



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Ref: 8EPR-ER

ACTION MEMORANDUM

SUBJECT: Approval and Funding for a Removal Action at the State Painting Site in West Valley City, Salt Lake County, Utah pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104.

FROM: Martin McComb *SPC for M. McComb*
Federal On-Scene Coordinator

THRU: Laura Williams, Unit Leader
Emergency Response *David A. Ostrander 7/3/18*

TO: David A. Ostrander, Director
Emergency Response & Preparedness Program

Site ID# A8V5

I. PURPOSE

The purpose of this memorandum is to document the decision to initiate response actions described herein for the State Painting Site (Site) located in West Valley City, Salt Lake County, Utah, pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104. This emergency removal action involves the excavation and disposal of contaminated soil as well the collection and disposal of abandoned containers and drums. Conditions existing at the Site present a threat to public health and the environment and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the National Contingency Plan (NCP).

This removal action involves no nationally-significant or precedent-setting issues. This emergency removal action will not establish any precedent for how future response actions will be taken and will not commit the US Environmental Protection Agency (EPA) to a course of action that could have a significant impact on future responses or resources.

II. SITE CONDITIONS AND BACKGROUND

Site Name:	State Painting
Superfund Site ID (SSID):	A8V5
NRC Case Number:	Not applicable.
CERCLIS Number:	UTN000820797
Site Location:	West Valley City, Salt Lake County, Utah
Latitude/Longitude:	40.7097820 / -112.0476890
Potentially Responsible Party (PRP):	State Painting, LLC
NPL Status:	Non NPL
Removal Start Date:	05/29/2018

A. Site Description

1. Removal Site Evaluation

State Painting is an inoperative industrial painting company that had a contract to scour municipal water tanks using a blast media. As part of this work, the spent blast media containing chromium and hexavalent chromium was transported to a mixed residential/agricultural property and spread across the property. This material was being blown into nearby residential properties and could potentially be washed into an adjacent wetland. There were also hundreds of abandoned drums and containers containing hazardous substances on the property.

2. Physical Location

The Site is located at 6595 Parkway Boulevard in West Valley City, Utah. The population density at this location is approximately 2547 people per square mile (source: <https://statisticalatlas.com/place/Utah/West-Valley-City/Population>).

3. Site Characteristics

The Site was once owned by State Painting, LLC. The property is home to several residences and is also frequented by non-residents who board livestock on the property. There are several nearby residences including a child daycare that is located across the street. In addition, West Valley City owns the wetland to the west and hopes to turn the property into a nature reserve and public park

The Site is in the valley and is regularly subject to strong winds. The nearby residences, the day care and the wetland were all being impacted by contaminated dust that is being blown off the Site.

4. Release or Threatened Release into the Environment of a Hazardous Substance, Pollutant, or Contaminant

The abandoned containers and drums contain oxidizers, peroxides, flammables, corrosives and other hazardous substances. Many of the containers contain paint and solvents. The principal health effects most typically associated with paint and solvent exposure include nervous system damage, kidney and liver damage, adverse reproductive effects such as sperm changes and infertility, skin lesions, and cancer. Paint and painting related pollutants are also toxic to the environment. They can poison aquatic animals and plants if they enter the storm water system as it drains directly to our creeks, rivers and lakes without treatment.

The spent blast media contains total chromium as well as hexavalent chromium. The levels of total chromium in the spent blast media are roughly 100 times background and the levels of hexavalent chromium exceed EPA's residential screening levels. Chromium, chromium compounds and the chemicals found in the containers/drums are all listed hazardous substances in 40 CFR §302.4. When inhaled, chromium compounds are respiratory tract irritants and can cause pulmonary sensitization. Chronic inhalation of hexavalent chromium increases the risk of lung, nasal, and sinus cancer. Severe hexavalent chromium as well.¹

5. NPL Status

This Site is neither on nor currently being considered for inclusion on the NPL.

6. Maps, Pictures, Other Geographic Representations

A map of the Site is available in Attachment 1. Relevant Site photos are available in Attachment 2 of this document.

