To: Linden, melissa[linden.melissa@epa.gov]
From: Burns, Francis
Sent: Sat 1/25/2014 6:30:53 PM
Subject: Re: Answers to questions

Thanks

From: Linden, melissa
Sent: Saturday, January 25, 2014 1:24:16 PM
To: Burns, Francis
Subject: Re: Answers to questions

If you want to specify the regs that the orders are for Chapter 22, Article 11 and 12 of the West Virginia Code.

From: Burns, Francis
Sent: Saturday, January 25, 2014 12:31:30 PM
To: Linden, melissa
Subject: Answers to questions

Melissa:

Please review and let's talk about the stuff below.

Fran

1. We are hearing of new reports of spikes in MCHM levels in recent days. Have you heard these reports? Could this happening as a result of runoff from the contaminated site? If so, what is being done to prevent this other than the lined trenches?

EPA and WVDEP are aware of increased levels of MCHM in recent days at the West Virginia Water Authority's water intake. The levels before and after the Water Authority's treatment, ppb and ppb respectively, were below the health risk level of 1 ppm. Some of the leaked product infiltrated into the ground and is being transported to the edge of the site by subsurface water. This water has the potential to runoff of the site into the Elk River.

The facility has placed absorbent and skirted boom along the bank that was recently extended 20 feet horizontally beyond the previously placed boom.
In addition, the facility is pumping water from a sump upgradient to the secondary containment. Capturing this water should decrease the amount of water running through the site that can potentially transport the MCHM/PPH mixture. Once the ice melts and the temperature increases, the water seeping from the river bank will potentially increase. So, additional boom will again be placed in the river. The break in the weather will also enable the facility to construct a French drain in the area of the secondary containment that should increase the collection of the subsurface contamination.

2. What timeline is appropriate for remediation of this type?

The timeline for this remediation would be from four to six months. The remediation will include dismantling of the three tanks, including the one that failed, and the concrete pad for the three tanks. Next, a thorough examination the subsurface soil to determine the extent of the subsurface contamination has started and will be expanded with the corresponding subsurface sampling. The facility is using the interceptor trench to capturing the subsurface contamination and is planning to construct a French drain to increase the amount of captured water. The extreme winter weather has and will continue to delay the remediation.

In addition, the subsurface soil investigation has been complicated by the large amount of water that is entering the site either from an elevated groundwater table or a suspected spring. The site is being inundated with subsurface water. This water has been difficult to control and intercept to redirect pass the facility. The future remediation will focus on the subsurface contamination. Until the subsurface contamination is completely controlled, some leachate from the site can mix with the river water, submerge and bypass the booms

3. Are there any prior or ongoing concerns with the remediation that would cause EPA to exercise primacy? How/When would EPA determine that they should step in to managing this

event?

EPA has been working closely with WVDEP who has conferred with EPA at critical points in the ongoing remediation. EPA would be taking similar steps with the facility to ensure that the product is controlled and captured on-site. The facility has shown a financial and technical willingness to proceed with the remediation and EPA would issue orders similar to WVDEP to supervise the facility's cleanup work. One difference is that EPA would focus on the tanks and that part of the facility contaminated with MCHM. WVDEP's orders also include the emptying and dismantling of the other tanks on-site that were not involved with the release. EPA would have difficulty duplicating these orders as the State has permitting authority (e.g. operating permits) that are not the jurisdiction of EPA.

EPA will step in to manage this event at the request of the State of West Virginia. EPA would issue an order to the facility to continue the work started under the WVDEP. If the facility could no longer finance the work, EPA would conduct the cleanup using funds authorized under the Superfund law.