorandum dated August 8, 1988 (Attachment 3).

Although all excavated wastes have been staged on the surface of the site and covered with protective fabric, the previously identified threats will continue to exist until such time as these wastes have been transported from the site for secure disposal/treatment.

- a. actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, pollutants or contaminants;

This factor is present at the site due to the observation of local residents fishing in the two large ponds at the site and because of the use of off-road vehicles on the site.

- b. hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;

This factor is present at the site due to the existence of 21 abandoned drums discovered on site. An inspection of these drums showed they contain varying amounts of unknown material. It also showed that the drums were dented, bent, rusted, and several were open or had ruptured.

- c. high levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate;

This factor is present at the site based upon analytical results from samples taken from the site that show PCBs in excess of 50 ppm in soils at the site.

### IV. ENDANGERMENT DETERMINATION

Given the site conditions, the nature of the hazardous substances on site, and the potential exposure pathways to the nearby population described in Sections II and III above, actual or threatened releases of hazardous materials from this site, if not addressed by implementing the response action selected in this Action Memorandum, may continue to present an imminent and substantial endangerment to public health, or welfare, or the environment.

#### V. EXEMPTION FROM STATUTORY LIMITS

Continued response actions are otherwise appropriate and consistent with the remedial action to be taken:

- A) An exemption from statutory limits is justified because there is an immediate risk to public health or welfare or the environment as discussed above. Moreover, continued response actions are immediately required to prevent, limit or mitigate an emergency, and assistance will not otherwise be provided on a timely basis.
- B) Removal of the drums of waste will not interfere with likely remedial alternatives to address soil and groundwater contamination. The removal action is also appropriate because the drums and their contents will be incinerated, not disposed of in a landfill.
- C) The construction of a fence will reduce exposure to the human population from hazardous substances, pollutants, or contaminants by restricting access to the site by hunters and fishermen.

#### VI. PROPOSED ACTIONS AND ESTIMATED COSTS

The OSC proposes to undertake the following to continue mitigation of threats posed by the presence of hazardous wastes at the Textile Road site:

- 1) Provide for site security by construction of a permanent fence around the facility and by posting of warning signs.
- 2) Develop and implement site health and safety plan.
- 3) Remove and properly dispose of all drums of hazardous materials previously staged in the fenced compound.

The estimated costs to complete the above activities are summarized below. These activities will require an estimated increase of 50 on-site working days to complete. Detailed cleanup contractor costs are presented in Attachment 1.

| <u>EXTRAMURAL COSTS:</u>                                   | <u>Current Ceiling</u> | <u>Proposed Increase</u> | <u>Proposed Ceiling</u> |
|------------------------------------------------------------|------------------------|--------------------------|-------------------------|
| Regional Allowance Costs                                   | \$ 33,000              | \$ 87,900                | \$120,900               |
| Contingency (15%)                                          | <u>5,000</u>           | <u>13,200</u>            | <u>18,200</u>           |
|                                                            | \$ 38,000              | \$101,100                | \$139,000               |
| Other Extramural Costs:                                    |                        |                          |                         |
| TAT/TES                                                    | <u>7,500</u>           | <u>20,000</u>            | <u>27,500</u>           |
| Extramural Subtotal                                        | \$ 45,500              | \$121,100                | \$166,500               |
| Extramural Contingency (15%)                               | <u>6,825</u>           | <u>18,200</u>            | <u>25,025</u>           |
| TOTAL, EXTRAMURAL COSTS                                    | \$ 52,325              | \$139,300                | \$191,625               |
| <u>INTRAMURAL COSTS:</u>                                   |                        |                          |                         |
| U.S. EPA Direct Costs<br>[\$30/hr x (400 hrs + 40 HQ hrs)] | \$ 1,350               | \$ 13,200                | \$ 14,550               |
| U.S. EPA Indirect Costs<br>(\$53/hr x 400 Regional hrs)    | <u>2,075</u>           | <u>21,200</u>            | <u>23,275</u>           |
| TOTAL INTRAMURAL COSTS                                     | \$ 3,425               | \$ 34,400                | \$ 37,825               |
| TOTAL REMOVAL PROJECT CEILING                              | \$ 55,750              | \$173,700                | \$229,450               |

The removal is consistent with any long-term remedial action and is concurred with by the Michigan Department of Natural Resources (MDNR). Mr. Oladipo Oyinsan, MDNR Waste Management Division, SE Michigan District Office, has been contacted by the On-Scene Coordinator (OSC) and briefed on our plans during a meeting in June 1991. This site is a non-NPL facility; however, the site is in the process of being ranked as a candidate for the NPL. The completion of this removal action will not impede future responses that the State of Michigan may consider.

