REDACTED VERSION

United States Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

SEP - 7 2018

MEMORANDUM

SUBJECT: Approval and Funding for a Time-Critical Removal Action at the F.J. Doyle Salvage Site, Leonard, Fannin County, Texas

FROM: Gary Moore, On-Scene Coordinator
Emergency Management Branch (6SF-ER)

TO: Carl E. Edlund, P.E., Director
Superfund Division (6SF)

THRU: Ronnie Crossland, Chief
Emergency Management Branch (6SF-E)

I. PURPOSE

The purpose of this action memorandum is to request and document approval of the selected removal action described herein in accordance with the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9604, for the F.J. Doyle Salvage site (Site), Leonard, Fannin County, Texas. This time-critical removal action will involve the excavation and disposal of soils from the Site, city rights-of-ways, and residential properties contaminated by runoff from the Site. This action will remove the threat to human health and the environment posed by the identified contaminants of concern listed herein that were a result of the actions conducted at the Site.

The proposed plan of action meets the criteria for initiating a removal action under Section 300.415 of the National Contingency Plan (NCP), 40 C.F.R. § 300.415. This action is expected to require less than twelve months (from mobilization) and $2 million to complete.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS:	TXD980865109
Category of Removal:	Time Critical
Site ID:	061D
Latitude:	33.389530° North
Longitude:	96.243160° West

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A. Site Description

1. Removal Site Evaluation

The Site is located at the southwest corner of North Poplar and East Cottonwood Street in Leonard, Fannin County, Texas, 75452. The previous address for the site was (b) (6) [redacted] however, the current address is 905 North Poplar Street, Leonard, Texas 75452. The Site consists of approximately 0.344 acres.

F.J. Doyle Salvage conducted salvage operations by stripping out-of-service power transmission transformers for recoverable metals. The facility consisted of a transformer storage shop/office with a surrounding yard used for transformer off-loading and storage. A concrete secondary containment pad was used for the storage of 55-gallon drums and oil storage tanks (1-375 gal and 2-500 gal) containing fluids drained from the transformers.

The facility also used a high-temperature oven to burn residual oils, paper and varnish from the copper and aluminum transformer cores. It was reported that Mr. Frank Doyle used the oil in the past for weed control and distributed the oil to various individuals for use as a weed killer in the 1970s. The past use of polychlorinated biphenyls (PCBs) in electrical equipment such as transformers and capacitors was common until 1979 when PCBs were banned in the United States and became regulated under 40 C.F.R. Part 761.

The transformer storage shop and concrete pad used for transformer off-loading and storage remain at the Site. The Site is directly bordered by residential properties and a Leonard Independent School District (LISD) Daycare Facility to the south with the LISD Intermediate and Elementary schools just south of the Daycare Facility; residences on the north and west; and Leonard High School to the East. The Site predominantly drains to the southeast; south along roadside ditches on North Poplar Street toward the Leonard Elementary school, then east along East Hackberry Street.

The Site is located within non-designated Segment No. 0306 at the western extreme of the Sulphur River Basin, which flows east joining the Middle and North Sulphur Rivers and converges with the Red River 308 miles downstream in Arkansas. The major tributaries of the Sulphur River are Days Creek and White Oak Bayou.

The average annual precipitation of Leonard, Texas is 43 inches with approximately 230 sunny days per year. The average temperature ranges from 33 degrees Fahrenheit in the winter to 93 degrees Fahrenheit in the summer. The average annual snowfall is 1 inch.

The Site lies approximately 700 feet above sea level with an apparent gentle slope to the south. The Site is within Fannin County, which lies in the northern fringe of the Texas Blackland Prairie, which extends through North Central Texas and is characterized by broad flood plains and shallow stream valleys. Information obtained from the U.S. Department of Agriculture (USDA) indicated that the soils generally consist of shallow, well-drained, moderately permeable, loamy soils that are formed in chalk or in chalk interbedded with marl.

The EPA removal program conducted an investigation of the Site in May 2018 and determined that various contaminants of concern (COCs), including PCBs, semi-volatile organic compounds (SVOCs), polycyclic aromatic hydrocarbons (PAHs), and metals, in the soil had migrated off-site.

2. Physical Location

The Site is located at 905 North Poplar Street, Leonard, Fannin County, Texas 75452. The immediate area surrounding the Site is residential and includes multiple schools and a daycare center.

