



**ALTERNATE ENERGY RESOURCES**  
*De minimis Party Informational Meeting*  
October 20, 2010



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## Introduction

Kavita Batra



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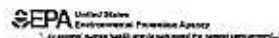
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## Introduction

- Kavita Batra, Associate Regional Counsel
- Marianne Lodin, Associate Regional Counsel
- Esperanza Anderson, US Department of Justice
- Melissa Waters, Enforcement Project Manager
- Giezelle Bennett, Remedial Project Manager



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## Meeting Agenda

- Introduction – Kavita Batra
- CERCLA Overview – Kavita Batra
- Site History – Melissa Waters
- Next Steps – Kavita Batra
- Conclusion
- Questions and Answers

**EPA** United States  
Environmental Protection Agency  
"to protect human health and to safeguard the natural environment..."

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## CERCLA OVERVIEW

Kavita Batra

**EPA** United States  
Environmental Protection Agency  
"to protect human health and to safeguard the natural environment..."

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## History of CERCLA

- Passed by Congress in 1980
- Purpose – to clean up contaminated property and respond to emergency releases of hazardous substances

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## History of CERCLA

- Requires parties with some connection to the hazardous substances to pay for the cost of the clean up (rather than the taxpayers)
- Authorizes EPA to either order parties to investigate and clean up contaminated sites, or to clean up the property and recover the costs of such cleanups from responsible parties

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## Liability Under CERCLA

42 U.S.C. § 9607(a)

- 4 Types of Potentially Responsible Parties (PRPs):
  - Current Owners and Operators
  - Past Owners and Operators
  - Transporters
  - Generators (those who arranged for the disposal or treatment of hazardous substances)

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## Liability Under CERCLA

42 U.S.C. § 9607(a)

- Nature of Liability
  - Strict: Liable without regard to fault
  - Retroactive: Liable for past waste disposal activities

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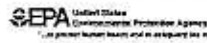
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# Site History

Melissa Waters




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Site located in  
Augusta,  
Richmond  
County,  
Georgia




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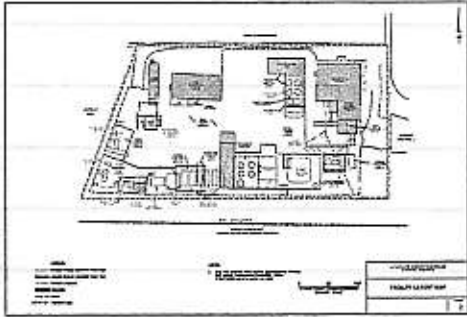
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**2.6 Acres in Size  
Operated from 1975 – 2000  
Hazardous Waste Storage and Treatment**



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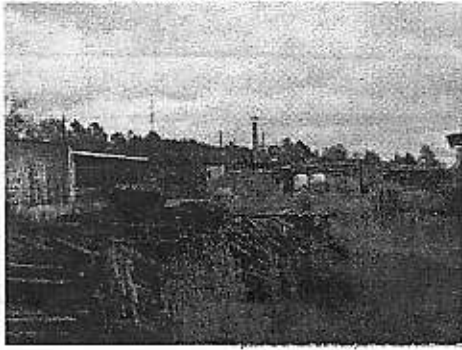
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**CURRENT PICTURE OF THE SITE  
UNOCCUPIED; LOCKED FENCE**



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**Site Description and Location**

- Located in Augusta, Georgia
- The AER property is 2.6 acres in size
- Zoned as heavy industrial
- Surrounded by commercial and residential properties
- Site is unoccupied

**EPA** United States  
Environmental Protection Agency  
As general human health and the environment.

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## Operational History

- Began in 1975 making fuel from waste oils
- In 1979, began treating industrial coolants & oil/water emulsions
- In 1981, began solvent recovery & hazardous waste fuels blending
- In 2000, AER ordered by GA EPD to undergo RCRA closure

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## Background

- Spills prompted GA EPD investigation
- Found onsite gw contamination and off-site private well contamination.
- AER performed a well-use survey and connected downgradient private well users to city water in 1987.
- AER operated a gw recovery system from the late 1980s to 1999.

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## Background

- Site added to NPL in April 2006
- 42 Parties signed an AOC in September 2006, to conduct the RI/FS and the final FS was completed in April 2010
- The Record of Decision was signed on September 27, 2010

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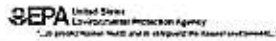
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## Selected Remedy

- **Soil Cleanup:** In-Situ Thermal Desorption (ISTD) – Heat subsurface soil; contaminants volatilize then are removed by a vapor extraction well - \$4,200,000



Why You Are a Do Minimize

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## Selected Remedy

- **Groundwater Cleanup:** Enhanced Reductive Dechlorination (ERD) – Injection of a carbohydrate solution that aids biodegradation of contaminants to less toxic byproducts - \$3,100,000




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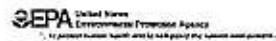


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## Next Steps

Kavita Batra




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## Why You Are a *De minimis* Party

- "De Minimis" – Parties who are minor contributors of hazardous substances at a Superfund Site
- Purpose of *de minimis* settlements

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## Next Steps

- Forming a PRP Group
  - EPA Region 4 will now be asking *de minimis* parties to form a PRP Group
  - Room available until 4:30pm today
  - Contact Kavita with the name of the Group Representative
- Revision of Cost Matrix
- Distribution of AOC and Final Cost Matrix

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additional package -  
 about one month out  
 draft amount will be higher  
 in final cost - draft on website  
 group representative



## Conclusion

Send any changes to your contact information to Melissa Waters at [waters.melissa@epa.gov](mailto:waters.melissa@epa.gov)

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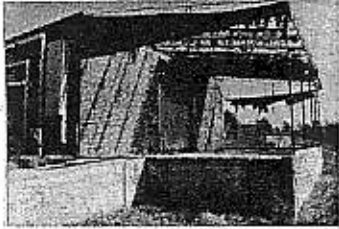
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## Questions and Answers



**EPA** United States  
Environmental Protection Agency  
"It's not what you do, it's how you do it."

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