



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94105

BY ELECTRONIC MAIL

November 7, 2016

Ronald J. Flury and
Ecology Control Industries, Inc.
20846 Normandie Ave.
Torrance, CA 90502

Tony Arnest
Projects Manager
Warmington Residential
3090 Pullman Street
Costa Mesa, CA 92626

Re: Montrose Chemical Superfund Site, Ecology Control Industries, Inc. property, 20846 Normandie Avenue., Torrance, CA 90502

Dear Mr. Flury and Arnest:

It has come to EPA's attention that some outside parties are under the impression that EPA will no longer be the lead oversight agency for the excavation and backfill work planned for the eastern portion of the Ecology Control Industries, Inc. property at 20846 Normandie Avenue in Torrance, California (the "ECI Property"). The ECI Property is part of the federal Montrose Chemical Corporation Superfund Site. We are writing to clarify that EPA is currently and will continue to be the lead agency for oversight of work at the ECI Property.

The planned excavation and backfill work at issue is described in a workplan ECI submitted to EPA in July 2016. The workplan was submitted pursuant to a Unilateral Administrative Order ("Order") issued by EPA under Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and is fully enforceable by EPA under the Order. EPA also continues to oversee other requirements of the Order at the ECI Property, including soil management protocols as described in a Soil Management Plan submitted by ECI.

If you have any questions, please contact me at (415) 972-3443 or at Nguyen.anhtu@epa.gov. Legal matters should be directed to Xiao Zhang of the Office of Regional Counsel at (415) 972-3266 or at zhang.xiao@epa.gov.

Thank you,

A handwritten signature in black ink, appearing to read 'Anhtu Nguyen', with a long horizontal flourish extending to the right.

Anhtu Nguyen
Remedial Project Manager
Superfund Division

Cc: Willard Garrett, Department of Toxic Substances Control
John Scandura, Department of Toxic Substances Control
Peter Goldenring, Goldenring and Prosser, APLC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94105

BY ELECTRONIC MAIL

July 8, 2016

Ronald J. Flury and
Ecology Control Industries, Inc.
20846 Normandie Ave.
Torrance, CA 90502

Re: Failure to comply with Unilateral Administrative Order to Conduct Removal
Actions, CERCLA Docket No. 2016-01 at Ecology Control Industries, Inc., Torrance,
CA

Dear Mr. Flury:

This letter provides notice that Ecology Control Industries, Inc. ("ECI") and Mr. Ronald Flury are out of compliance with CERCLA Unilateral Administrative Order Number 2016-01 ("Order") and informs you of the immediate steps that are necessary to forestall further EPA enforcement actions at ECI, located at 20846 Normandie Avenue in Torrance, California.

Pursuant to Paragraph 46 of the Order and ECI's November 17, 2015 Soil Stockpile Management Work Plan, all soil stockpiles must be managed so as to prevent releases from wind erosion or direct contact and the asphalt areas around the stockpiles must be clear of residual soils. At a minimum, ECI must cover the stockpiles with a minimum of one layer of 10-millimeter thick sheeting or equivalent, and the edges of the sheeting must overlap.

ECI has persistently failed to adequately cover the soil stockpiles. On numerous instances, EPA observed, in the daily photos taken by ECI, holes in both the inner and outer layers of the covers on the stockpiles and gaps between the edges of the covers.

During a site inspection conducted on June 28, 2016, EPA observed that the condition of the covers on the soil stockpiles has significantly deteriorated, presenting a potential source of DDT exposure to nearby residents and in violation of the Order. EPA observed that the covers were not equivalent to 10-millimeters thick or sufficient to prevent releases of DDT-contaminated soil. The inner white cover on each of the four stockpiles had large holes, exposing the soil underneath. The outer black cover on each of the stockpiles also had

numerous holes, and, in several places, the edges of the outer covers did not overlap or the duct tape connecting the edges did not properly secure the covers. As a result, the soils in the stockpiles were directly exposed to wind. Furthermore, the asphalt areas surrounding the stockpiled soils were not clear of residual soils.

To prevent further releases of DDT-contaminated soil from the stockpiles, ECI must provide for off-site disposal of the soil stockpiles to be completed no later than **forty-five (45) days** after receipt of this letter. Disposal must occur in the manner specified in the Revised Soil Stockpile Removal and Site Restoration Work Plan, Version 3.0, submitted by ECI on May, 6, 2016 (“Revised Plan”). ECI must obtain written acceptance of the soil stockpiles from a hazardous waste disposal facility and submit it to EPA for EPA’s concurrence no later than **seven (7) days** after receipt of this letter.

