

# Alabama Hazardous Substance Cleanup Fund

## 2024 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., Fiscal Year (FY) 2024 – 1 October 2023 to 30 September 2024) to address and investigate/cleanup sites identified during the year. Generally, sites screened 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 National Priorities List (NPL) sites which have been managed under CERCLA. An in-depth look at the program reveals that 516 sites have been worked on since AHSCF’s inception in 1989, with 470 sites remediated to a point where no further action is required. Over the last 38 years, the AHSCF has addressed numerous sites over multiple years, addressing the 516 sites a total of 710 times over the extent of the program. To date, approximately \$5.8 million in AHSCF funds have been spent to address those sites. This does not include sites investigated under the General Management site code that did not qualify for the AHSCF or were referred to other appropriate programs.

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

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 24.

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 24, fee revenues were \$197,361.99.

## **2024 Response Activities**

### **AHSCF General Management**

The general management category includes activities such as initial investigations of complaints prior to assigning site numbers, administrative support, field sampling, and the purchasing of sampling and safety supplies. Four sites were initially investigated utilizing the AHSCF. One complaint was investigated regarding a site in Leeds, Alabama. The complainant notified the Department about possible leaking drums and tanks located in an area where several trucks were parked, and drums were present. ADEM personnel responded to the site and discovered that the drums and tanks contained used cooking oil, which falls outside the scope of the AHSCF. The matter was referred to the St. Clair County Public Health Department and the county's Emergency Management Agency. The second site was the Alabama Oil and Gas Recovery, Inc., site. The initial site inspection was performed under the general management fund and it was immediately given its own site number upon discovering the extent of the problem. Two additional complaints were investigated but did not meet the criteria of the AHSCF, so they were referred to other programs or addressed by the property owner. The total expenditures for AHSCF general management were \$54,520.17.

## **Site Specific Information**

### **AHSCF GENERAL MANAGEMENT**

#### **Statewide**

#### **Reference # 348-9000**

Four sites were initially investigated under the auspices of the general management fund code. One such site investigated this past fiscal year concerned the complaint lodged by resident of Sylacauga, Alabama. The complainant alleged that a property owner was accumulating hazardous materials in a large quantity of 55-gallon drums and 270-gallon totes, and washing the drums and totes out for resale. This is a recurring complaint from several years ago. During the visual site inspection, ADEM personnel observed empty drums staked two pallets high on a large area of the property that purportedly being accumulated for scrap. According to the property owner, once a large enough quantity is accumulated, he would send the drums to a metal recycler. The property owner mentioned that initially he had plans to wash the drums himself and make large barbeque grills or resell them. However, after further investigation suggested he would have to get a National Pollutant Discharge Elimination System permit and there may be other potential problems, he scrapped those plans. According to the property owner, the totes are obtained from a local landscaper and contained residues of a grass seed, fertilizer, dye mixture that was non-hazardous. Based on the investigation, the Department determined that no further actions were required at the site at this time. Two other complaints were investigated, but they did not meet the requirements of the AHSCF and were referred to other appropriate programs or handled by the property owner. The last was the Alabama Oil and Gas Recovery, Inc., site.

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### **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 contaminants of concern are trichloroethylene (TCE) and related compounds resulting from its degradation. The impacted groundwater lies between 25 and 45 feet below the surface and has been 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 (COG) 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 monitoring well repairs and the corresponding reports, completing review of the 2022 Annual Report, reviewing the 2023 annual report, performing quarterly notification emails/phone calls, and originating and receiving various correspondence with the Potential Responsible Party and other interested parties and concerned citizens about the site. ADEM had internal discussions and discussions with ALDOT on several topics and attended the annual COG meeting at ALDOT's headquarters in Montgomery. Work on the site is ongoing, and ADEM will be continue to conduct appropriate oversight activities and reported on status of the site.

## **Alabama Oil and Gas Recovery Inc. Saint Clair County Reference #348-9668**

The Alabama Oil and Gas Recovery Inc. (AOGRI) site is an abandoned used oil transporter/transfer and processor facility located at 2400 Blackjack Road in Trussville, Saint Clair County, Alabama. AOGRI was incorporated in 1993 and was operated by its owner, Mr. Timothy Massey, until he died in 2013. Mr. Massey's heirs continued to operate at least some aspects of the business until 2018. The site covers approximately 40 acres, with one to one and a half acres designated as the principal operations area. At the time of the initial investigation, ADEM personnel observed three horizontal tanks and two vertical tanks housed 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, approximately one hundred 55-gallon drums, and an in-ground oil/water separator. Total estimated volume of the tanks, trucks, drums and totes exceeded 160,000 gallons of waste. Before remediation of the site began, the tanks and containers were sampled to determine if they contained hazardous waste or hazardous waste constituents, hazardous substances, or non-hazardous waste. To date, approximately one thousand two hundred and eighty (1,280) 55-gallon drums of waste have been removed from the site and sent to permitted disposal or treatment facilities. Most of the original drums located on-site have been removed, and waste materials from some of the tanks were placed in drums and also removed. Many tanks in the two tank farms still require draining, and their contents transferred to drums for disposal. Due to scheduling issues and the holiday season, work at the site will continue after the new year. As of 30 September 2024, approximately \$300,000 has been spent on the cleanup, with a few additional invoices expected after the fiscal year ends. The total estimated cleanup costs may reach approximately \$1.5 million.

