

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
35th Avenue Site - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: POLREP #2
35th Avenue Site
B4M3
Birmingham, AL
Latitude: 33.5627531 Longitude: -86.7989565

To: Jim Webster, Chief, ERRB, EPA R4
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Date: 6/12/2012

Reporting Period: 4/13/11 - 6/12/12

1. Introduction

1.1 Background

Site Number:	B4M3	Contract Number:	
D.O. Number:		Action Memo Date:	
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Assessment
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:		Start Date:	
Demob Date:		Completion Date:	
CERCLIS ID:	ALN000410750	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

On May 5, 2011, the Emergency Response and Removal Branch (ERRB) of the Superfund Division of the U.S. Environmental Protection Agency issued a Pollution (POLREP #1) that summarized the ERRB's review of residential sampling data set forth in a December 2009 Report submitted by Walter Coke, Inc. (December 2009 Report) to the Region 4 Resource Conservation and Recovery Act (RCRA) Division/Restoration and Underground Storage Tank Branch (RUST). The December 2009 Report evaluated contamination in limited residential areas that surround the Walter Coke Facility, located at 3500 35th Avenue, Birmingham, Alabama. The ERRB determined that a time-critical removal action was appropriate on the residential properties, and defined the Superfund site to include the Walter Coke facility and three surrounding communities, Collegeville, Fairmont, and Harriman Park, and the superfund site was named the "Walter Coke Site".

Since that time, the EPA has created the North Birmingham Collaborative Team to assess the North Birmingham area in a multi-media (One EPA) manner that includes the RCRA, Superfund, Air, Water, Environmental Justice, Brownfields and National Environmental Policy Act (NEPA) Programs. The RCRA, Water and Air Programs will assess and pursue corrective action at the Walter Coke Facility. The Superfund Site will not include the Walter Coke Facility. The Superfund site has been re-defined to include portions of the Fairmont, Collegeville and Harriman Park neighborhoods, and a ditch in Harriman Park (34th Street N Ditch) that receives runoff from industry, all of which are located in and around Birmingham, Jefferson County, Alabama. Since that time the superfund Site was initially renamed the "35th Avenue Coke Site", but it is now named the "35th Avenue Site" (Site). Further discussion of the site definition will be described in Section 2 of this POLREP.

Some additional information that has either been updated or changed from POLREP #1 is listed below:

There have been three air monitoring studies conducted in the vicinity of the Site since 2005.

- Birmingham Air Toxics Study (BATS) was conducted in 2005 and studied four stations around the North Birmingham Area. Benzo(a)Pyrene (BaP) and arsenic (As) were detected in the 1E-6 to 1E-4 risk range.
- School Air Toxics Study (SATS) was conducted in from August 2009 to December 2009 and focused on monitoring at select schools. This study found levels of coke related emissions, particularly benzene, As, and BaP at levels that would pose a concern for long-term exposure.

- Current Study: The current study is a yearlong study monitoring at four locations in those communities that make up the current Site boundary. The current monitoring is for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and PM10 metals. Preliminary screening is showing naphthalene, benzene, chromium, manganese, and lead above the 1E-4 level in a few samples.

It was stated in POLREP #1 that aerial deposition from stacks are a reoccurring event that is causing the contaminants to be spread throughout the communities. This is only one potential source that EPA is investigating in order to determine how the contaminants have spread. Others include flooding, use of fill material, and windblown particulates from process fines and other stockpiled material. In addition, a full history of operations at current and former industry is being compiled to aid in the determination of how and where contamination has spread at the Site.

2. Current Activities

2.1 Operations Section

The following activities have occurred during this reporting period:

- In September 2011 ERRB began reviewing information to determine if the soil sampling and cleanup of the residential properties surrounding the Walter Coke facility should be addressed under the Superfund program.
- The North Birmingham Environmental Collaboration Project was formed within EPA Region 4 to bring together all media programs as they relate to the 35th Avenue Site. Members of this team are represented by: Superfund, Air, RCRA, Water, NEPA and Environmental Justice programs.
- An external website was created for the project to share information and to allow the public to comment on the project. The website address is: <http://epa.gov/northbhamproject/>
- EPA issued a General Notice Letter to Walter Coke on December 21, 2011 notifying the company that they may be a Potentially Responsible Party (PRP) for the Site and giving the company the opportunity to enter into a Settlement Agreement and Administrative Order on Consent (AOC) to perform work at the Site. EPA and Walter Coke are currently in settlement negotiations.
- To date, Walter Coke has cleaned up 16 of 23 properties that were identified as having PAH and As concentrations above removal management levels (RMLs).
- EPA has developed a robust Community Involvement Strategy and Plan for the Site and held a meeting with Community Leaders on January 11, 2012 and a Public Availability Session on January 30, 2012. The Birmingham City Council was briefed on the actions being planned at the Site on January 31, 2012. Representatives of EPA, Alabama Department of Environmental Management (ADEM), and Jefferson County Department of Health (JCDH) met with representatives from the three communities and the City Council on June 1, 2012.
- Further sampling at the Site shall be conducted in residential soil, sediment and surface water from drainage pathways and along 34th Street Ditch for metals (including arsenic and lead), Semi-Volatile Organic Compounds (SVOCs), and poly-cyclic aromatic hydrocarbons (PAHs). EPA may collect soil samples in limited areas to be analyzed for Polychlorinated Biphenyls (PCBs).

2.2 Planning Section

The following activities are planned at the Site during the next reporting period:

- Negotiations will continue with Walter Coke. In addition, the EPA has issued CERCLA Section 104(e) Information Request Letters to companies that have operated in and around the Site. EPA will issue General Notice Letters to additional PRPs as they are discovered.
- The North Birmingham Environmental Collaboration Project team will continue to be active in the community conducting resident interviews and gathering information on Site history.

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

No information available at this time.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

No information available at this time.

4. Personnel On Site

No information available at this time.

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.

POLREP #2 Last Updated 6/15/2012