



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE – SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CONTAINS ENFORCEMENT-SENSITIVE INFORMATION

MEMORANDUM

DATE: September 12, 2024

SUBJ: Request for a Ceiling Increase for the Removal Action at the Caribou Power Plant Site, Caribou, Aroostook County, Maine - **Action Memorandum Amendment and Exemption from the Statutory \$2,000,000 Limit on Removal Actions**

FROM: Catherine Young, On-Scene Coordinator
Emergency Response and Removal II Section
on Behalf of Catherine Young

THRU: William Lovely, Manager
Emergency Response and Removal II Section

Michael Ottariano, Acting Manager
Emergency Planning and Response Branch

TO: Bryan Olson, Director
Superfund and Emergency Management Division

I. PURPOSE

The purpose of this Action Memorandum Amendment is to request and document approval of a ceiling increase of \$1,200,000 and exemption from the \$2 million statutory limit for removal actions under the National Contingency Plan, at the Caribou Power Plant Site (the Site), which is located at 142 Lower Lyndon Street in Caribou, Aroostook County, Maine. The additional funds are necessary due to the increased cost of addressing exposed and damaged asbestos-containing materials, the application of industrial wage rates for all workers conducting operations within the Steam Plant building, and removal of found mercury switches.

Exposed and damaged asbestos containing material is present throughout the Site and, if not addressed by implementing the response actions selected in the original Action Memorandum approved on July 17, 2023, will continue to pose a threat to human health and the environment. There are no nationally significant or precedent-setting issues associated with this Site, and there has been no use of the On-Scene Coordinator's \$200,000 warrant authority.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID#: MEN000153672
SITE ID#: 01RV
CATEGORY: Time-Critical

A. Site Description

1. Removal site evaluation

On September 8, 2022, the U.S. Environmental Protection Agency (EPA) received a request for assistance from the Maine Department of Environmental Protection (MEDEP) to evaluate concerns related to hazardous materials and asbestos within a former power plant building complex that had been acquired by the city of Caribou due to back taxes.

Fifteen bulk samples for ACM analysis were collected as part of the PA/SI from various locations throughout several of the Site buildings. Asbestos was identified in 12 of 15 samples, with a maximum total concentration of 18%. Amosite was detected in six samples with a maximum concentration of 10% in ACM-01. Chrysotile was detected in 11 samples with a maximum concentration of 18% in ACM-04 and ACM-05. Crocidolite was detected in one sample at a concentration of 6% in ACM-06.

Please refer to the original Action Memorandum approved on July 17, 2023 for further detail.

2. Physical location

Located at 142 Lower Lyndon Street in Caribou, Aroostook County, Maine, the Site is identified as Lot 149AA on Tax Map 25 and is owned by the city of Caribou.

Latitude: 46° 50' 52.85" North **Longitude:** 68° 00' 10.39" West

3. Site characteristics

Please refer to the original Action Memorandum approved on July 17, 2023.

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

Please refer to the original Action Memorandum approved on July 17, 2023.

5. NPL status

The Site is not on the National Priorities List and has not received a Hazardous Ranking System rating.

6. Maps pictures, and other graphic representations

Please refer to the original Action Memorandum approved on July 17, 2023.

B. Other Actions to Date

1. Previous actions

Please refer to the original Action Memorandum approved on July 17, 2023.

2. Current actions

EPA mobilized to the Site on July 8, 2024. As of the week of September 9, 2024, the following activities have been completed or initiated:

- mercury switches inside the Steam Plant have been removed and staged for disposal;
- all floor drains and intake pipes have been permanently sealed;
- roof repairs have been completed;
- contract has been awarded for removal of majority of asbestos-contaminated materials (excluding basement, interior of onsite boilers, and mastic floor tile); the necessary supplies are currently being mobilized;
- preparing for use of water, water filtration, storage and air monitoring using DustTrak DRXs; and
- engineering assessment to deconstruct the building is being developed.

The additional funds are required due to the following factors:

- There is more extensive damaged and exposed asbestos containing materials which require complex removal due to limited access and being bound to pipes with metal mesh
- A change in prevailing wage rates from the original action memo increasing overall costs
- The discovery of broken mercury switches requiring removal

C. State and Local Authorities' Roles

1. State and local actions to date

Please refer to the original Action Memorandum approved on July 17, 2023.

2. Potential for continued State/local response

Please refer to the original Action Memorandum approved on July 17, 2023.

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

As described below, the conditions at the Site meet the general criteria for a removal action, as set forth in 40 C.F.R. §300.415(b)(1), in that “there is a threat to public health or welfare of the United States or the environment,” and in consideration of the factors set forth in 40 C.F.R. §300.415(b)(2) as described below.

