



United States Environmental Protection Agency
Region 10 Emergency Response Unit
POLLUTION REPORT

I. HEADING

Date: April 4, 2001
Subject: H&M Oil, Pocatello, Idaho
From: Michael Sibley II, OSC, USEPA, Region 10, Emergency Response Unit
Tel: Office (206) 553-1886
TO: See Distribution List on last page

POLREP No.1 (Initial)

II. BACKGROUND

Site ID: SSID # Z059
Delivery Order No: 081-10 -16
TDD No.: 01-01-0031
Response Authority: OPA,
FPN: S01032
CERCLIS No: N/A
NPL Status: Not Listed
State Notification: Idaho Department of Environmental Quality (IDEQ)
referred site to EPA
Action Memo Status: None
Removal Start Date: May 7, 2001
Expected Completion Date: May 12, 2001
Incident Category: Potential Threat Major inland spill
Site Web Page: TBD

III. SITE INFORMATION

A. Incident Category

This is a time-critical Oil cleanup action at an inactive waste oil management facility.

B. Site Description

1. Site Location

The H & M Oil, Inc., Triangle site is an oil storage facility located in Pocatello, Idaho. The site is located at the intersection of three streets; West Maple, First, and Madison Streets that come together to form a triangle (Latitude 42' 52.49, Longitude 112' 27.59). The facility resides on this triangular plot of land. The site was purchased by Mr. Keith Winegar in 1979. Mr. Winegar has since passed away and the oil tanks on the site were emptied and the site was no longer used. The site was left to his family trust. Mr. Corwin Winegar, Keith Winegar's son, is the official contact person for the site. Sometime between 1990 and 1995 (the exact date is unknown), Mr. Mark Hanson began using the site to store waste oil without the permission of the site owner, Mr. Corwin Winegar. There is no lease agreement (verbal or written) between the two parties. In addition, Mr. Hanson has portrayed himself as the legal owner of the property to inquiring government officials.

In 1995, a Notice of Violation (NOV) was issued to H & M Oil, Inc. by IDEQ for failure to meet the requirement of notifying the IDEQ of the facility's oil storage operations. H&M Oil, Inc. also was suspected of failing to provide adequate secondary containment for the used oil storage tanks on the site (Garringer 1997). In 1996, a Consent Order was issued by IDEQ to Mr. Mark Hansen. The Consent Order outlined steps requiring Mr. Mark Hansen to rehabilitate the condition of the site, these steps included the excavation of oil-contaminated soils. On November 4, 1997, an inspection was conducted by the IDEQ to investigate the level of commitment by Mr. Mark Hansen in completing the requirements under the Consent Order. During the inspection, IDEQ observed that the three ASTs were being used to hold a mixture of oil and water and that steps to remove oil-contaminated soil from the facility in accordance with the Consent Order (Garringer 1997) had not been conducted.

In 1998, the IDEQ conducted a follow-up inspection. It was determined that little action, if any, had been taken by Mr. Mark Hansen to meet the requirements of the Consent Order. In a letter dated January 4, 2000, Michael Gregory, a Hazardous Waste Enforcement Coordinator for IDEQ, requested that Mark Hansen immediately cease any remedial activities related to the Consent Order (Gregory 2000). On July 2000, IDEQ sent letter to correct all deficiencies on site with no response from RP's. The IDEQ requested assistance from the EPA in characterizing the contamination and product remaining at the site.

In March 2000, an SPCC inspection was conducted by EPA and the facility was found to be in violation. In June 2000, An NOV was issued to correct the violations with no response from the facility.

In March 2000, a removal assessment was conducted at the H & M Oil, Inc., Triangle site (the site), in Pocatello Idaho. EPA's contractor was

directed to characterize the contents of tanks and drums at the site that were suspected of containing waste oil. testing on samples collected from these containers.

The H&M Oil site was an interim storage, disposal, and recycling (TSD) facility for off-site generated non-hazardous wastes. When the facility was operating its major function was to solidify oily sludge wastes for off-site recycling by other facilities.