ECI shall amend the Revised Plan to include a schedule for disposal of the soil stockpiles. Furthermore, the Revised Plan shall be amended to require ECI to notify EPA seventy-two (72) hours prior to performing any work in the Revised Plan. These amendments must be made and a new plan must be submitted to EPA within **two (2) days** after receipt of this letter, in accordance with Paragraph 48.b of the Order.

Any willful violation, or failure or refusal to comply with any provision of the Order may subject ECI and Mr. Flury to civil penalties of up to \$37,500 per violation per day, as provided in Section 106(b)(1) of CERCLA, 42 U.S.C. § 9606(b)(1), and the Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19. In the event of such willful violation, or failure or refusal to comply, EPA may carry out the required actions unilaterally, pursuant to Section 104 of CERCLA, 42 U.S.C. § 9604, and/or may seek judicial enforcement of this Order pursuant to Section 106 of CERCLA, 42 U.S.C. § 9606. ECI and Mr. Flury may also be subject to punitive damages in an amount up to three times the amount of any costs incurred by the United States as a result of such failure to comply, as provided in Section 107(c)(3) of CERCLA, 42 U.S.C. § 9607(c)(3).

If you have any questions, please contact me at (415) 972-3443 or at Nguyen.anhtu@epa.gov. Legal matters should be directed to Xiao Zhang of the Office of Regional Counsel at (415) 972-3266 or at zhang.xiao@epa.gov.

Thank you,



Anhtu Nguyen
Remedial Project Manager
Superfund Division

Cc: Jeffrey Sharp, Sharp Environmental Technologies, Inc.
Peter Goldenring, Goldenring and Prosser, APLC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

August 31, 2016

SUBJECT: Removal of Soil Stockpiles on Ecology Control Industries, Inc.
(ECI) Property on 20846 Normandie Avenue

In May 2016, EPA approved ECI's Work Plan which addressed further cleanup on the property, as well as the disposal of the four soil stockpiles currently located on the ECI property. Over the summer, EPA has been working with ECI to identify an appropriate waste disposal landfill to accept the soil. The soil disposal work is scheduled to begin on Tuesday, September 6 and will take approximately 4-6 weeks to complete. EPA has ordered ECI to notify nearby neighbors 72 hours before the start of the work.

In April, EPA issued an "ECI Property and Soil Stockpiles Information" fact sheet and mailed it to over 1,000 nearby residents. You can find that fact sheet at: <http://go.usa.gov/x2ADm>.

Over the past year, many of you have raised concerns regarding operations at ECI. Below, is a contact list for the concerns we have heard most often:

If you have concerns regarding...	please contact...	who works at.
Trash, noise, or hours of operation	Timothy Stapleton 213-974-6453 tstapleton@planning.lacounty.gov	LA County Regional Planning Committee
Issues directly from the summer 2015 excavation activities	Willard Garrett 714-484-5352 Willard.Garrett@dtsc.ca.gov	California Department of Toxic Substances
Shoring of the excavated land near your property	Roy Itani 626-458-3172	LA County Public Works
Fencing	Steve Smith 310-354-9999	ECI

If you have any concerns regarding the excavation activities (including traffic, dust, soil trackout, noise, shoring, work hours, etc.) please do not hesitate to contact me. We have heard from many neighbors that dust was a large concern last summer, and we have made many efforts to mitigate dust for this ongoing soil removal activity.

Anhtu (Tu) Nguyen
Remedial Project Manager (RPM)
United States Environmental Protection Agency, Region 9
415-972-3443
Nguyen.anhtu@epa.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

July 15, 2016

SUBJECT: Removal of Soil Stockpiles on Ecology Control Industries, Inc.
(ECI) Property on 20846 Normandie Avenue

In May 2016, EPA approved ECI's Work Plan which addressed further cleanup on the property, as well as the disposal of the four soil stockpiles currently located on the property located at 20846 Normandie Ave. On July 8, 2016, EPA issued a letter ordering ECI to dispose of the soil stockpiles within 45 days. EPA expects this work to occur soon and has ordered ECI to notify nearby neighbors before beginning the work.

In April, EPA issued an "ECI Property and Soil Stockpiles Information" fact sheet and mailed it to over 1,000 nearby residents. That fact sheet is enclosed.

If you have any questions or concerns, please contact me.

Anhtu (Tu) Nguyen
Remedial Project Manager (RPM)
U.S. Environmental Protection Agency, Region 9
415-972-3443
Nguyen.anhtu@epa.gov