Asbestos at the Site continues to present a threat to the public and the environment. Please refer to the original Action Memorandum approved on July 17, 2023 for additional information.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances or pollutants or contaminants from this Site, if not addressed by implementing the response action selected in this action memorandum amendment, may present an imminent and substantial endangerment to public health, welfare, or the environment. In accordance with OSWER Directive 9360.0-34 (August 19, 1993), an endangerment determination is made based on "appropriate Superfund policy or guidance, or on

collaboration with a trained risk assessor,” which is outlined and discussed in Section III above. “Appropriate sources include, but are not limited to, relevant action level or clean-up standards, Agency for Toxic Substances and Disease Registry documents or personnel, or staff toxicologists.”

In accordance with OSWER Directive 9360.0-34 (August 19, 1993), an endangerment determination is made based on “appropriate Superfund policy or guidance, or on collaboration with a trained risk assessor,” which is outlined and discussed in Section III above. “Appropriate sources include, but are not limited to, relevant action level or clean-up standards for asbestos, mercury and PCBs, the Agency for Toxic Substances and Disease Registry documents or personnel, or staff toxicologists.” In addition, EPA relied on the EPA National Emission Standards for Hazardous Air Pollutants 2 for determining risk with respect to asbestos at the Site. Please refer to the original Action Memorandum approved on July 17, 2023 for additional information.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The goals of this action remain the same as those described in the original Action Memorandum approved on July 17, 2023. The proposed action will protect public health, welfare, and the environment by removing the hazardous substances from accessible areas of the Site. As outlined below, the proposed action will involve the removal of asbestos and other hazardous wastes as found during this removal action.

Remaining specific removal activities include, but are not necessarily limited to the following:

- Developing site-specific work plan providing estimates of materials, time, and costs;
- Mobilizing personnel and equipment;
- Providing site security as necessary based on conditions;
- Clearing vegetation or debris as needed to provide proper clearance and space for removal activities;
- Maintaining temporary fencing to prevent trespassing;
- Delineating work zones and decontamination area;
- Conducting dust-control activities, as necessary, to prevent off-site migration of asbestos containing material and dust during removal activities;
- Conducting air monitoring, as needed;
- Conducting removal, staging, transport, and disposal of hazardous materials located at the Site as identified by the On-Scene Coordinator;
- Staging, transporting, and disposing hazardous materials;
- Conducting additional sampling and site characterization to further delineate extent of contamination and/or assist in supporting response and disposal actions, as needed;
- Repairing response-related damage, as appropriate; and
- Demobilizing resources.

2. Community relations

Please refer to the original Action Memorandum approved on July 17, 2023.

3. Contribution to remedial performance

Please refer to the original Action Memorandum approved on July 17, 2023.

4. Description of innovative technologies and sustainable approaches

Please refer to the original Action Memorandum approved on July 17, 2023.

5. Applicable or relevant and appropriate requirements (ARARs)

Please refer to the original Action Memorandum approved on July 17, 2023.

6. Project schedule

The anticipated completion of the removal action is within 12 months from the start date of July 2024.

B. Estimated Costs

COST CATEGORY	CURRENT CEILING	PROPOSED INCREASE	REVISED CEILING
<i>REGIONAL REMOVAL ALLOWANCE COSTS:</i>			
ERRS Contractor	\$1,200,000	\$1,000,000	\$2,200,000
<i>OTHER EXTRAMURAL COSTS NOT FUNDED FROM THE REGIONAL ALLOWANCE:</i>			
START Contractor	\$300,000	\$200,000	\$500,000
Extramural Subtotal	\$1,500,000	\$1,200,000	\$2,700,000
Extramural Contingency (20%)	\$300,000	\$0	\$300,000
TOTAL REMOVAL ACTION CEILING	\$1,800,000	\$1,200,000	\$3,000,000

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

Delayed action will increase public health risks due to the potential contact threat posed by asbestos and other hazardous materials at the Site. The absence of additional funding for the removal action described herein will cause Site conditions to remain unaddressed, and the presence of hazardous substances will continue to pose a threat to human health and the environment.

VII. OUTSTANDING POLICY ISSUES

This removal action is not considered nationally significant or precedent-setting because asbestos is the principal contaminant of concern.

VIII. ENFORCEMENT ... For Internal Distribution Only

Please refer to the original Action Memorandum approved on July 17, 2023.

The total EPA costs for this removal action that will be eligible for cost recovery are estimated to be \$3,000,000 (extramural costs) + \$300,000 (EPA intramural costs) = \$3,300,000 X 39.33% (regional indirect rate) = **\$4,597,890**¹.

IX. RECOMMENDATION

Site conditions continue to meet the NCP section 300.415(b) criteria for a removal, I recommend your approval of the proposed ceiling increase of \$1,200,000. The total extramural project ceiling, if approved will be \$3,000,000.

APPROVAL: _____

DATE: _____

¹Direct Costs include direct extramural costs \$3,000,000 and direct intramural costs \$300,000. Indirect costs are calculated by using regional indirect rate in effect at time cost estimate is prepared and is expressed as a percentage of the 39.33 % (effective January 11, 2024) x \$3,300,000, consistent with EPA's full cost accounting methodology. 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 deviation of actual total costs from this estimate will affect the United States' right to cost recovery.