3. Site Characteristics

The Site is the location where salvage operations were conducted. Historical sampling conducted on the Site has shown PCB soil contamination. The contaminants identified on the on-site areas (industrial facility and associated drainage ditches) and those for the off-site areas (residential, school, daycare, alleyway and associated drainage ditches) during the April/May 2018 assessment are as follows:

Analyte	**On-Site Areas**	**Off-Site Areas**
PCB (total):	up to 175 mg/kg	up to 95.1 mg/kg
Arsenic:	up to 68.2 mg/kg	up to 59.1 mg/kg
Cobalt:	up to 30.9 mg/kg	up to 23.6 mg/kg
Copper:	up to 21,800 mg/kg	up to 6740 mg/kg
Lead:	up to 1,480 mg/kg	up to 402 mg/kg
Manganese:	up to 4,490 mg/kg	up to 3290 mg/kg
Benzo(a)pyrene:	up to 0.13 mg/kg	up to 13.3 mg/kg
Benzo(a)anthracene	less than 1.1 mg/kg	up to 9.8 mg/kg
Benzo(b)fluoranthene	less than 1.1 mg/kg	up to 16.5 mg/kg
Dibenzo(a,h)anthracene	less than 0.11 mg/kg	up to 2.97 mg/kg
Indeno(1,2,3-cd)pyrene	less than 1.1 mg/kg	up to 15.2 mg/kg

The Site and the surrounding alleyway, drainage ditches, residential properties, and school properties immediately surrounding the Site are the subject of this removal action and have been impacted by erosional runoff from the Site with similar contaminant impacts.

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

EPA has documented the contamination on the residential properties, alleyway, and drainage ditches surrounding the Site and have determined that it is associated with the operations conducted on the Site. EPA believes that much of the off-site contamination is associated with erosional migration from the Site. PCBs are the primary contaminant of concern although additional contaminants are co-located with the PCB contaminants and will be addressed as part of this response.

The contaminants listed in II.A.3 above, PCBs, arsenic, cobalt compounds, copper, lead, manganese compounds, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. § 302.4.

5. NPL Status

This Site is not on the National Priorities List (NPL). At this time, there is no effort to pursue NPL ranking.

6. Maps, Pictures and Other Graphic Representations

Attachment 1 Site Location Maps
Attachment 2 Overall Contamination Area Map (Confidential)
Attachment 3 Site and ROW Contamination Area Map
Attachment 4 Enforcement Attachment (Confidential)

B. Other Actions to Date

1. Previous Actions

September 1990 – April 1991: The EPA removal program began a site investigation based upon a citizen complaint of improper handling and salvage of transformers and a referral by the EPA regional Toxic Substance and Control Act (TSCA) program. The goal of the investigation was to determine the presence and extent of on and off-site PCB and dioxin contamination. The results indicated no presence of dioxins, although PCBs were present in both on and offsite areas. The Site was referred back to TSCA program due to its active status.

June 1995: The TSCA program referred the Site back to the removal program due to recent PRP sampling revealing extremely elevated concentration of PCBs in off-site soil areas.

July 1995: The removal program began a site investigation to determine the extent of PCB contamination surrounding the Site. At the time of the investigation, the F.J. Doyle Salvage was still actively operating. The investigation revealed elevated PCB contamination to various depths down to two feet and concentrations of up to 2730 mg/kg. It also confirmed PCB contamination in offsite areas. The facility was still actively operated. EPA did not conduct a removal action at the Site.

May 1997: The EPA remedial program conducted a preliminary assessment to evaluate current information relative to the Site. EPA identified the previous investigations and noted the elevated PCB concentrations both on and offsite. The preliminary assessment indicated that it was unlikely that the City of Leonard drinking water wells would be impacted due to the lithology of the underlying formations and depth to groundwater.

August 1998: TNRCC (predecessor agency to Texas Commission on Environmental Quality (TCEQ)) contacted the EPA removal program and requested assistance to address contamination from the Site that had impacted both on and off-site areas near school, daycare, and residential properties. The TNRCC contacted the Texas Department of Health (TDH) to conduct a health consultation.

September 1998: TNRCC completed a remedial screening site investigation (SSI) under a cooperative agreement with EPA. TNRCC conducted soil sampling and verified elevated concentrations of PCBs in both on and offsite areas. Based upon the SSI and the fact that the Site was active, EPA determined that the Site would not meet the criteria to be listed on the NPL.

April 1999: The TNRCC transmitted the Texas Department of Health consultation to EPA. The consultation indicated that the PCBs in soil and in some of the off-site areas presented a public health hazard. The recommendations were to: remove PCB contamination in the alleyway, remove PCB contamination in the residential properties south of the Site, and remove PCB contamination near the on-site container storage area.

August 1999: F.J. Doyle Salvage ceased operations.

July 2006 to January 2016: The TCEQ worked with the Site owners to address the issues through an affected property assessment report (APAR). No further actions were taken by F.J. Doyle Salvage as a result of a deficiency letter issued in January 2016.

