

Alabama Hazardous Substance Cleanup Fund

2023 Annual Report



Land Division
Environmental Services Branch

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Overview of the Alabama Hazardous Substance Cleanup Fund

The Alabama Hazardous Substance Cleanup Fund (AHSCF) was established in 1989 by an act of the Alabama Legislature (Code of Alabama 1975, Chapter 22-30A) to provide a mechanism for ADEM to investigate, remediate, and monitor hazardous substance sites. These sites may potentially endanger human health and the environment, but may not qualify to be addressed by other federal or state cleanup programs.

The AHSCF Annual report covers the actions of personnel utilizing money from the fund during the past fiscal year (i.e. FY 23 – 1 October 2022 to 30 September 2023) to address, investigate/cleanup sites identified during the year. Generally, sites dealt with under AHSCF are not qualified for or are unlikely to receive cleanup funding under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), commonly referred to as “Superfund”. AHSCF funding may also be used for long term maintenance and monitoring of NPL sites which have been managed under CERCLA. An in-depth, deep dive into the program shows that since the inception of AHSCF in 1989, 514 sites have been worked on, with 469 sites remediated to a point where no further action is required. Over the last 34 years, the AHSCF has addressed numerous sites over multiple years. In total to date, approximately \$5.3 million of AHSCF funds have been expended to address those sites. This does not include sites inspected under the General Management site code which did not qualify for the AHSCF or sites that were referred to other suitable programs.

The Act allows the staff to respond to citizen complaints regarding improper disposal of hazardous substances and other toxic materials and provides right of entry in order to perform these investigations. After initial response to a site, remediation may occur under Superfund, the Hazardous Waste Program or AHSCF, depending on the specific site conditions. If an initial response was performed under AHSCF, site activities are subsequently summarized in this report to ensure actions taken are adequately recorded of each location.

Initial response actions are usually performed under the general management category. In addition to initial responses, other activities which fall under this category include, but are not limited to, personnel and travel costs associated with conducting complaint investigations of sites that are not assigned a specific site number, initial complaint investigations prior to having specific site numbers assigned to a site, administrative support for the purchase and repair of equipment utilized on all sites, and field sampling equipment and safety supplies. General administrative functions associated with research and clerical support are also included in this category. Three sites were addressed under the general administrative fund during FY 23.

Funding for AHSCF activities is provided by a \$1.00 per ton fee on hazardous waste disposed at the Chemical Waste Management hazardous waste landfill in Emelle, Alabama,

and reimbursements from potentially responsible parties (PRPs). For FY 23, fee revenue were \$201,800.88.

2023 Response Activities

AHSCF General Management

Initial investigation of complaints prior to assigning site numbers, administrative support, field sampling, and acquisition of sampling and safety supplies are some of the activities performed under the general management category. Several sites were initially investigated utilizing the Alabama Hazardous Substance Cleanup Fund (AHSCF). One complaint was investigated regarding a site in Samson, Alabama. The complainant notified the Department about possible drums located in the woods slightly northwest of the town of Samson, Alabama. The owner of the property lives out of state and had leased the property. The leasee operated a small auto repair business. The business had closed and upon investigation, numerous empty drums (plastic, 55-gallon), some 270-gallon totes (empty), and an abandoned coolant recycling machine were noted under a pole barn near the abandoned office/cabin. The drums were deemed to be empty and no further action was required. Two other complaints were investigated but did not fall under the requirements of the AHSCF and were referred to other programs or handled by the property owner. Total expenditures for the past fiscal year from the General Management funding were \$66,452.06.

Site Specific Information

AHSCF GENERAL MANAGEMENT

Statewide

Reference # 348-9000

Several sites were initially investigated under the auspices of the general management fund code. This fund code allows investigators to perform initial surveys of the sites to determine whether assigning a site specific fund code is applicable or if the site would be better managed under another program due to the prevailing circumstances. One such site investigated this past fiscal year was the Coker, Alabama site. A property owner reported several drums deposited on her property. The material was found to be foam insulation components left by a company that either leased her property, or the neighboring property. The materials were researched and found to be non-hazardous by the Material Safety Data Sheets. As such, the site did not fill criteria for AHSCF actions and the property owner is responsible for removal of the materials. Two other complaints were investigated but did not meet the requirements of the AHSCF and were referred to other programs or handled by the property owner.

Coliseum Boulevard Plume

Montgomery County

Reference #348-9273

The Coliseum Boulevard Plume (CBP) site, which encompasses 682 acres in north Montgomery, has experienced underlying groundwater contamination resulting from historic solvent usage by local commercial and industrial facilities. The site is bordered by Lower Wetumpka Road on the west, Emory Folmar Boulevard to the east, Northern Boulevard to the north, and CSX Railroad to the south. The contaminant of concern is trichloroethylene (TCE) and related compounds resulting from its degradation. The impacted groundwater is at a depth of 25 to 45 feet below ground surface and was found to be entering a surface water ditch.