B. Other Actions to Date

1. Previous Actions

There have been no previous removal actions on the Site.

2. Current Actions

There are no current removal actions on the Site.

¹ Source: ATSDR, <https://www.atsdr.cdc.gov/phs/phs.asp?id=60&tid=17>.

C. State and Local Authorities' Role

1. State and Local Actions to date

The State of Utah Department of Environmental Quality (UDEQ) collected samples and performed several Site inspections.

2. Potential for Continued State/Local Response

The State has been unable to facilitate remediation of the property and contacted EPA's Emergency Response Program for assistance.

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

Conditions at the Site present a threat to public health and the environment, and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the NCP.

EPA has considered all the factors described in 40 CFR 300.415(b)(2) of the NCP and determined that the following factors apply at the Site.

“(i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, or pollutants or contaminants:”

Several residences are located on the Site and there is a child daycare located across the street. The property is used as a boarding facility for livestock. Owners of these livestock frequently enter the property.

“(ii) Actual or potential contamination of drinking water supplies or sensitive ecosystems:”

A wetland is located adjacent and downgradient of the Site. The wetland has been designated by West Valley City for development as a nature reserve due to its local importance as open space and gathering point for wildlife living in and migrating through the area.

“(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 hundreds of abandoned drums and containers of hazardous substances located on the Site. Many of these drums and containers are either open to the environment or exposed to the elements and in danger of leaking into the environment.

“(iv) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate:”

The spent blast material is green in color and clearly visible at the surface on approximately half the property.

“(v) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released:”

The Site is poorly vegetated and subject to windy conditions. Winds often blow contaminated material across the neighborhood and into the adjacent wetland.

“(vi) Threat of fire or explosion:”

There are oxidizers, flammables, organic peroxides and corrosives stored together or in close proximity to each other at the Site. This situation reflects a risk of fire and/or explosion on the Site.

“(vii) The availability of other appropriate federal or state mechanisms to respond to the release.”

UDEQ has performed several inspections of the Site and has been involved in remediation negotiations with the company owners. The state has informed EPA that they have exhausted their ability to facilitate a timely remediation of the Site and has requested EPA’s assistance.

IV. SELECTED REMOVAL ACTION AND ESTIMATED COSTS

A. Planned Actions

1. Planned Action

The spent blast material will be excavated and transported to an appropriate facility for disposal. The abandoned drums and containers will be characterized, segregated, overpacked into drums and transported to an appropriate off-site facility for disposal.

There are reports that a trench was dug at the rear of the property, that “liquids” were poured into this trench and that the trench was covered with native soil. This area of the Site will be investigated, and any contamination that is discovered will be excavated and transported to an appropriate off-site facility for disposal.

Once excavation is complete, the property will be regraded and seeded for pasture.

Off-site disposal shall comply with the off-site Rule 40 CFR 300.440.

2. Contribution to Remedial Performance

This effort will, to the extent practical, contribute to any future remedial effort at the Site. However, no further federal action is anticipated at this time.

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

An EE/CA is not required for an emergency response action.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

This Action Memorandum addresses the proposed emergency response actions at the State Painting Site. Chromium, hexavalent chromium and the hazardous substances in the abandoned drums and containers are the principal contaminants of concern. Emergency response actions conducted under CERCLA are required, to the extent practicable considering the exigencies of the situation, to attain ARARs. In determining whether compliance with an ARAR is practicable, EPA may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted. A table containing potential Site-specific ARARs is provided as Attachment 3 to this Action Memorandum.

5. Project Schedule

This removal action started on May 29, 2018, and on-site activities are planned through June 16, 2018. Final disposal of the abandoned drums and containers is projected to be completed by July 3, 2018.