February 2017: The TCEQ Voluntary Cleanup Program (VCP) requested the EPA Resource Conservation Recovery Act (RCRA) program assistance as the TCEQ was unable to get voluntary cleanup of the Site through the defunct company.

May 2017: The EPA RCRA program requested the EPA Superfund removal program assistance due to non-viability of owners/operators.

May 2018: The EPA removal program reviewed existing information and proceeded with an investigation of the surface and sub-surface soils to determine the lateral and vertical extent of contamination at the Site including off-site areas. Sample locations were based upon the results of earlier sampling investigations completed in the 1990s. The COCs for the Site are, but not limited to, PCBs, SVOCs/PAHs, and metals. The investigation revealed elevated concentrations of metals, SVOCs, and PCBs. EPA has determined that off-site migration of contaminants from the site has occurred.

2. Current Actions

No current ongoing actions are being conducted.

C. State and Local Authorities' Role

1. State and Local Actions to Date

See II.B.1 above.

2. Potential for continued State/Local response

At this time, there are no additional actions anticipated by the State or local government entities except for coordination with EPA on the planned action. After completion of the action, the Site will be referred back to the State. The Site was referred to EPA through the TCEQ VCP as there was no longer an entity available to complete the action.

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

Section 300.415 of the NCP lists the factors to be considered in determining the appropriateness of a removal action. Paragraphs (b)(2)(i), (iv), (v) and (vii) directly apply to the conditions at the Site. Any one of these factors may be sufficient to determine whether a removal action is appropriate.

A. Exposure to Human Populations, Animals or the Food Chain, 40 C.F.R. § 300.415(b)(2)(i).

The Site contaminants are migrating offsite by means of erosion. The Site is bordered by residential properties, school properties, and a daycare facility. Therefore, a threat of exposure to human populations exists from contaminated soils that have and continue to migrate off-site. Exposure to these

hazardous substances could be from ingestion, skin absorption, and inhalation. Site contaminants include PCBs, arsenic, cobalt compounds, copper, lead, manganese compounds, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene, which are hazardous substances as defined at Section 101(14) of CERCLA, 42 U.S.C. 9601(14) and further defined at 40 C.F.R. § 302.4.

B. High Levels of Hazardous Substances or Pollutants or Contaminants Soils Largely at or Near the Surface, that May Migrate, 40 C.F.R. § 300.415(b)(2)(iv).

The hazardous substances and the concentrations located within the residential soils are identified in II.A.3 above. Those concentrations are elevated above EPA regional screening levels.

C. Weather Conditions that may cause Hazardous Substances or Pollutants or Contaminants to Migrate or be Released, 40 C.F.R. § 300.415(b)(2)(v)

Contaminants from the Site have migrated downgradient from the Site. These actions will continue during heavy rainfall events when sediment is displaced and moved by erosional forces.

D. Availability of Other Response Mechanisms, 40 C.F.R. § 300.415(b)(2)(vii)

There are no other response mechanisms available to conduct this action except for the EPA Superfund removal program. The State indicated it does not have the resources to conduct the cleanup, and F.J. Doyle Salvage is a defunct company. EPA will work with the TCEQ to determine areas where it may assist in this action.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances, pollutants or contaminants from this Site, if not addressed by implementing the response action selected in this action memorandum, may present an imminent and substantial endangerment to the public health, welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

EPA anticipates the excavation of soils from the Site and the surrounding properties believed to be impacted by the F.J. Doyle Salvage facility. In addition, this action will dismantle the existing structure and concrete slabs on the property to facilitate a complete cleanup. The excavated soils and related debris will be disposed within an appropriate and approved landfill followed by restoration of the properties to pre-removal conditions. The cleanup levels to be used for this action are:

Contaminant	Cleanup Level
PCB (Total):	< 1mg/kg
Arsenic:	< 20 mg/kg*
Cobalt:	< 23 mg/kg*
Copper	< 3,100 mg/kg*
Lead:	< 400 mg/kg*

Manganese:	< 1,800 mg/kg*
Benzo(a)anthracene:	< 11 mg/kg*
Benzo(a)pyrene:	< 1.1 mg/kg*
Benzo(b)fluoranthene:	< 11 mg/kg*
DiBenzo(a,h)anthracene:	< 1.1 mg/kg*
Indeno(1,2,3-cd)pyrene:	< 11 mg/kg*

*EPA will be addressing areas with analytical results above or equal to 1 mg/kg total PCBs. Areas with analytical results that exceed site-specific action levels for PAH and metals will also be addressed if they are co-located with levels of total PCBs that are above or equal to 1 mg/kg. The soils at the Site will be excavated to maximum depth of two (2) feet below ground surface.

2. Contribution to Remedial Performance

The Site is not currently being evaluated for inclusion on the NPL although the removal actions being proposed in this action memorandum would be consistent with a potential remedial action that would be conducted.