All applicable or relevant and appropriate requirements (ARARs) will be complied with to the extent practicable. A letter was sent on September 17, 1991, to the MDNR requesting that it identify State and local ARARs. Any ARARs identified in a timely manner for this removal action will be complied with to the extent practicable.

The On-Scene Coordinator has begun planning for provision of post-removal site control, consistent with the provisions of Section 300.415(k) of the NCP.

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

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

Delayed or no action may result in increased likelihood of direct contact threat to human population accessing the site, exposure of wildlife to hazardous wastes at the site and degradation of local groundwater conditions.

VIII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues associated with this site.

IX. ENFORCEMENT

Information concerning the enforcement strategy for this site is confidential and is in an Enforcement Confidential Addendum.

X. RECOMMENDATIONS

This decision document recommends continuation of the selected removal action for the Textile Road site in Ypsilanti, Washtenaw County, Michigan, developed in accordance with CERCLA, as amended by SARA, and not inconsistent with the National Contingency Plan. This decision is based on the Administrative Record for the site, the index of which is Attachment 2.

Because the conditions at the Textile Road site in Ypsilanti, Washtenaw County, Michigan, continue to meet the National Contingency Plan Section 300.415 criteria for a removal action and the CERCLA Section 104(c)

consistency exemption for the 12-month limitation, your approval of this request is recommended. The estimated total project increase is \$173,700, of which up to \$119,300 may be used for extramural cleanup contractor costs. You may indicate your decision by signing below.

Approved David H. O'Leary Date 10/24/91  
Director, Waste Management Division

Disapproved \_\_\_\_\_ Date \_\_\_\_\_  
Director, Waste Management Division

Enforcement Addendum

Attachments (3)

1. Cleanup Contractor Cost Estimate
2. Index to the Administrative Record
3. Action Memorandum dated 8/8/88

cc: T. Johnson, OS-210  
A. Howard, MDNR Superfund Coordinator  
S. Huff, U.S. Department of Interior

bcc: P. Feletti, 5CS-TUB-4  
A. Baumann, 5HS-12  
R. Bowden, 5HS-12  
P. Schafer, 5HS-12  
R. Powers/R. Buckley, 5HS-GI  
L. Beasley, 5HS-12  
L. Fabinski, ATSDR, 5HS-10  
O. Warnsley, RP/CRU, 5MCC-TUB-4  
T. Lesser, 5PA-14  
F. Meyers, 5MA-14  
A. Howard, MNR Superfund Coordinator  
R. Bowlus, 5HS-GI  
D. O'Riordan, 5PA-14  
Contracting Officer, 5MCC-TUB-4  
EERB Read File  
EERB Delivery Order File  
EERB Site File

## ENFORCEMENT ADDENDUM

Redacted-information not relevant to the selection of the removal action.

ATTACHMENT 1

ESTIMATED CLEANUP CONTRACTOR COST INCREASE  
TEXTILE ROAD SITE  
WASHTENAW COUNTY, MICHIGAN  
SEPTEMBER 1991

|                         |          |
|-------------------------|----------|
| Personnel and Equipment | \$ 5,000 |
| Sampling and Analysis   | 2,800    |
| Disposal                | 10,500   |
| Transportation          | 1,000    |
| Other Subcontracts      | 68,600   |
|                         | =====    |
|                         | \$87,900 |

