



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8SEMD-EMR

ACTION MEMORANDUM

SUBJECT: Action Memorandum for a Removal Action at Lockwood Solvents pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104

FROM: Valeriy Bizyayev, Federal On-Scene Coordinator
Response Section

Joe Payne, Federal On-Scene Coordinator
Response Section

THRU: Kerry Guy, Supervisor
Emergency Response Section

Deirdre Rothery, Manager
Emergency Management Branch

TO: Aaron Urdiales, Director
Superfund and Emergency Management Division

I. Purpose

The purpose of this memorandum is to document the decision to initiate emergency response actions described herein for the Lockwood Solvents Groundwater Plume site (Site), located in Billings, Yellowstone County, Montana, pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104. This Emergency Removal Action involves capping and stabilizing contaminated soils, winterizing the property, and closing the Site before the winter of 2024. Conditions existing at the Site presented a threat to public health and the environment and met the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the National Contingency Plan (NCP).

II. Site Information

A. Site Description

Site Name: Lockwood Solvents
Site Spill ID (SSID): 08AK
NRC Number: N/A

CERCLIS Number: MT0007623052
Site Location: 1353 Taylor Place, Billings, Yellowstone
County, Montana
Lat/Long: 45.80469/ -108.45133
Potentially Responsibly Party (PRP):
NPL Status: NPL
Removal Start Date: November 1, 2023

B. Site Background

1. Site Evaluation

The Lockwood Solvents Site was listed on the National Priorities List in December 2020 and has undergone Remedial Action to address a groundwater plume from historic industrial impacts. As part of the Remedial Action, the EPA Remedial Team has been leading a team of contractors to remove and stabilize contaminated soils, monitor and bioremediate groundwater, monitor indoor air, and implement institutional controls. In 2023, the contractor operating the Site for EPA's Remedial Team entered bankruptcy and all on Site remedial activities ceased. The EPA Remedial Program requested EPA Removal Program's assistance to cap and stabilize contaminated soils, winterize and close the Site before the winter of 2024.

2. Physical location and Site characteristics

The 580-acre Lockwood Solvent Groundwater Plume Site is located at 1353 Taylor Place on the outskirts of Billings, Yellowstone County, Montana. Lockwood is a neighborhood of Billings with an estimated population of 7,200 people.¹ The Site is located near other commercial and industrial businesses as well as nearby a railroad.

The area sees significant foot and vehicular traffic for the surrounding properties and businesses. The Yellowstone River is directly adjacent to the Site and a tributary of the Yellowstone partially forms the Site boundary on the north side (Attachment 1). During the winter months, the Site experiences high winds with an average of 11 mph and gusts over 20 mph not uncommon. Annual snowfall at the Site is 46 inches per year.²

The Site is currently abandoned with no anticipated use until remediation is completed. Previously the Site operated as a rail truck maintenance yard, using solvents for cleaning. Afterwards, the Site was used to manufacture and distribute chemicals.

This is the first removal action on the Site, and it is consistent with the Remedial Program's Superfund goals.

According to EPA's Environmental Justice (EJ) Screening and Mapping Tool, the data does not indicate a potential area of EJ concern at or near the Site.

¹ Census.gov, Lockwood, MT <https://www.census.gov/quickfacts/fact/table/lockwoodcdpmontana/POP010220#POP010220>

² National Weather Service, Billings, MT Historical Weather Data https://www.wrh.noaa.gov/byz/climate/annsum_bil.php

3. Release or threatened release into the environment of a hazardous substance, pollutant, or contaminant.

EPA's Remedial Team identified Tetrachloroethene/perchloroethene (PCE), Trichloroethene (TCE), vinyl chloride (VC), and *cis*-1,2-dichloroethene (*cis*-1,2-DCE) as the constituents of concern (COCs) at the Site.³ The Remedial team determined that the COCs were in exceedance of the Remedial performance standards developed for the soils at the Site. Remedial performance standards were created by the EPA Remedial Team to denote the maximum concentration at which the COCs in the soils at the Site no longer threaten human health and the environment. The COCs are all CERCLA Hazardous Substances as defined by Section 101(14) of CERCLA. These hazardous substances contained within the soil constituted a release to the environment and presented a threat to human health and the environment.

III. Threats to Public Health Welfare or the Environment

A. Nature of Actual or Threatened Release of Hazardous Substances, Pollutants or Contaminants.

The Site is surrounded by commercial, industrial, and residential properties as well as nearby surface waters. Without action to secure the Site by temporarily covering the contaminated soil and installing a security fence, nearby human and animal populations in the area could have been exposed to the release of PCE, TCE, VC, and *cis*-1,2-DCE.

