



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

June 2, 2020

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

OLEM – 9360.3-208

MEMORANDUM

SUBJECT: Headquarters Concurrence on the Allied Chemical & Ironton Coke Superfund Site Notice of Intent to Partially Delete

FROM: Dana L. Stalcup, Acting Director **DANA STALCUP**
Office of Superfund Remediation and Technology Innovation, OLEM

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STALCUP
Date: 2020.06.02 12:14:52 -04'00'

TO: Kurt Thiede, Regional Administrator
Region 5

Background

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Delegation of Authority 14-17, National Priorities List (NPL) Determinations, pursuant to CERCLA's section 105 requires formal Office of Land and Emergency Management (OLEM) concurrence before a Regional Administrator signs the Notice of Intent to Partially Delete. This memorandum completes the Headquarters concurrence requirement.

Consistent with section 300.425 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), releases may be deleted from or re-categorized on the NPL where no further response is appropriate. In consultation with the state, the U.S. Environmental Protection Agency (EPA) shall consider whether any of the following criteria have been met: "(i) responsible parties or other persons have implemented all appropriate response actions required; (ii) all appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or (iii) the remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate." This partial deletion is in accordance with the Notice of Policy Change: Partial Deletions of Sites Listed on the NPL, 60 FR 55466 (November 1, 1995).

Headquarters Review

Headquarters reviewed the Allied Chemical & Ironton Coke Superfund site's draft Notice of Intent to Partially Delete and sent written comments to Region 5 based on that review. The region's Superfund office addressed the comments accordingly. Upon completing its review,

Headquarters agrees that the proposed deletion action meets the relevant NCP deletion criteria summarized above. The attached checklist summarizes that the Notice of Intent to Partially Delete meets both NCP and EPA guidance deletion requirements. The region has ensured that the deletion docket is available for public review and comment.

Action

Headquarters concurs with the Allied Chemical & Ironton Coke proposed site deletion. Please sign and process the appropriate deletion documents. If you have questions, please call me at 202.309.5473 or your staff may call Chip Love at 703.603.0695.

Attachment

cc: Doug Ballotti, SEMD, Region 5
Cyndy Mackey, OECA/OSRE
Brigid Lowery, OLEM/OSRTI
Schatzi Fitz-James, OLEM/OSRTI
Jennifer Hovis, OLEM/OSRTI
Chip Love, OLEM/OSRTI

Headquarters Partial Deletion Concurrence – Checklist
Allied Chemical & Ironton Coke Superfund Site
(Ironton, Ohio)

SITE MILESTONES

- ✓ Is the site being deleted based on Resource Conservation Recovery Act deferral? If yes, skip to “deletion criteria.”

No.

- ✓ Is the site construction complete?

Yes.

- ✓ Does the site require five-year reviews (FYRs)? If EPA has completed a FYR, what was the last completion date? What is the site’s site-wide protectiveness determination?

Yes. EPA completed the most recent FYR for the Site in September 2019. EPA’s 2019 FYR found that the site-wide remedy protects human health and the environment. The exposure pathways that could result in unacceptable risks are being controlled and the cleanup remedies are operating as expected.

- ✓ Are the environmental indicators Human Exposure Under Control and Ground Water Migration Under Control?

Yes – Human Exposure is under control.

Yes – Ground Water Migration is under control.

- ✓ Are Institutional Controls (ICs) required at the site? Are ICs in a decision document?

Yes, ICs are required, implemented and documented in multiple decision documents.

- ✓ Did the Region complete a remedial action report or a no action ROD for the media proposed for partial deletion?

Yes. The Region completed six remedial actions and a Preliminary Close Out Report in 2016

DELETION CRITERIA

- ✓ Does the Region have the state concurrence letter?

Yes; the State of Ohio concurred with the proposed partial deletion on March 6, 2020.

- ✓ Is the state concurrence in the deletion docket? Is the RA report or no action ROD in the docket? Is the docket available in the site repositories?

Yes, the State concurrence letter and the remedial completion documents are in the deletion docket.

- ✓ Has a Federal Docket Management System docket phase been opened for the deletion? Are the deletion docket documents uploaded or referenced in this docket?

Yes.

- ✓ Were all the Headquarters regional coordinator's significant comments addressed and/or resolved?

Yes.

- ✓ If a direct deletion, were both documents sent to Headquarters for review?

Yes.

- ✓ Does the document use the most current deletion templates?

Yes.

- ✓ Are there any community concerns about the Site?

No.

- ✓ Are there any reuse/redevelopment opportunities?

Potentially; The site team met with residents and some small businesses on November 19, 2013 and again on April 24, 2018. Most of the nearby residents didn't know much about the site because the site closed years ago. Most of the people interviewed were senior citizens who are not looking for work, however they mentioned that younger workers left the area because of the lack of jobs. They would like to see jobs come back to the site. They reported that local businesses and restaurants have lost business throughout the years due to the plant closing. The locals welcome any sort of new business on the site. Overall, the citizens were very pleased with the EPA's role in cleaning up the site.

- ✓ Is the Region planning an event for the deletion?

No, The Region is planning to issue a press release, however, due to the uncertainty with COVID-19 the Region is not currently planning any in-person events.

BASIS FOR SITE DELETION

Verify the following information is included in the "basis for site deletion" section (as appropriate):

- ✓ Site Background and History
- Provide nearest city, county, state;
 - Describe the physical locations and boundaries of the site;
 - Describe former use;
 - Describe site conditions resulting in listing;
 - Provide *Federal Register* citation of proposed and final NPL listing;
 - Describe removals conducted (if applicable); and
 - Describe ongoing or potential redevelopment (if applicable).

✓ Remedial Investigation and Feasibility Study

For the OUs and media proposed for deletion:

- Describe scope of remedial investigation; and
- Describe findings from feasibility study.

✓ Selected Remedy

For the OUs and media proposed for deletion:

- Describe the major components of the selected remedy;
- Describe remedial action objectives; and
- Describe any explanation of significant differences or ROD amendments.
- Clearly differentiate between RODs that are part of the partial deletion and those that are not.

✓ Response Actions

For the OUs and media proposed for deletion:

- Summarize remedial design/remedial action activities.

Cleanup Goals

For the OUs and media proposed for deletion:

- Describe information or data obtained to demonstrate that cleanup levels have been achieved.

Operation and Maintenance (if applicable)

For the OUs and media proposed for deletion:

- Describe ongoing or completed O&M;
- Describe institutional controls implemented, including where filed and how verified.

✓ Five-Year Review (if applicable)

- Describe results of any previous FYR;
- Discuss the areas proposed for deletion that are included in the Five-Year Review; and
- Indicate the schedule for the next FYR.

✓ Community Involvement

- Describe major community involvement activities; and
- Describe community involvement activities associated with deletion.

✓ Determination that the Site Meets the Criteria for Deletion

- Explain why the site meets the substantive NPL deletions criteria; and
- Describe how the region has followed 40 CFR 300.425(e) procedures.