



# FACT SHEET

EPA Region 4  
Resource Conservation and Recovery Act  
Corrective Action Program

Number 5

October 2017

## Proposed Cleanup Plans—ERP Compliant Coke, LLC

### PUBLIC MEETING

November 2, 2017

4 to 5:30 p.m. (Open House)

6 to 8 p.m. (Public Meeting/Hearing)

### BETHEL BAPTIST CHURCH

3200 28th Ave N. Birmingham, AL 35207

### Public Notice of Proposed Cleanup Plans

The U.S. Environmental Protection Agency (EPA) is announcing the proposed cleanup plans for two of the five major areas that have been studied at ERP Compliant Coke, LLC, a coke manufacturer located at 3500 35th Avenue North, Birmingham, AL. The EPA encourages those interested in the proposed cleanup of the Former Pig Iron Foundry and the Former Chemical Plant to review the proposed plans, which can be found at the North Birmingham Regional Public Library, the EPA Regional Office in Atlanta, GA and at the EPA website, under its Public Notices section ([go.usa.gov/xNHKx](http://go.usa.gov/xNHKx)). EPA will be accepting public comments on these proposed plans during the **45-day public comment period**, which runs from October 1, 2017, to November 14, 2017.

### Mineral Wool Piles

Part of the Former Chemical Plant, the Mineral Wool Piles (MWP), deserves further explanation before describing the cleanup proposals. The origin of the MWPs rests with the facility's now closed Fiber Division. This Division used to operate five coke-fired cupola furnaces that melted basic steel blast furnace slag and other minerals for the purpose of manufacturing a fibrous material with the texture of wool, variously called mineral, rock or slag wool insulation. Mineral wool, like fiberglass, can also be used throughout a house in sidewalls, attics, floors, crawl spaces, cathedral ceilings, and basements. The majority of the mineral wool produced by the Fiber Division was packaged in 700 lb. bales to be used for ceiling tile wool. The MWPs consist of Slag Wool Aggregate, a material containing fibrous and non-fibrous material which was removed from the mineral wool fiber as part of the product cleaning process. The chemistry of Slag Wool Aggregate is identical to that of the mineral wool product; but it contains much less of the fiberized form of the material.



Figure 1. Mineral Wool Piles.

The inhalation risk from the MWPs to nearby residents was evaluated as part of the RCRA cleanup evaluation process. No unacceptable risk to residential human health was identified and no cleanup of the MWPs is planned.

### Proposed Cleanup Plan—Former Pig Iron Foundry

Soil contamination exists, but analyzed hazardous constituents were not found in any distinct or concentrated areas. Groundwater monitoring wells surrounding the former foundry do not show this area to be a source of groundwater contamination.

The Baseline Risk Assessment did not identify the need for remediation under the current (i.e., industrial) land use. However, because constituents will remain at levels exceeding residential risk levels, the following action is proposed to ensure that the Former Pig Iron Foundry does not inadvertently and/or unknowingly become residential use in the future:

- Land Use Controls

Land Use Controls will impose use restrictions and maintain the Former Pig Iron Foundry as industrial, a setting that has been found to be protective for the detected soil concentrations. These controls will be contained in both a corporate Land Use Control Plan (LUCP) and an Environmental Covenant, the latter of which will be filed with the official land records of Jefferson County and the State of Alabama Registry of Environmental Covenants.

## Proposed Cleanup Plan—Former Chemical Plant

Soil samples were collected, but hazardous constituents were not found in any distinct or concentrated areas. Instead, the constituents were found dispersed in noncontiguous and isolated locations.

Groundwater sampling confirmed the presence of volatile organic compounds (e.g., benzene) and semi-volatile organic compounds (e.g., benzo(a)pyrene) above preliminary cleanup standards protective of drinking. These multiple constituents make up a groundwater plume that is approximately 550 feet x 800 feet in size and generally found at a depth of ~20 to 50 feet below ground surface. To address this plume, an EPA approved Interim Measures consisting of six groundwater extraction wells began operating in 2013.

The Baseline Risk Assessment identified the need for remediation to address unacceptable levels of contamination. The following is the proposed cleanup approach for the Former Chemical Plant:

- Land Use Controls + In-Situ Soil Source Area Treatment + Groundwater Removal and Treatment + Groundwater Monitoring

Land Use Controls will ensure that 1) the groundwater is not consumed before remediation is complete; 2) exposure to contaminated soil is properly supervised during any future construction projects and; 3) the land use remains industrial/commercial, a scenario that does not pose unacceptable risk based on detected soil concentrations.

Groundwater Removal and Treatment will continue the previously approved Interim Measures. Groundwater Monitoring will be used to: 1) assess overall remedy effectiveness; 2) identify any needed modifications to the groundwater removal system, and; 3) to help determine where In-Situ Soil Source Treatment can aid groundwater remediation through the injection of chemicals or bacteria to remove subsurface sources of groundwater contamination.

### UPCOMING ACTIONS

#### Public Comment Period - October 1 to November 14, 2017

The EPA will not finalize the remedy until after review of all comments received during the public comment period. Therefore, the public is encouraged to review the proposed plans located at the North Birmingham Regional Library and to provide written comments on the proposed plans during the official public comment period (i.e., from October 1 to November 14, 2017).

#### Public Meeting/Hearing - November 2, 2017

To help the community understand the proposed remedy, EPA is scheduling a public meeting at the Bethel Baptist Church. EPA will also be accepting verbal comments during the public hearing segment.



Figure 2. Areas of Interest

### Contact EPA Region 4 Representatives for more information:

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### REGULATORY BACKGROUND

The Congressional law, the Resource Conservation and Recovery Act (RCRA, pronounced 'rick-ra') authorizes EPA to require facilities to examine the nature and extent of their potential pollution to protect human health and/or the environment.

On September 17, 2012, the EPA entered into a RCRA Section 3008(h) Order with Walter Coke, the former owner of the coke facility. The 2012 Order required Walter Coke to finalize cleanup studies for five areas of the facility. The 2012 Order built upon and closed out a 1989 RCRA Order, which triggered numerous environmental studies over the past 23 years on this ~400 acre facility. In February 2016, the Walter Coke facility was purchased by ERP Compliant Coke, LLC out of bankruptcy proceedings. As part of the bankruptcy settlement, ERP Compliant Coke assumed the environmental responsibilities in the EPA 2012 Order with Walter Coke. In August of 2016, the 2012 Order was modified and re-issued to note the ownership change.