Exposure to PCE and its daughter chemicals (TCE, *cis*-1,2-DCE) and vinyl chloride can lead to a multitude of health problems. Exposure has been linked to nervous system and respiratory system defects, organ failure (particularly the liver), as well as several types of cancer (bladder, non-Hodgkin-lymphoma, and myeloma particularly). These health effects have been documented in both chronic and acute exposures.⁴

- B. Check applicable factors (from 40 CFR 300.415) which were considered in determining the appropriateness of a removal action:** EPA has considered all the factors described in 40 CFR 300.415(b)(2) of the NCP and determined that the following factors apply at the Site.

Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)].

Actual or potential contamination of drinking water supplies or sensitive

³ Tasman Geosciences, Revised Addendum 01 to the Revised Remedial Design Assessment Work Plan For The Delineation And Physical Characterization Of Fine-Grained Source Soils Sampling And Analysis Plan And Field Sampling Plan, Operable Unit 2, Lockwood Solvent Groundwater Plume Site, Billings, Montana, April 2018.

⁴ United States of America, Agency for Toxic Substances and Disease Registry, Office of Innovation and Analytics, Toxicology Section, Toxic Substances Portal. (2020, June 22). ToxFAQs™ for Tetrachloroethylene.

ecosystems [300.415(b)(2)(ii)].

___ Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415(b)(2)(iii)].

X High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate [300.415(b)(2)(iv)].

X Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415(b)(2)(v)].

___ Threat of fire or explosion [300.415(b)(2)(vi)].

X The availability of other appropriate federal or state response mechanisms to respond to the release [300.415(b)(2)(vii)].

___ Other situations or factors that may pose threats to the public health or welfare of the United States or the environment [300.415(b)(2)(viii)].

IV. Selected Removal Action and Estimated Costs

A. Situation and Removal Activities to Date

1. Current situation

As of November 14, 2023, the Site has been secured and stabilized by the EPA Removal Team for temporary closure during the winter months. The EPA's ERRS contractor erected a fence surrounding the Site and spread a 15" layer of clean soil over the contaminated soil to avoid migration of contaminants off-site. The clean soil layer was stabilized with native grass seed. The ERRS contractor also placed a fence around the remediation pond to mitigate any falling hazards on Site and the remediation equipment was drained of fluids and winterized to prevent damage during freezing events.

2. Removal activities to date:

In October 2023, the EPA Removal Team identified the Site as an Emergency Response requiring urgent attention before winter to avoid the potential for contaminants to spread off-site, equipment to be preserved for long term storage, and for safety hazards around the Site to be mitigated against trespassers or visitors during the current shut-down phase.

On November 1, 2023, the EPA Removal team mobilized to the Site and began work on November 2, 2023. On November 14, 2023, the Site was secured and stabilized for temporary closure for the winter months. All remaining crew members were demobilized, and remaining equipment was taken off-site by the end of the same day.

- A) Federal Government/Private Party
The EPA OSC oversaw assessment and completion of the response action.
- B) State/Local
No other local, state, or federal agency was in the position to, or had the resources to independently implement a timely, effective response action to remove the waste. Local law enforcement monitored the property to assist in the emergency removal action.

3. Enforcement

Where the responsible parties are known, an effort initially shall be made, to the extent practicable, to determine whether they can and will perform the necessary removal action promptly and properly.

B. Planned Removal Actions

- 1. Planned action description
The removal action is complete, there are no ongoing Removal activities on the Site.
- 2. Contribution to remedial performance
The proposed actions did, to the extent practicable, contribute to the efficient performance of any long-term remedial action at the Site.
- 3. ARARs
Removal actions conducted under CERCLA are required to attain ARARs to the extent practicable. In determining whether compliance with ARARs is practicable, the OSC may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted. Based on the urgency of the situation, no ARARs were identified for this Site.
- 4. Project schedule
All work at the Site was concluded by November 14, 2023.

C. Estimated Costs*

Contractor costs (ERRS/START staff, travel, equip.)	\$165,000
Contingency costs (approx. 20% of sub-total)	\$35,000
Removal Project Ceiling	\$200,000

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA as set forth in Section 107 of CERCLA.

V. Expected Change in the Situation Should Action be Delayed or not Taken

A delay in action or no action at this Site would have increased the actual or potential threats to the public health and/or the environment.

VI. Outstanding Policy Issues

None.

VII. Approvals

This decision document represents the selected removal action for the Lockwood Solvents Site, located in Billings, Yellowstone County, Montana, developed in accordance with CERCLA, as amended, and is not inconsistent with the NCP. This decision is based on the administrative record for the Site.