ATTACHMENT 2  
ADMINISTRATIVE RECORD  
FOR  
TEXTILE ROAD

Ypsilanti, Michigan

October 2, 1991

| <u>DATE</u> | <u>AUTHOR</u>                          | <u>RECIPIENT</u>                                   | <u>TITLE/DESCRIPTION</u>              | <u>PAGES</u> |
|-------------|----------------------------------------|----------------------------------------------------|---------------------------------------|--------------|
| 06/29/83    | MDNR                                   | U.S. EPA                                           | PCB Inspection Report                 | 9            |
| 09/00/83    | MDNR                                   | U.S. EPA                                           | Fish and Sediment Sampling Report     | 4            |
| 05/02/85    | U.S. EPA                               |                                                    | TSCA Suit, Docket TSCA-V-C-222        | 34           |
| 11/03/87    | Goode, G.,<br>E & E, FIT               | Ostredka, S.,<br>U.S. EPA                          | FIT Inspection Report                 | 2            |
| 05/27/88    | Weston-Sper                            | U.S. EPA                                           | Removal Action Plan                   | 12           |
| 08/08/88    | Neithercut,<br>P., U.S. EPA            | Constantelos,<br>B.G., U.S. EPA                    | Action Memorandum                     | 5            |
| 09/16/88    | U.S. EPA                               |                                                    | Administrative Order                  | 14           |
| 09/30/88    | Capone, D.,<br>Wicklein, P.,<br>Weston | Faryan, S.,<br>U.S. EPA                            | Letter Report-Extent of Contamination | 7            |
| 04/13/89    | Chuey, J.,<br>Maecorp, Inc.            | Walker, F.,<br>Canton Analytical Lab., Inc.        | Sampling Results                      | 11           |
| 04/14/89    | Chuey, J.,<br>Maecorp, Inc.            | Walker, F.,<br>Canton Analytical Lab., Inc.        | Sampling Results                      | 28           |
| 04/20/89    | Chuey, J.,<br>Maecorp, Inc.            | Walker, F.,<br>Canton Analytical Lab., Inc.        | Sampling Results                      | 27           |
| 09/19/91    | Ullrich, D.,<br>U.S. EPA               | Stoll, R.,<br>Freedman,<br>Levy, Kroll,<br>Simonds | Administrative Order By Consent       | 103          |
| 00/00/00    | Bowlus, R.,<br>U.S. EPA                | Ullrich, D.,<br>U.S. EPA                           | Action Memorandum                     |              |

ATTACHMENT 3

ACTION MEMORANDUM DATED AUGUST 8, 1988

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

DATE: AUG 8 1988

SUBJECT: ACTION MEMORANDUM - Request for Removal Action at the Holtzman-Silverman Site, Ypsilanti, Michigan (Site Spill ID #AM)

FROM: Peter D. Neithercut, On-Scene Coordinator *P. Neithercut*  
Emergency Response Branch

TO: Basil G. Constantelos, Director  
Waste Management Division

Mary A. Gade, Acting Associate Division Director *MAG*  
Office of Superfund

PURPOSE

The purpose of this memorandum is to request approval to expend up to \$55,750 to initiate an extent of contamination sampling at the Holtzman-Silverman site. This study will require an estimated five on-site working days to complete.

BACKGROUND

The Holtzman-Silverman site is a former gravel pit located south of Ypsilanti, Michigan, in Ypsilanti Township, Washtenaw County. The 62-acre site is generally flat with only one small building. There are two large ponds on the site. The native soil is classified as Fox Sandy Loam.

The owners of the property allowed the dumping of fill material in areas previously excavated; during the gravel pit operations, to keep the property above the shallow water table. This material included wastes from local industries.

Nearby residents use the site for recreation. Fishermen use the large ponds for fishing. A large portion of the site is used as a track for off road vehicles. Other areas appear to be used for picnics and parties.

On October 27, 1987, United States Environmental Protection Agency (U.S. EPA) Field Investigation Team (FIT) and a representative of the Michigan Department of Natural Resources (MDNR) visited the Holtzman-Silverman site. The team observed an estimated 13 drums of unknown materials and an area with soils highly saturated with an oil like substance.