3. Applicable or Relevant and Appropriate Requirements

This removal action will be conducted to eliminate the actual or potential release of a hazardous substance, pollutant, or contaminant to the environment, pursuant to CERCLA, 42 U.S.C. § 9601 *et seq.*, in a manner consistent with the NCP, 40 C.F.R. Part 300. As per 40 C.F.R. § 300.415(j), Fund-financed removal actions pursuant to CERCLA Section 104, 42 U.S.C. § 9604, and removal actions pursuant to CERCLA Section 106, 42 U.S.C. § 9606, shall, to the extent practicable considering the exigencies of the situation, attain the applicable or relevant and appropriate requirements under federal environmental law or state environmental law or facility siting laws.

Because consolidation and offsite disposal are the principal elements of this removal action, RCRA waste analysis requirements in 40 C.F.R. §§ 261.20 and 261.30, RCRA manifesting requirements in 40 C.F.R. § 262.20, and RCRA packaging and labeling requirements in 40 C.F.R. §§ 262.30 and 262.31 are deemed to be relevant and appropriate requirements for this removal action. All hazardous substances, pollutants, or contaminants removed offsite for treatment, storage, or disposal shall be treated, stored, or disposed at a facility in compliance, as determined by EPA, pursuant to 40 C.F.R. § 300.440. All offsite transportation of hazardous materials will be performed in conformity with U.S. Department of Transportation (DOT) requirements 49 C.F.R. Part 172. Because this action will involve disposal of PCB waste, it will be conducted in accordance with the substantive requirements of 40 C.F.R. Part 761.

4. Project Schedule

The EPA anticipates initiating such actions in September/October 2018 and take approximately three to four months to complete.

B. Estimated Costs

Extramural Costs:

ERRS	$1,619,000
START-4	$ 200,000
Contingency	$ 161,000
TOTAL EXTRAMURAL COSTS	$1,980,000

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

If this response action is not taken, residents will continue to be exposed to the contaminated soils. In addition, these contaminated soils may migrate by wind, water, and mechanical means which could result in the contamination of additional areas around the Site.

VII. OUTSTANDING POLICY ISSUES

There are no known outstanding policy issues associated with this Site.

VIII. ENFORCEMENT

See Enforcement Attachment.

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 **$ 3,106,329.**

((Direct Extramural + Direct Intramural {Direct Costs}) + (45.02% of Direct Costs {Indirect Cost}) = Estimated EPA Cost for a Removal Action

$ 1,980,000 + 162,000 + (47.09% x $ 2,142,000) = **$ 3,150,667**

Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2002. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only, and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor the deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