The Alabama Department of Transportation (ALDOT) continues to conduct monitoring for TCE in surface water emanating from the west and main branches of the Kilby ditch. ALDOT also continues to perform groundwater monitoring to ascertain current levels of the contamination and monitor natural attenuation progression. The Community Outreach Group continues to meet on a regular basis. Finally, ADEM continues to provide oversight and

review of groundwater and surface water sampling performed by contractors for ALDOT at the CBP site.

During the past fiscal year, the oversight provided by ADEM consisted of receiving and reviewing notifications of TCE exceedances and notification of monitoring well repairs and corresponding reports, reviewing the 2022 Annual Report, reviewing the PZ-26 annual report, performing quarterly notification emails/phone calls, and originating and receiving various correspondence with the PRPs and other interested parties and concerned citizens about the site. ADEM had internal discussions and discussions with ALDOT on many topics including PZ-26 foam used by firefighters training in the Vista View area and the review process for environmental covenants. Work on the site is still ongoing, and it will be observed and reported on in the future.

Providence Community Drum Madison County Reference #348-9664

The Providence Community Drum was reported to ADEM by a resident of the Providence subdivision being built in northwest Huntsville, Madison County, Alabama. The drum was located on the property adjacent to 3 Brigham Street, NW in the new subdivision. ADEM personnel responded to the site, observed markings on the drum, observed the company manufacturing the materials, and obtained a sample of the materials. Inspectors did an internet search of the company and the product identification number and found that the materials were a concrete releasing compound. The compound was used to ensure forms made of wood utilized in concrete work did not adhere to the wet, uncured cement for curbing and other structures poured with concrete. After contacting the company to inquire if they would accept the material back (declined due to the unknown usage, purity, etc...), inspectors contacted the project manager for the development company building and expanding the subdivision. The project manager contacted his concrete subcontractor and had them take possession of the materials to be utilized for their intended purpose. No further actions are necessary at this site under the AHSCF. Follow up to verify that the drum had been removed was performed to close the site out.



Huntsville Dragway Madison County Reference #348-9667

The Huntsville Dragway is located at 502 Quarter Mountain Road, Harvest, Madison County, Alabama. ADEM was notified that the owner of the facility was in the process of evicting the operator. While doing so, the owner made an inspection of the site and found numerous drums dumped on the northwest corner of the property and onto the adjacent property. Initial investigations by ADEM showed that the drums appeared to be empty racing fuel drums with possible residue in some. ADEM is providing assistance to the owner in addressing the drums and providing oversight in their removal.



Drums at the Huntsville Dragway, Madison County, Alabama

Alabama Oil and Gas Recovery

Saint Clair County

Reference #348-9668

The Alabama Oil and Gas Recovery Site is an abandoned oil recycler located at 2400 Blackjack Road, Trussville, Saint Clair County, Alabama. The site operated for many years until the owner died in 2013. The heirs continued to operate at least some aspects of the business until 2018. The site is 40 acres with about 1 – 1 ½ acres serving as the principal operations area. The site contained numerous tanks (vertical and horizontal) in two tank farms with secondary containment, several tanks sitting in open areas, three tanker trucks, numerous small tanks around the process area, several 270-gallon totes, and approximately one hundred 55-gallon drums. All the tanks appeared to be secure and no breaches were noted. Several 55-gallon drums were starting to fail and starting to leak. An estimated 160,000 gallons of used oil and other products was determined to be on the site. ADEM has contracted an environmental consultant for sampling and disposal of the materials on-site. All sampling has been performed and disposal of the materials is being arranged.









EXPENDITURES AND COST RECOVERY

AHSCF funds are used to investigate and remediate abandoned hazardous substance sites. Seven (7) total sites were investigated during the past fiscal year, three under the General Management fund code and four with individual site numbers. If the responsible party is unwilling or unable to conduct an investigation or cleanup, funds from AHSCF may be used, and cost recovery and punitive damages may be pursued after the cleanup is complete. Total expenditures from the AHSCF were \$87,156.90 from October 1, 2022 through September 30, 2023.

Site Name	Action Taken	Cost
AHSCF General Management	Administrative, clerical support, initial investigations, equipment	\$ 66,452.06
9273 – Coliseum Boulevard Plume	Oversight of annual monitoring and report reviews	\$ 5,920.10
9664 – Providence Community Drum	Complaint Investigation and sampling of an abandoned drum	\$ 726.03
9667 – Huntsville Dragway	Complaint Investigation and coordination with owner on abandoned drums	\$3,751.52
9668 – Alabama Oil and Gas Recovery	Complaint investigation, sampling/cleanup contractor hired, analysis of materials on site for disposal	\$10,307.19
Total Cost	-----	\$87,156.90

AHSCF Site Map 2023