B. Estimated Costs*

Contractor costs (ERRS/START/travel/equipment)	\$ 203,000
Utah Department of Environmental Quality (confirmation sampling)	\$ 5,000
SUBTOTAL	\$208,000
Contingency costs (20% of subtotal)	\$ 41,600
Total Removal Project Ceiling	\$249,600

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA as set forth in Section 107 of CERCLA

V. 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 health and/or the environment.

VI. OUTSTANDING POLICY ISSUES

None

VII. ENFORCEMENT

An investigation to evaluate potential enforcement options will be undertaken. A separate Enforcement Addendum will be prepared if appropriate providing a confidential summary of potential enforcement activities.

VIII. APPROVALS

This decision document represents the selected removal action for the State Painting Site in West Valley City, Salt Lake County, Utah, 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.

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



Martin D. McComb, On-Scene Coordinator
Emergency Response Unit

SPC for M. McComb

07/10/2018

Date

Attachments:

- Attachment 1: Site Map
- Attachment 2: Site Photos
- Attachment 3: Applicable or Relevant and Appropriate Requirements (ARARs)

Attachment 2: Site Photos



Photo 1: View of contaminated soil on the property. The spent sand blasting material can be seen as the green discoloration.



Photo 2: View of the back patio at the rental residence on the property. The spent sand blasting material can be seen as the green discoloration.



Photo 3: Containers of hazardous substances located on Site.



Photo 4: Drums and containers of hazardous substances located on Site.

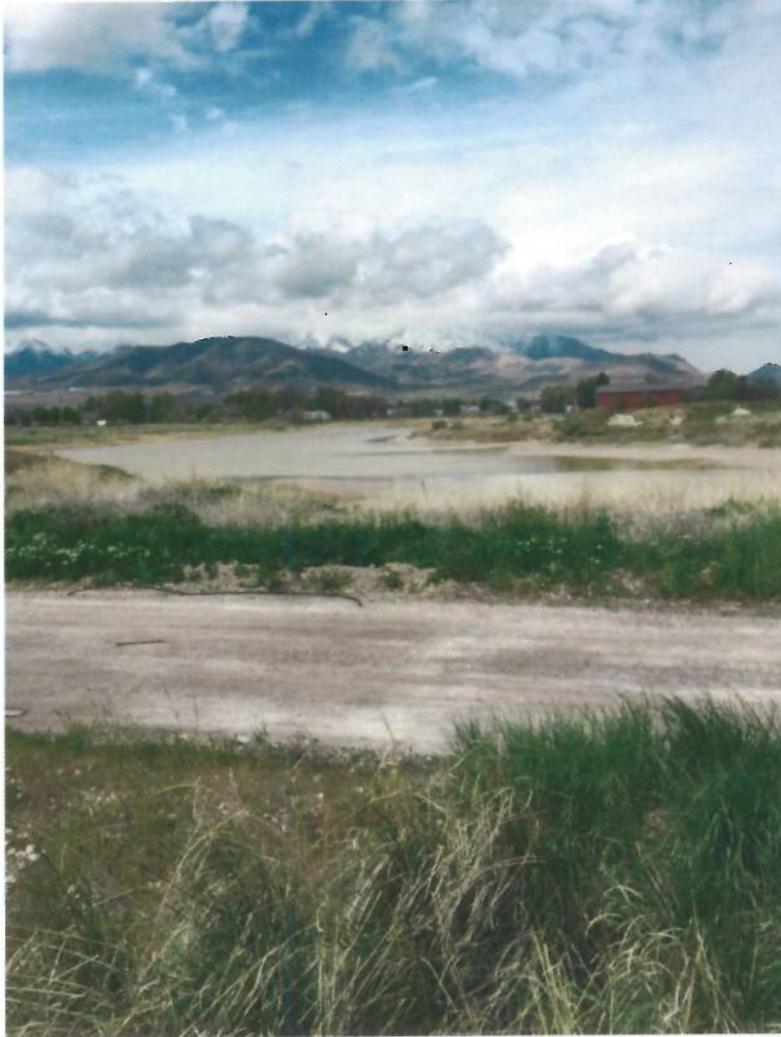


Photo 4: Wetland adjacent to the property.