Photographs depicting conditions at the site follow.



Office and storage shed area





Leading into the processing/storage area





Horizontal tanks with secondary containment area #1





Approximately 2 inches of yellowish-orange oil/petroleum/cleaning fluids accumulating





Vertical tanks with secondary containment area #2





Small storage shed, a horizontal tank, and about ten (10) 55-gallon steel drums



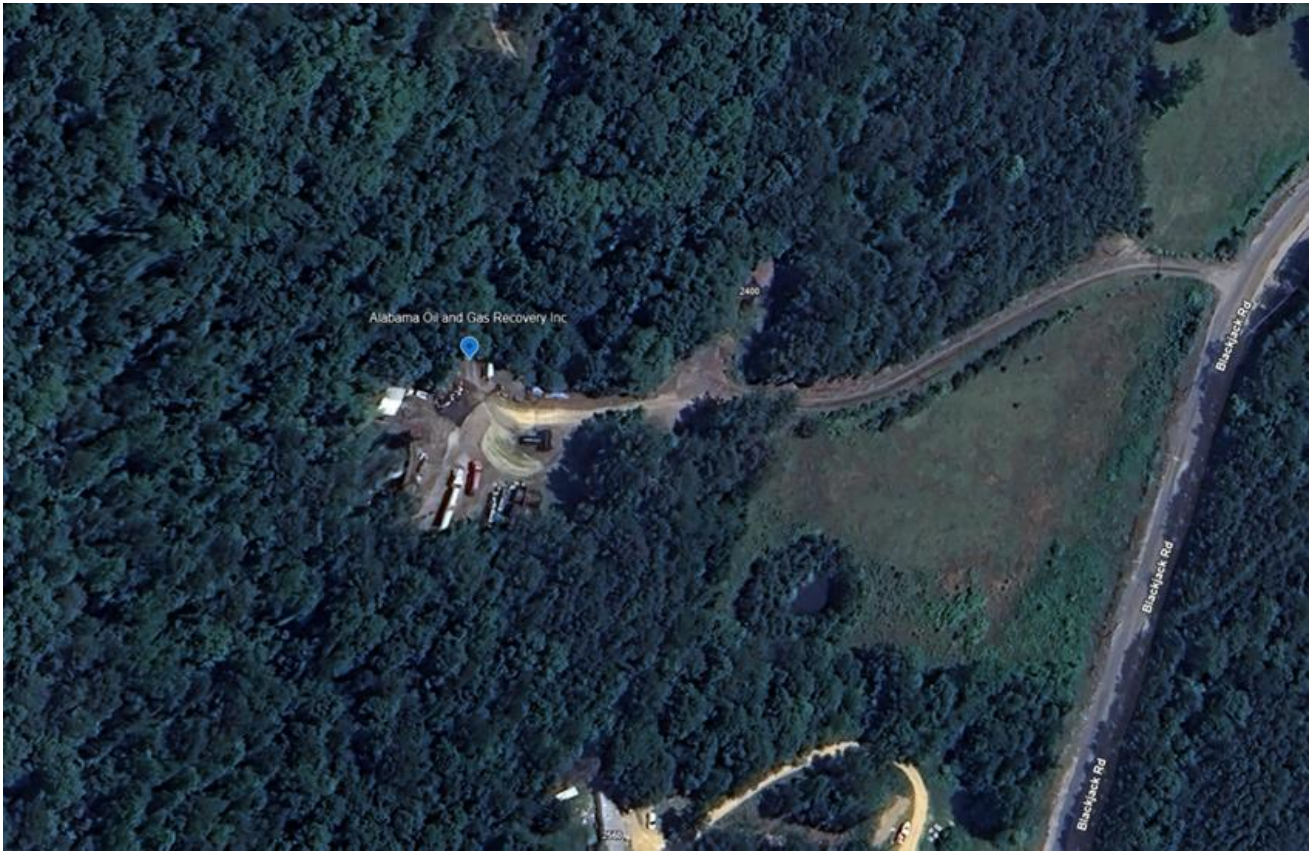


Approximately 97 steel 55-gallon drums placed on plastic, 25 additional 55-gallon steel drums are secured with plastic covers, and 2 blue 55-gallon plastic drums





2 horizontal tanks placed directly on the ground in the area between the access road and tank area



Google Earth images of site



## **EXPENDITURES AND COST RECOVERY**

AHSCF funds are used to investigate and remediate abandoned hazardous substance sites. 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. Five (5) sites were investigated during the past fiscal year, three under the General Management fund code and two with individual site numbers. The total expenditures from the AHSCF were \$361,198.95 from October 1, 2023 through September 30, 2024.

<b>Site Name</b>	<b>Action Taken</b>	<b>Cost</b>
AHSCF General Management	Administrative, clerical support, initial investigations, equipment	\$ 54,520.17
9273 – Coliseum Boulevard Plume	Oversight of annual monitoring and report reviews	\$ 10,194.69
9668 – Alabama Oil and Gas Recovery Inc.	Complaint investigation, sampling/cleanup contractor hired, analysis of materials on site for disposal, beginning disposal of materials	\$296,484.08
Total Cost	-----	\$361,198.95

# AHSCF Site Map 2024