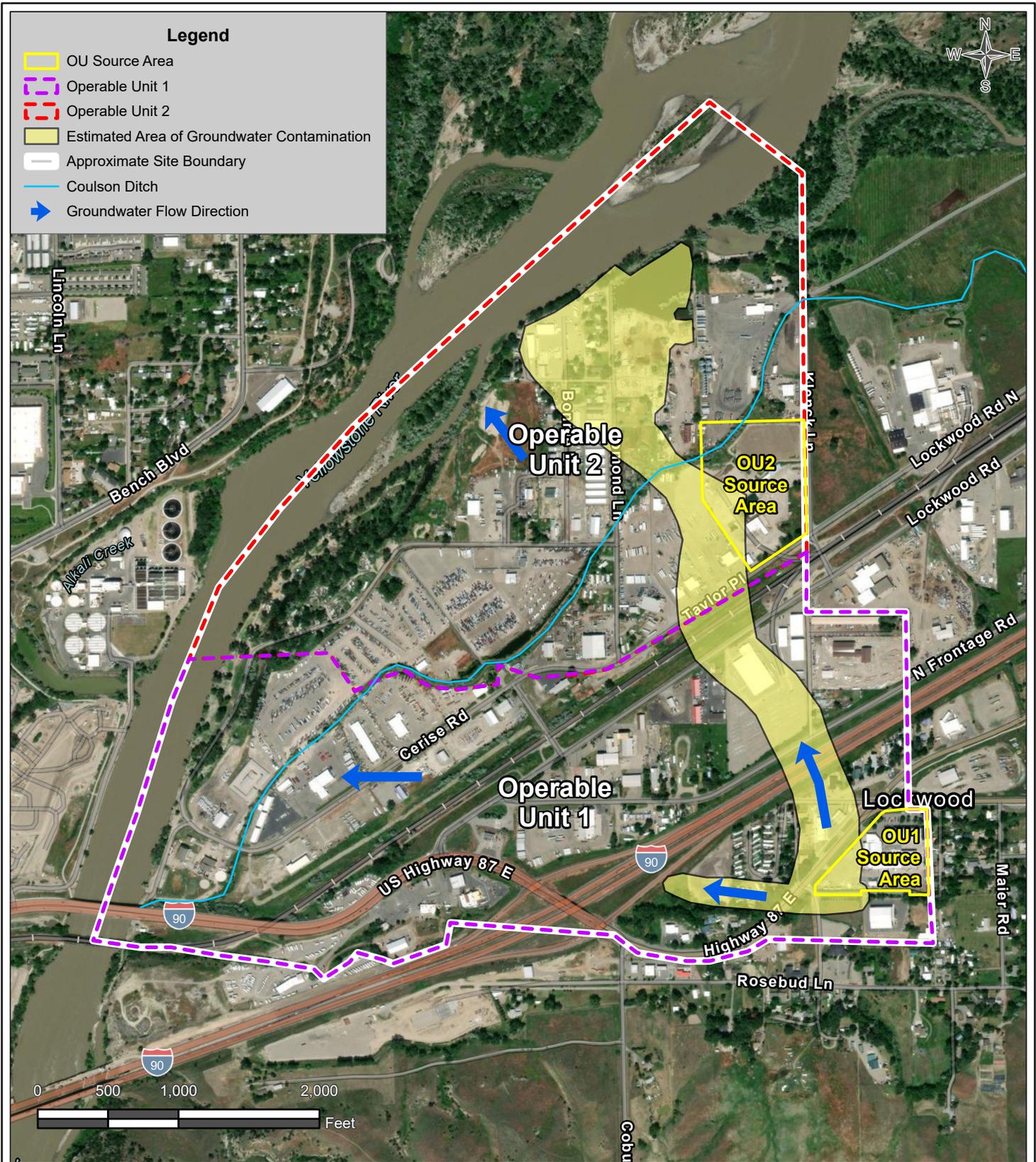
Conditions at the Site met the NCP section 300.415 (b) criteria for a removal action and through this document I am approving the proposed removal actions. The total project ceiling is \$200,000; this amount was funded from the Remedial Special Account for Removals on the Lockwood Solvents Groundwater Plume Superfund Site.

Valeriy Bizyayev,
Federal On-Scene Coordinator

Date

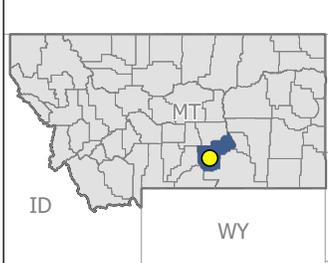
Attachments:
Attachment 1: Maps

ATTACHMENT 1:
Maps and Figures



Notes:
 Operable Units, Approximate Site Boundary,
 Estimated Area of Groundwater
 Contamination and Groundwater Flow
 Direction features were derived from the
 Figure 1 Site Vicinity produced by Skeo

Source:
 Background: ESRI World Imagery
 OU Source Area: Montana Cadastral
 Spatial Reference:
 NAD 1983 2011 StatePlane Montana FIPS 2500
 Coordinate System