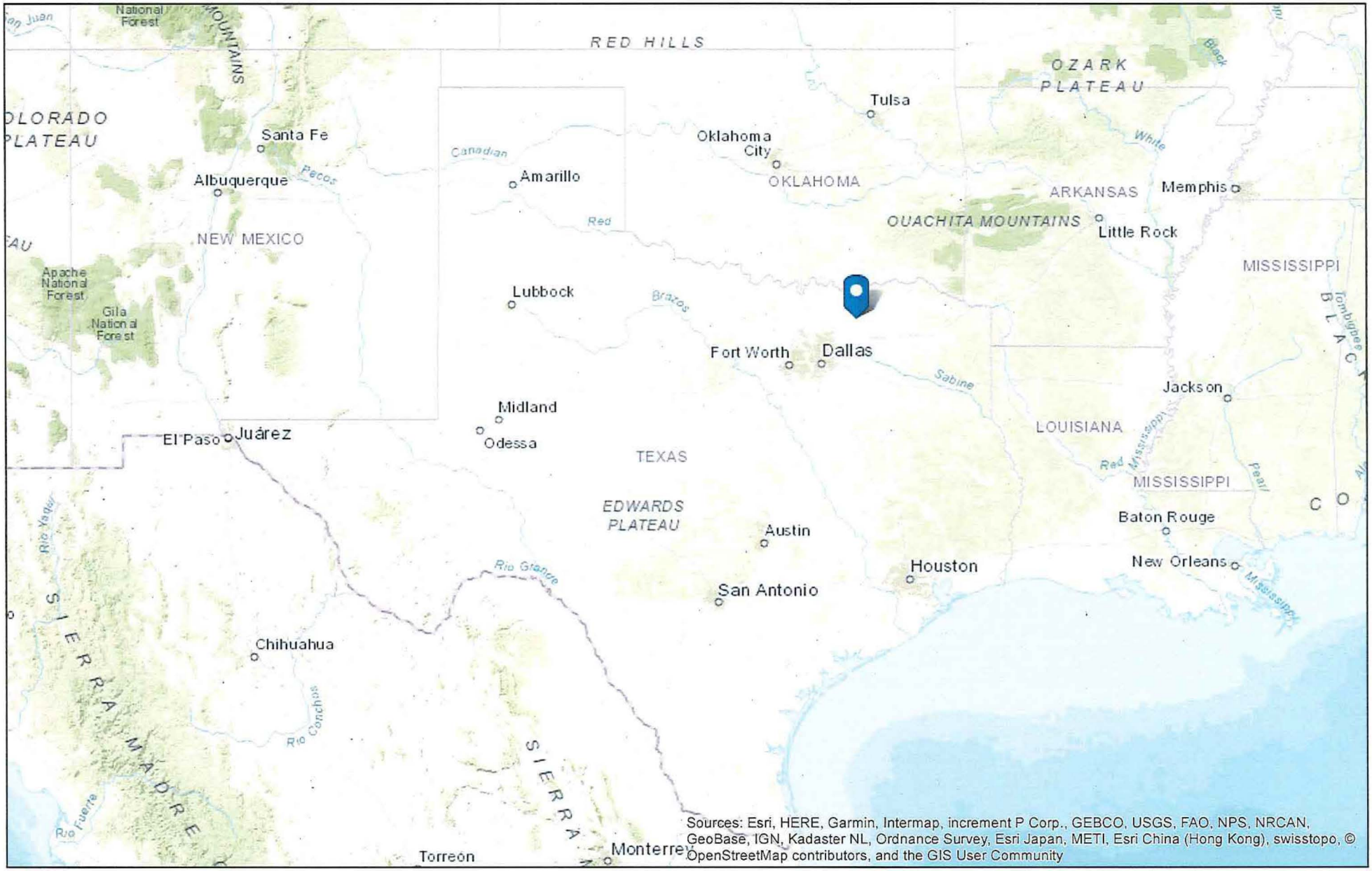
IX. RECOMMENDATION

This decision documents the selected removal action for the F.J. Doyle Salvage Site, Leonard, Fannin County, Texas and surrounding areas identified by the EPA to have been impacted by such operations or otherwise migrated off the site. This action was developed in accordance with CERCLA, 42 U.S.C. § 9601 et seq., and not inconsistent with the NCP, 40 C.F.R. Part 300. This action was based on the administrative record for the Site. Because the conditions at the Site meet the criteria defined in Section

300.415 of the NCP, I recommend your approval of the proposed removal action. The total CERCLA extramural project ceiling if approved will be $ 1,980,000. Of this, an estimated $1,619,000 (without contingency) will come from the Regional Removal Allowance.

APPROVED: _____ DATE: 09/07/18

Carl E. Edlund, P.E., Director
Superfund Division



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US EPA

F.J. Doyle Site Location Map (Attachment 1)