III Site INFORMATION

A. Incident Category: Potential Threat Major inland spill

B. Site Description

The facility is composed of three vertical above ground storage tanks (ASTs), drums, and a portable storage container. The ASTs contain waste oil, water, & sludge. The capacity of the ASTs range from 8,000 to 12,000 gallons and are surrounded by a concrete dike that forms the secondary containment area. The floor of the secondary containment area is of earthen composition. and any oil discharged from the ASTs would be absorbed into the ground & on the north side of the secondary containment area a 1.5" pipe drain was observed penetrating through the concrete dike. The pipe drain is located approximately ten inches below the ground surface. This drain is maintained in an open position and allows rainwater mixed with residual oil product to flow through the secondary containment dike. Thus if the contents of one of the tanks was lost the oil would have an additional pathway to leave the containment & flow via storm drain into the nearby (200 yards) Portneuf River. Within the secondary containment area are 10 drums that contain waste oil. On the east side of the facility is the portable storage container that is used to store drums, absorbent material, oil transfer hoses, and other equipment used in the facilities operations. In summary:

- Site is located 200 yards from Portneuf River. Portneuf River feeds directly into the American Falls Reservoir and is a tributary of the Snake River.
- Drinking water intakes are located approx. 1 mile from Site.
- Site appears to be illegally operated. Owner lives in another state and was unaware of activities at the site.
- ASTs at site are not undergoing routine maintenance and inspection.
- Operations have resulted in spills as evidenced by soil staining.
- Site access is not restricted.
- Secondary containment at the site is inadequate given that there is no paved area directly under the tanks or drums to control a spill.
- Spills go directly into gravel and dirt.
- An opening in the secondary containment wall would allow a major spill to leave the containment area and it is likely that such a spill would enter the Portneuf River.

Information for all of the tanks is presented in Table 1.

<p style="text-align: center;">TABLE 1 TANK CONTENT INFORMATION H & M Oil, Inc., Triangle Site Pocatello, Idaho</p>								
Tank Number	Tank Height (feet)	Tank Capacity (gallons)	Oil Thickness (feet)	Water Thickness (feet)	Sludge Thickness (feet)	Oil Volume (gallons)	Water Volume (gallons)	Sludge Volume (gallons)
1	17.3	12,000	2	6.5	0.75	1,391	4,522	522
2	18.6	10,000	12	0	0.28	6,404	0	151
3	14.0	8,000	1.1	12.5	0.5	651	7,114	234

Analytical results of the product collected at the H & M Oil, Inc. site indicate that all the ASTs contain waste oil and waste oil-contaminated water and/or oil sludge. Analytical results of the soil samples support that the soil surrounding the tanks is contaminated with a petroleum/oil product. Elevated concentrations of waste oil, diesel fuel, and heavy oils are present in the soil within the secondary containment area.

IV. Response Information

A. Situation

1. Current Situation

January 25, 2001 (Thursday)

Personnel on site: 1 ERRS, 1 EPA

Weather: Cool, in the 30s, overcast with snow.

Site walk through with IDEQ.

March 6, 2001 (Tuesday)

Personnel on site: 2 ERRS

Weather: Cool, in the 30s warming to the 40s, overcast with drizzle

EQM to sampled Tanks to ensure that no additional waste has been added to tanks since the site assessment. This is to confirm waste stream.

2. Removal Actions to Date

Requested and received an site specific IAG with the USCG for the removal action.

3. Enforcement

None at this time. EPA intends to gather additional PRP information. There is a question as to weather the current operator Mr Hansen has a claim on the property. This is being sorted out at this time.

B. Planned Removal Activities

Immediately stabilize the Site to prevent any discharge of oil or contaminated soil to the Portneuf River by performing, but not limited to the following removal actions:

- (a) waste oil & water collection, removal and disposal;
- (b) contaminated soil removal and disposal; replace with clean soil.
- (c) sludge removal and disposal;
- (d) drum disposal;
- (e) oil storage tank removal.

Because the AST's will be cut open to remove sludges, oil waste & contaminated soil around & under the tanks, they will have to be dismantled and remove from site.

C. Next Steps

EPA, ERRS, START, to complete work plans to address planned removal activities listed above. Mobilize to the site to begin work May 7, 2001.

D. Key Issues

Sort out PRP issues & responses to notice letters.

V. Cost Information

Estimated costs are summarized below

	Established Ceiling	Estimated Costs (as of 1/25/01)
EPA	\$ 3,000	\$ 650
START	\$ 18,000	\$ 2,500
ERRS	\$ 99,000	\$ 6,000
Total	\$ 120,000	\$9,150

Note: The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

VI Disposition of Wastes

None.

VII Distribution

To: EPA Headquarters, Washington, D.C. Attention: Terry Eby
USCG National Pollution Funds Center, Attention: Wayne Hamilton
EPA Region 10, Emergency Response Unit, Attention: Chris Field
EPA Idaho Operations Office, Attention: Mark Masarik
Idaho Department of Environmental Quality: Doug Tanner
EPA Region 10 Web page, Attention: Beth Kunz
EPA Community Relations, Attention: Charles Bert
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