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35th Avenue Superfund Site Sampling Assessment Update

U.S. Environmental Protection Agency

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INTRODUCTION

This fact sheet provides an update on the activities the U.S. Environmental Protection Agency (EPA), Region 4 Superfund Program has been conducting at the 35th Avenue Superfund Site (Site) in Birmingham, Alabama. The Site encompasses portions of three neighborhoods — Collegeville, Fairmont, and Harriman Park located in northern Birmingham, Jefferson County. Five-Mile Creek and the drainage ditch that receives runoff from the former chemical plant area of the Walter Coke (WC) facility and runs through Harriman Park are being evaluated separately by EPA. Several industrial facilities are located in the communities that comprise the Site. The Collegeville, Fairmont, and Harriman Park communities surround the WC facility, which is located at 3500 35th Ave N in Birmingham. To the south of the WC facility is the Collegeville Neighborhood; to the east is the Harriman Park Neighborhood; and to the west is the Fairmont Neighborhood. There are or have been other coke manufacturing facilities, foundries, chemical plants and other industrial facilities in the area that may also be responsible for releases of hazardous substance that are impacting residential properties.

Public meeting scheduled

A public meeting to share what EPA found during sampling activities and to discuss the next steps for the 35th Avenue Superfund Site has been scheduled.

Thursday, December 12, 2012 at 6:00 p.m.
Hudson K-8 School
3300 FL Shuttlesworth Drive

For questions or more information about the meeting, contact Stephanie Brown (contact information is on the back).

The following sections provide an update of the activities at the Site since October 2012. Page 2 provides a table that summarizes the outreach and sampling activities to date. Page 3 shows a figure of the sampling area.

OUTREACH ACTIVITIES

EPA opened a community outreach office in downtown Birmingham (see address on the back) and from October 2012 until May 2013, EPA had staff onsite to work with the communities to obtain access agreements and answer questions from residents and others interested in the Site. The office remains open but is not continuously staffed. Residents can call the outreach office at 205-326-8640; if no one is available, please leave a voicemail for EPA. The voicemail is monitored on a daily basis.

Superfund Division Director Franklin Hill listens to concerns from a community member.

Beginning in October 2012 with a public meeting announcing the start of Superfund activities in the Collegeville, Fairmont and Harriman Park neighborhoods, EPA conducted outreach efforts to obtain signed access agreements from 2,048 property owners in these neighborhoods. With the help of the neighborhood associations and the City of Birmingham, EPA was able to obtain 1,188 signed access agreements (see Page 2 for a summary).

ACCESS PERIOD

Initially, EPA established a 90-day Access Period to obtain signed access agreements. The purpose of the Access Period was to provide property owners and tenants whose properties had been identified for sampling an opportunity to sign and return access agreements to allow sampling of their properties. The 90-day Access Period began on October 15, 2012 and continued until January 15, 2013. Because of the number of vacant properties and challenges with obtaining signed access agreements, EPA extended the Access Period twice; the final date was May 15, 2013. Several activities took place during this period including public meetings, small group informational meetings within each neighborhood, distributing Access Agreements and sampling of properties.

SAMPLING ACTIVITIES

From November 2012 until June 2013, EPA collected samples including: (1) surface soil from residential properties and churches; (2) sediment and surface water in distinct drainage pathways located on residential properties, as deemed appropriate by EPA; and (3) surface soil, sediment, and surface water on the WC property and (4) in and along the banks and drainage areas of the ditch that flows through Harriman Park. The samples were analyzed for semi-volatile organic compounds that include polycyclic aromatic hydrocarbons, or PAHs and metals. A limited number of samples were also analyzed for PCBs. All samples were collected and analyzed in accordance with an EPA-developed quality assurance project plan.

SAMPLING RESULTS

Sampling results were mailed to property owners and tenants as the results were received from the laboratory.

Residents were encouraged to contact EPA if they had questions about the results. Overall, 392 properties contain concentrations of various contaminants higher than EPA's Removal Management Levels (RMLs). RMLs are levels of concern or values used by EPA to help determine if any future removal actions may be needed. A determination that a sample result is higher than a RML by itself does not imply that an adverse health effects will occur.

ADDITIONAL SAMPLING

In response to concerns from residents about possible contamination in their vegetable gardens, in June 2013, EPA collected several types of vegetables from six gardens in the neighborhoods and submitted them to an EPA laboratory for analysis. After the results are reviewed by the EPA toxicologist the vegetable sample results will be mailed to the property owners and discussed at the public meeting.

In mid-September 2013, EPA conducted additional soil sampling in 20 yards within the communities using a direct push technology (DPT) drill rig. The DPT drill rig allowed EPA to collect soil columns from 1 to 10 feet below ground surface to help determine if soils were native to the area or potentially brought in as fill. EPA is waiting for the analytical data results from the DPT sampling event. However, visual evidence indicates that in most cases, the top 12 inches or so of soil were probably brought onto the properties as fill dirt. Under the top 12-inch layer appeared to be native clays that do not appear to be affected by local industrial activity.

ENFORCEMENT ACTIVITIES

On September 20, 2013, EPA mailed letters to potentially responsible parties (PRPs) notifying them of the sampling results and the planned removal action, as well as their potential liability at the Site. These letters offered all identified PRPs an opportunity to (1) conduct a time-critical removal at approximately 50 residences that exceed the higher risk levels and where children are present, (2) to conduct the cleanup at the additional identified properties with higher contamination levels, and (3) meet with EPA to discuss the Agency's Site management plan. The letters also included a list of the PRPs identified at this time for the 35th Avenue Site. EPA will discuss respective responsibilities with each of the PRPs.

SUMMARY OF ACCESS AGREEMENTS AND PROPERTIES SAMPLED

Number of properties in sampling area*	2,048
Number of completed access agreements received	1,188
Number of properties sampled	1,099
Number of properties not able to be sampled (overgrown, no one available to unlock gates, industrial properties, vacant city-owned properties)	89
Number of access agreements not received by neighborhood (Note: Numbers in parenthesis with V are known vacant or empty lots in each neighborhood.)	860
Collegeville	561 (V 304)
Fairmont	166 (V 93)
Harriman Park	133 (V 92)

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NEXT STEPS

The following are actions EPA is currently doing or will be doing in the near future.

- Review evidence and investigation into additional PRPs.
- Hold a public meeting to discuss sampling results and next steps (see box on Page 1).
- Discuss sampling results with residents and answer questions.
- Ensure the affected community and local, state and federal officials are well informed and provided opportunities to work with the EPA on agency response activities.
- Determine an appropriate and timely action for the 50 highest contaminated properties.
- Continue to provide environmental education opportunities to help community members understand the risks associated with exposure to identified pollutants in the area, as well as the regulations governing them. As part of that process, there will be a series of meetings with the newly-formed North Birmingham Community Coalition (NBCC) focusing on the community's environmental issues.
- Begin clean-up activities (likely excavating and disposing of contaminated soil, then backfill with clean soil and re-grassed).

OTHER ACTIVITY

EPA discovered high lead contamination on the ball field at Maclin Park during sampling in the Collegeville community. It is believed that the lead contamination originated from a separate source and is not related to the local industrial activities. EPA immediately notified the Birmingham Parks & Recreation Department. Birmingham quickly hired an environmental consultant to excavate the lead-contaminated soil and prepare it for disposal.