

State of North Carolina
Department of Environment,
Health and Natural Resources
Winston-Salem Regional Office

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Leesha Fuller, Regional Manager



DIVISION OF ENVIRONMENTAL MANAGEMENT
GROUNDWATER SECTION

July 16, 1993

MEMORANDUM

TO: George Matthis, Administration
Cindy Perry, Administration Group

FROM: Cindy Rintoul, WSRO

SUBJECT: Trust Fund Package
Burlington Industries
Tucker Street
Burlington, Alamance County, NC

Enclosed is the Trust Fund Package for the above referenced site. It has had an eligibility determination and is being resubmitted for a second consideration for the Commercial Trust Fund.

Most of the problems stem from poor or nondocumentation of sample collection.

In a response from ENSCI (4/13/93, enclosed), they admit they only took clean closure samples in the tank pit. "Samples of contaminated soil were not collected for analyses during tank removal." They assumed that stockpile samples were enough to ensure reimbursement for an excessive amount of soil removed.

In the report, ENSCI indicated that soils in the tank farm area had been excavated based on OVA content. No OVA results were included except those taken at the bottom of excavation (all <1ppm). Computations indicate the final excavation of the tank farm area to be 3105cu.yds. According to the report all that soil was contaminated (remember, no OVA readings were included or samples taken).

In addition, there were two separate waste oil excavations. Samples indicate one was hot, one was not. But, the report states "Based on analytical results generated from samples acquired in the waste oil tank #1 excavation, there may be some soil contamination

from waste oil. However, as indicated in the analytical data (see Appendix 4), EPA Method 9071 was the only analytical method that detected any constituents. Based on field observations made by ENSCI Corporation professionals, ENSCI Corporation is of the opinion that the EPA Method 9071 results for waste oil tank #1 are spurious." It seems that it was ENSCI professionals' opinion there was no release. Which is it? They appear to want a "no contamination closure" for the pit but want it contaminated to show that stockpiles were contaminated.

Furthermore, ENSCI's letter dated 4-13-91 states that "We are of the opinion that analytical results for the stockpile samples confirm that a release had occurred in the tank farm." There are samples taken for the land application permit. (See enclosed grid.) Notice how the only samples that are hot are one 3550 (the ONLY 3550 taken), the varsol and the waste oil. The report several times documents a varsol leak in 1984 (This leak would not be reimbursable; varsol tanks were removed in 1984).

It is the opinion of this office not to reimburse this site as submitted.

First, minor waste oil contamination is indicated-one incident.

If they want to say the diesel stockpile is contaminated (and I do not agree based on 130ppm for a stockpile where the dimensions are not available) that would be incident #2. Now we have a \$100,000 deductible. That leaves approx. \$43,000 to be reimbursed. But one waste oil tank was not leaking, so personnel, excavation, tank removal, sampling, backfill costs, etc. cannot be reimbursed or put towards deductible. The two glycol tanks were not eligible under the LUST Program and therefore all, personnel, excavation, tank removal, sampling, backfill costs, etc. cannot be put towards deductible. Then we do not know how much soil was truly contaminated (the 5' guideline will not be applied here, no sample or even OVA results to base this on). So almost all of excavation, backfill, treatment, disposal, is not reimbursable. The one waste oil release is the only one documented. Lastly, \$26,868.38 was requested for reimbursement for the "replacement foundation for Pipe Bridge and Slab Replacement where Oil Storage Tanks were Removed". Why would they need the pipe bridge if the tank farm was gone? We would not replace the slab or the pipe bridge if the tanks were not leaking and there is flimsy evidence for that. This office strongly recommends the evidence for such a need for this expense as non-existent based on submitted reports.

There is no way to review this package and come out with costs justified to \$143,000+.

This office recommends not reimbursing this site.