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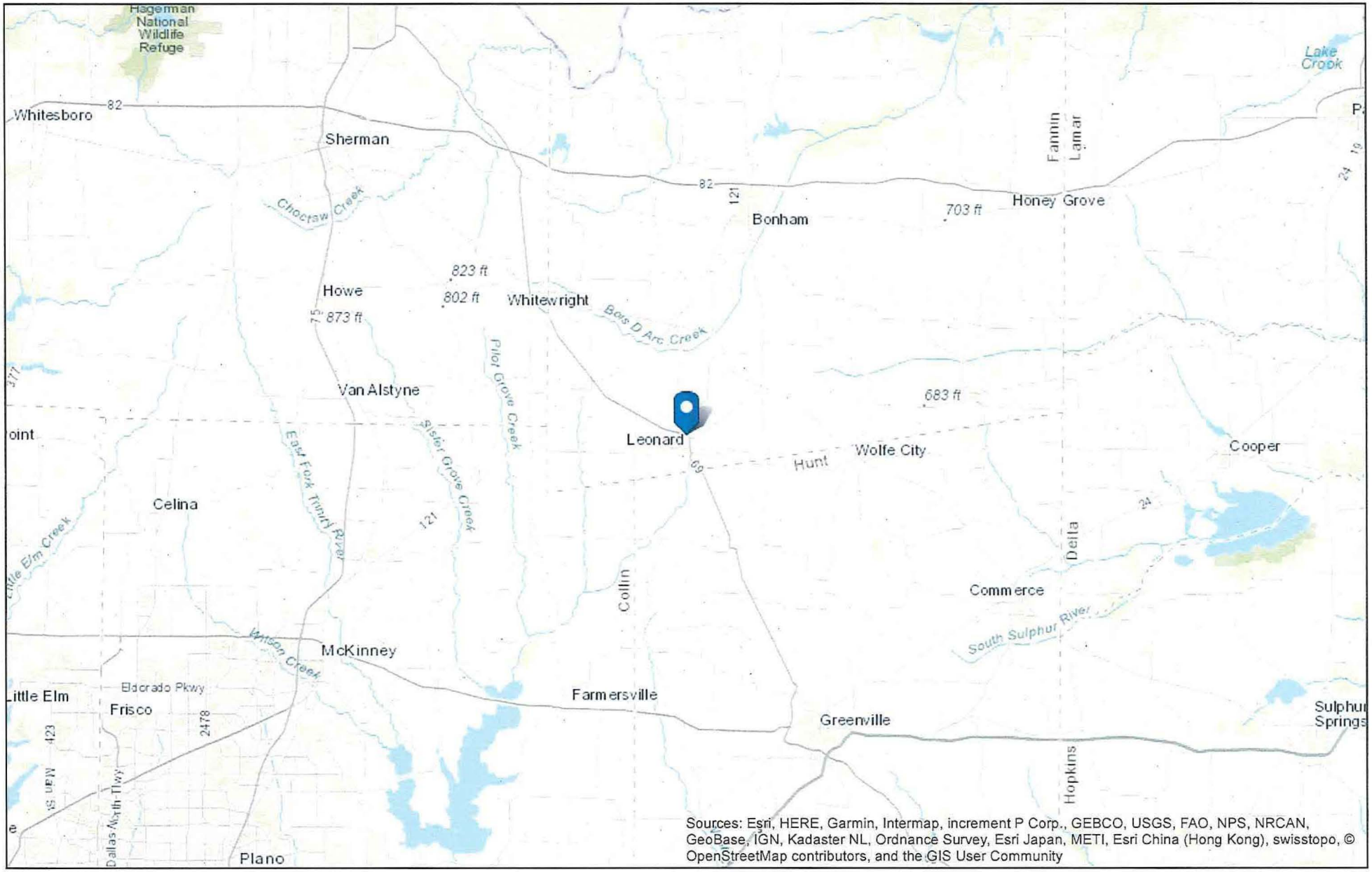

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US EPA

F.J. Doyle Site Location Map (Attachment 1)

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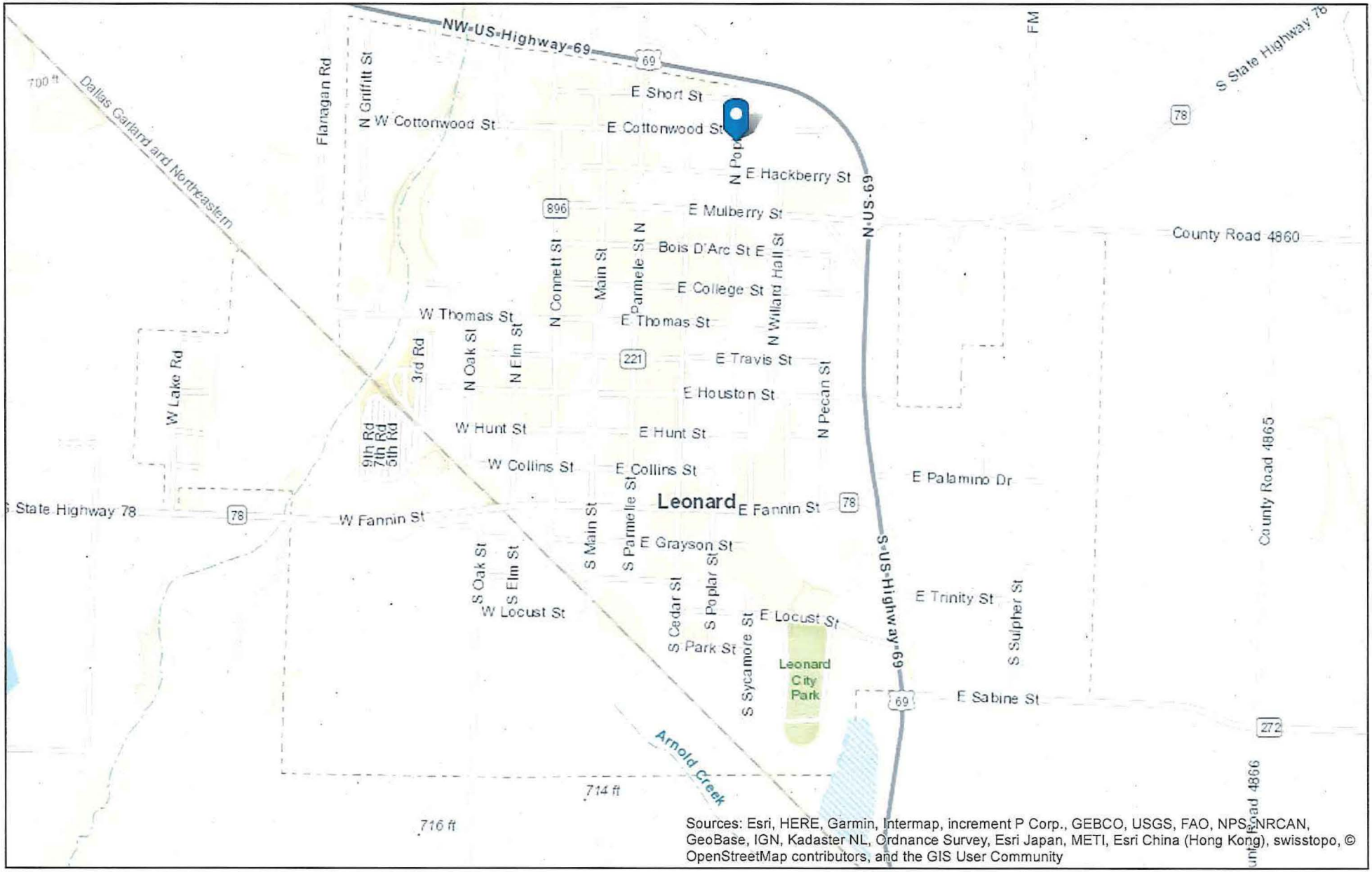