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 TD: 2359-2310-08

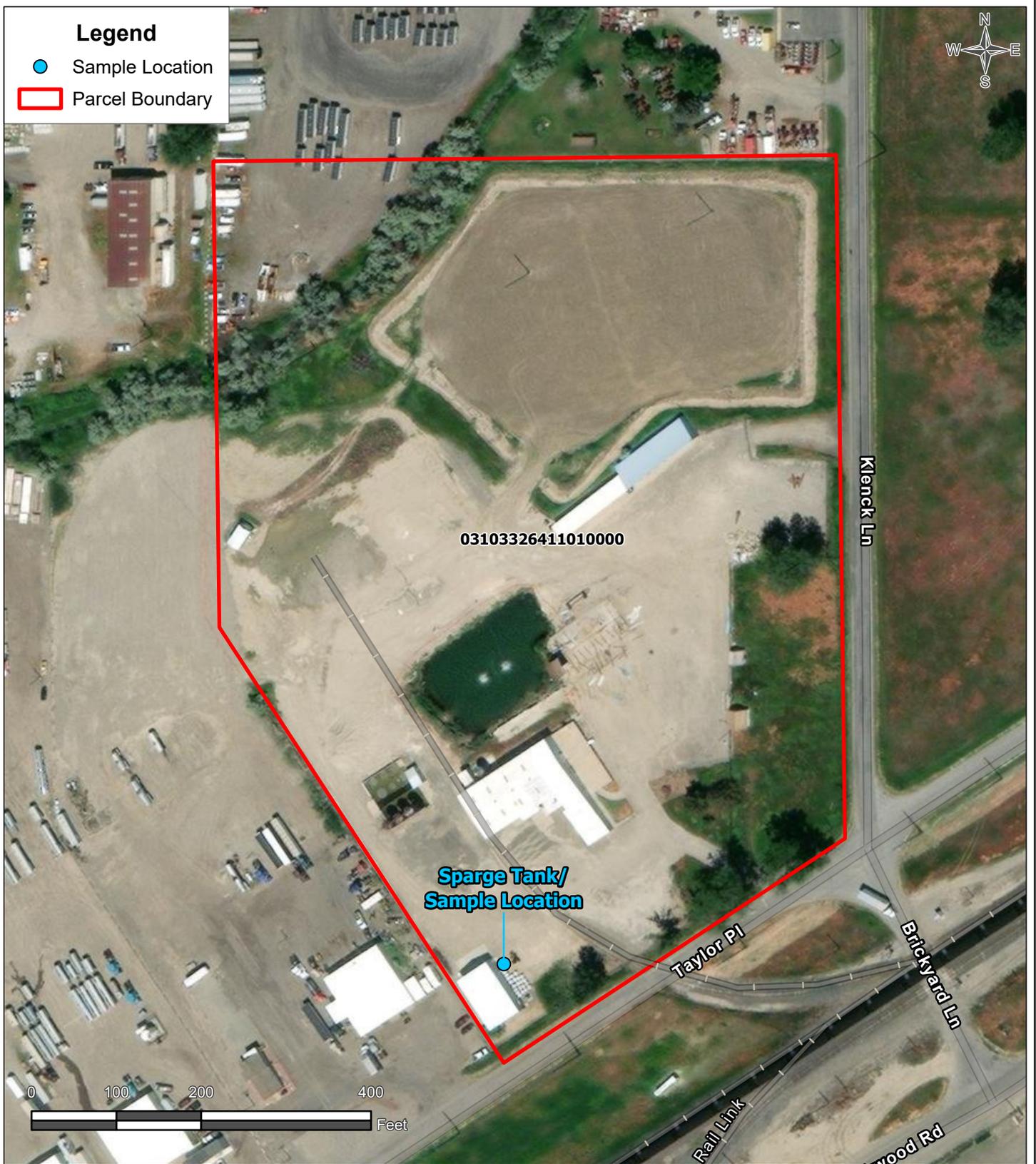
**Lockwood Solvents
 Removal**

Billings, Yellowstone County,
 Montana

**Figure 1
 Site Overview**

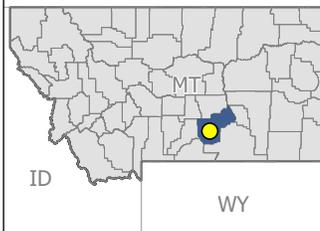
Legend

- Sample Location
- ▭ Parcel Boundary



Notes:

Source:
Background: ESRI World Imagery
Sample Location: Tetra Tech
Parcel: Montana Cadastral
Spatial Reference:
WGS 1984 Web Mercator Auxiliary Sphere
Coordinate System



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Figure 2 Sample Location