On June 29, 1988, the U.S. EPA Technical Assistance Team (TAT) and U.S. EPA On-Scene Coordinator Peter D. Neithercut visited the Holtzman-Silverman site to perform a site assessment. Surface samples confirmed the presence of Polychlorinated Biphenyls (PCB) contamination above 50 parts per million (ppm). Depth sampling was not possible due to an asphalt like layer at a depth of 4 inches. Samples from this hard layer showed 116 ppm PCB's. It will be necessary to use heavy equipment to penetrate this layer and determine the vertical extent of contamination.

This site is not on the National Priorities List (NPL).

#### THREAT

This facility presents an immediate and substantial threat to human health and the environment. As outlined in the National Contingency Plan (NCP), 40CFR300.65(b)(2), the following criteria are met by the Holtzman-Silverman site:

- 1) Actual or potential exposure to hazardous substances or pollutants or contaminants by nearby populations, animals, or food chain;

Access to the site is not restricted. There are vehicle tracks throughout the site. A temporary fence erected by the MDNR to isolate a contaminated area has been driven over by off road vehicles. Local residents have been observed fishing in the two large ponds on the site.

- 2) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release; and,

Thirteen abandoned drums have been discovered on-site. An inspection of these drums showed they contain varying amounts of unknown material. It also showed that the drums were dented, bent, rusted, and several were open or had ruptured.

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

Analytical results from samples taken in the contaminated area show PCB's in the range of 120 ppm. This contaminated loose fill was placed on top of the native sandy loam soils. There is a potential for this material to migrate, via groundwater or surface run-off, into the ponds on-site exposing the entire water shed. This potential is demonstrated by the level of 2 ppm PCB's found in a sample taken from the pond sediments.

## ENFORCEMENT

See the confidential enforcement information in Attachment I.

## PROPOSED PROJECT AND COST

The objective of this removal action is to conduct a study which will identify the lateral and vertical extent of contamination. The results of this study will be used to determine a method of site closure and generate a detailed cost estimate.

The following steps are proposed at the site:

- 1) Develop and implement site safety and security measures.
- 2) Implement an air monitoring program.
- 3) Develop an extent of contamination sampling plan.
- 4) Dig a series of trenches through the contaminated area.
- 5) Sample soils according to the sampling plan.

The estimated project costs are:

|                                                                |                 |
|----------------------------------------------------------------|-----------------|
| Cleanup Contractor                                             | \$33,000        |
| 15% Contingency                                                | 5,000           |
| Subtotal                                                       | <u>\$38,000</u> |
| TAT/TES                                                        | 7,500           |
| Extramural Subtotal                                            | <u>\$45,500</u> |
| Extramural Contingency (15%)                                   | 6,825           |
| =====                                                          | =====           |
| EXTRAMURAL TOTAL                                               | \$52,325        |
| U.S.EPA Direct Costs<br>(41 Regional hrs + 4 HQ hrs x \$30/hr) | \$1,350         |
| U.S.EPA Indirect Costs<br>(41 Regional hrs x \$51/hr)          | \$2,075         |
| =====                                                          | =====           |
| INTRAMURAL TOTAL                                               | \$3,425         |
| PROJECT TOTAL                                                  | \$55,750        |

This action will require approximately 5 on-site working days to complete. It is anticipated that additional removal funds will be required to complete this action.

Due to the heavy recreational use of this area, this is a time critical action. This action is necessary to plan for further action and is consistent with any long-term remedial action that may be necessary.

RECOMMENDATION

Because the conditions at the Holtzman-Silverman site in Ypsilanti, Michigan, meet the NCP Section 300.65 criteria for a removal action, your approval of this request is recommended. The estimated total project costs are \$55,750, of which up to \$44,825 (\$33,000 line item, plus \$5,000 contingency, plus up to \$6,825 of extramural contingency) could be used for extramural cleanup contractor costs. You may indicate your decision by signing below.

APPROVE: *M. A. Hor*  
Director, Waste Management Division

DATE: 8/8/88

DISAPPROVE: \_\_\_\_\_  
Director, Waste Management Division

DATE: \_\_\_\_\_

Attachment

ATTACHMENT I

ENFORCEMENT CONFIDENTIAL

Redacted-information not relevant to the selection of the removal action.