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US EPA

F.J. Doyle Site Location Map (Attachment 1)

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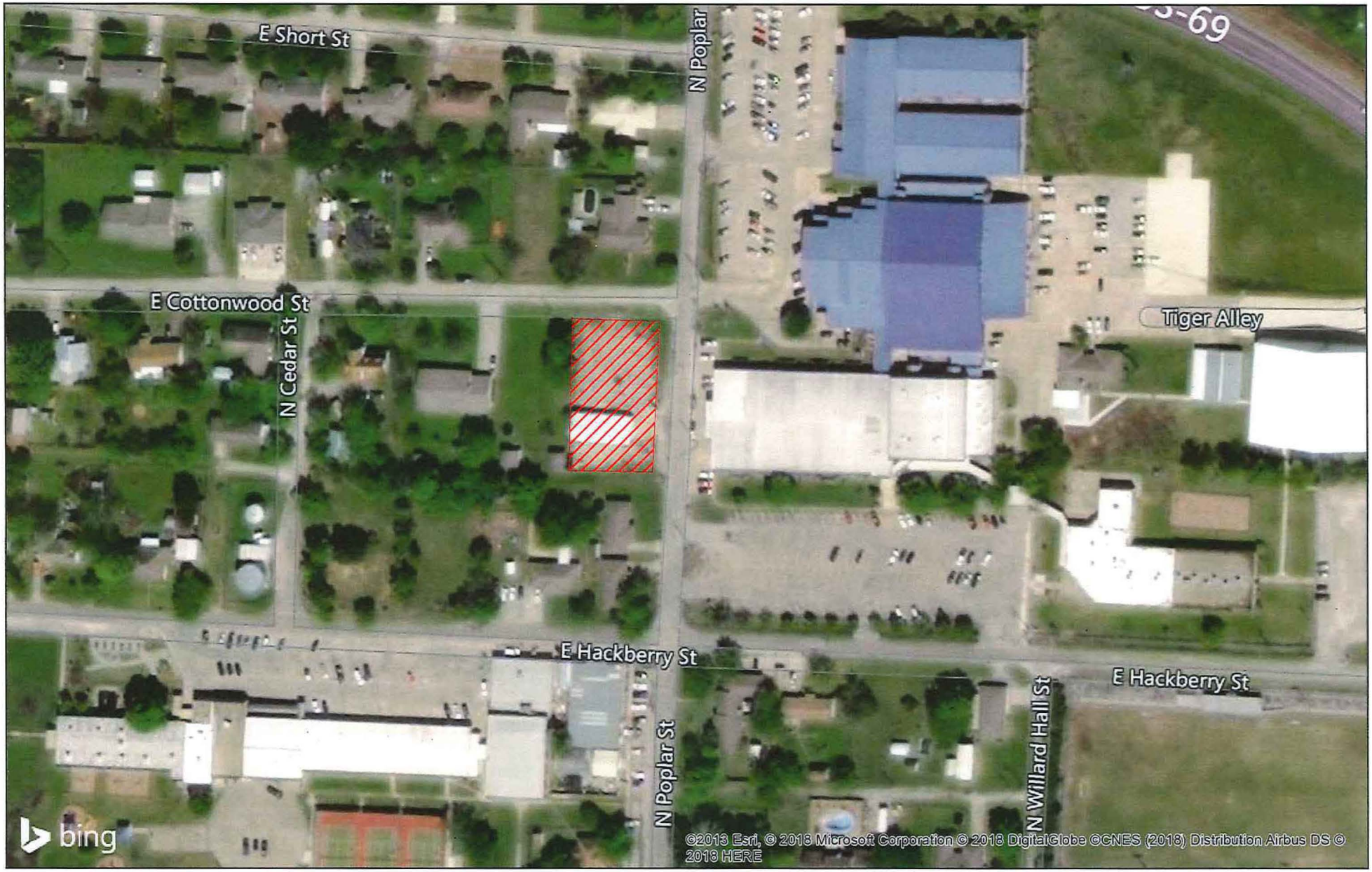

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SiteSketchA...

Site Area

US EPA

F.J. Doyle Site Location Map (Attachment 1)

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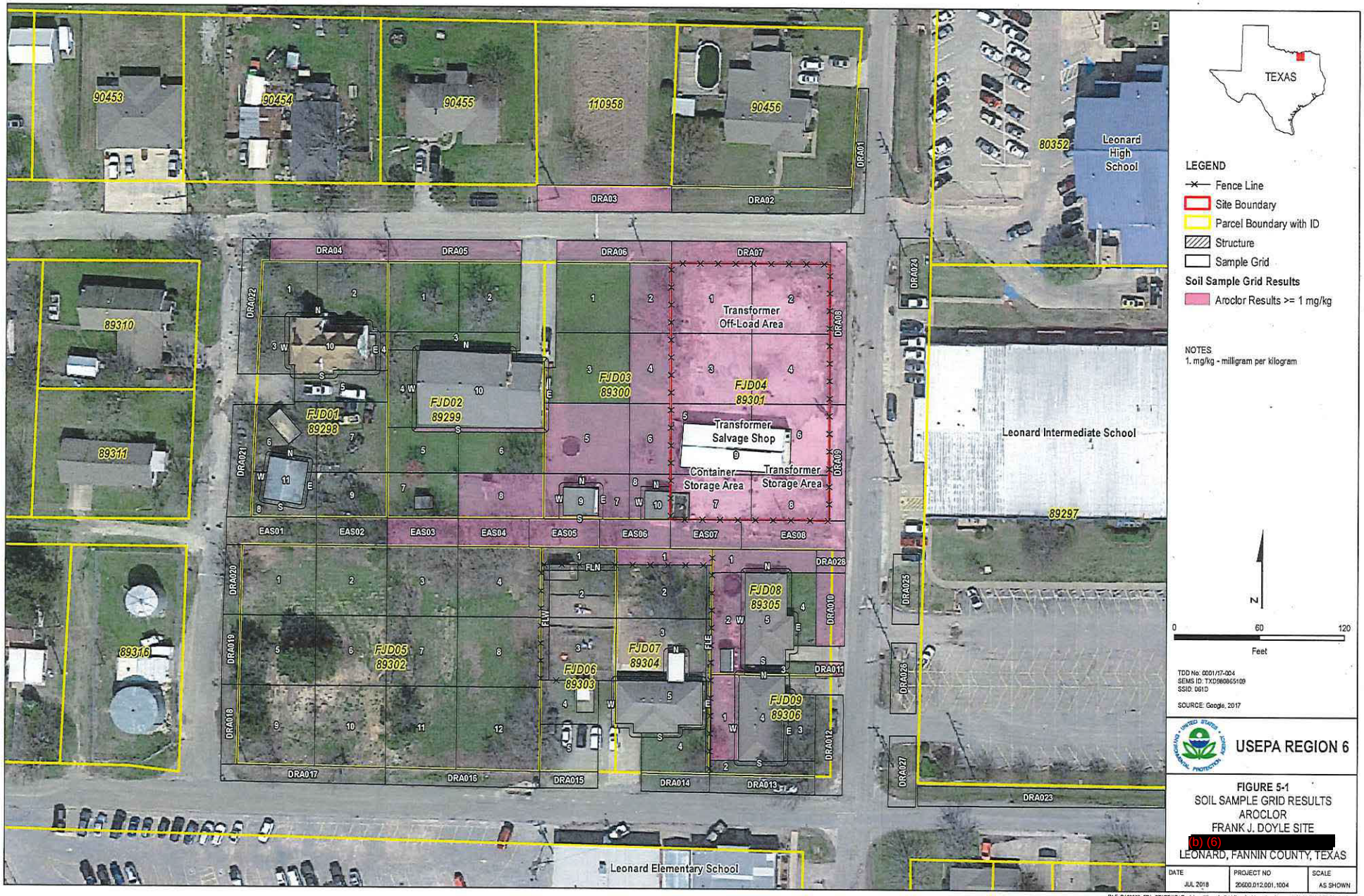
ATTACHMENT 2