

US EPA ARCHIVE DOCUMENT

U.S. EPA Orders Halt To Water Pollution

BASF Site

Cleveland, Ohio

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For more information

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On Oct. 8, 2014, the U.S. Environmental Protection Agency ordered BASF Corp. to stop discharging polluted waters from its property into the Cuyahoga River without a permit. On Oct. 17, BASF stopped the effluent discharges from pipes called Outfalls 007 and 006. On Oct. 20, U.S. EPA verified BASF had stopped the releases. BASF plans to remove the entire stormwater sewer system on its property at 1000 Harvard Ave. by Nov. 30, 2014. The polluted waters contained heavy metals and uranium.

Water cleanup

U.S. EPA used its authority under the Clean Water Act and issued a legal order to BASF directing the company to stop discharging polluted waters into the Cuyahoga River. The polluted waters contained nickel, lead, cadmium, chromium, copper, selenium, zinc and uranium.¹ The order also instructed BASF to complete all necessary actions to comply with the Clean Water Act. In August 2014, U.S. EPA issued to BASF a Clean Water Act “Request for Information” requiring the business to regularly observe, sample and analyze the effluent and report results to the federal Agency. In May 2014, U.S. EPA completed a water sampling and analysis report for the facility demonstrating BASF discharged polluted waters from Outfall No. 007 into the Cuyahoga River without a permit. In



This is one of two outfall pipes that were discharging polluted waters into the Cuyahoga River from the BASF site. BASF obeyed a U.S. EPA order to stop the discharges that contained heavy metals and uranium.

¹The administrative consent order to stop discharges of polluted waters was released pursuant to Section 309(a) of the Clean Water Act (CWA), 33 U.S.C. § 1319 (a) alleging BASF violated Section 301 of the CWA, 33 U.S.C. § 1311. ^{1a}The site cleanup is being conducted under the authority of Section 3008(h) of the Resource Conservation and Recovery Act (RCRA).

October 2013, EPA collected water samples from the end of the pipe. In December 2013, the National Analytical Radiation Environmental Laboratory analyzed the samples from the outfall and found it contained pollutants in amounts exceeding drinking water standards. However, concentrations of radionuclides in the Cuyahoga River at the outfall were below drinking water standards. Protecting water quality is a high priority for the federal Agency. Pollution released to a waterway harms beneficial uses such as fishing and boating and can threaten people's health.

RCRA cleanup

In March 2010, U.S. EPA used its authority under the federal Resource Conservation and Recovery Act, known as RCRA, to issue an administrative order to BASF for corrective action to investigate hazardous waste contamination at the Harvard Avenue site.^{1a} RCRA is our nation's primary law governing the disposal of solid and hazardous waste. If the investigation reveals health hazards from the pollution, then BASF must conduct a cleanup.

The facility, which is no longer operational, was a chemical manufacturer that once housed uranium research and enrichment for the Manhattan Project atomic bomb development. In 1999, Congress ordered the U.S. Army Corp of Engineers to clean up the radioactive contamination at the site specifically associated with the Manhattan Project.

Site contamination

The RCRA order listed documented releases of hazardous waste and materials at the facility. U.S. EPA determined corrective action was needed to protect human health and the environment.

BASF Corp. must investigate the type and magnitude of contamination on and near its property and complete any cleanup actions identified by U.S. EPA. The company is currently in the investigation phase of corrective action. Under U.S. EPA oversight, the firm will sample and test soil, buried waste, waste piles, groundwater, sediment and surface water for possible contamination. "Groundwater" is an environmental term for underground supplies of fresh water. When the investigation is completed, risk assessments will be prepared using the sampling data. U.S. EPA will then determine the level of cleanup required to make the property safe for its next intended purpose.

Site history

The property is 3½ miles south of downtown Cleveland on the western side of the Cuyahoga River at its confluence with Big Creek. BASF purchased the location in 2006 but never used it for manufacturing. Under the name Harshaw Chemical Co., the site had been used primarily for chemical manufacturing since 1903.

The entire property is not owned by BASF or under U.S. EPA jurisdiction. In the 1940's, Harshaw Chemical began processing uranium for the Manhattan Engineering District and later for the Atomic Energy Commission in the nation's atomic bomb program. Releases from the manufacturing resulted in radiological contamination around the site, primarily around Building G-1, which is owned by Chevron Corp. Most of the radiological contamination is the responsibility of the U.S. Army Corps of Engineers. The Corps has scheduled Building G-1 for demolition in 2015.

Congress placed the facility in the Formerly Utilized Sites Remedial Action Program, or FUSRAP, in 1999. FUSRAP cleans up sites around the United States that became contaminated from the atomic energy program in the 1940s, 50s and 60s. The Army Corps administers FUSRAP.

U.S. EPA is coordinating with the Corps to deal with each agency's area of responsibility and make sure human health and the environment are protected. More information about the FUSRAP cleanup can be found at <http://www.lrb.usace.army.mil/Missions/HTRW/FUSRAP/HarshawSite.aspx>.

Possible BASF building demolition

BASF wants to demolish all of its site structures this year except for an operating groundwater treatment plant. Before the demolition proceeds, BASF will need city and Ohio EPA permits and would have to identify hazardous or radioactive substances in the buildings.

The foundations would remain temporarily to prevent contaminated soil from washing or blowing away. BASF would be required to minimize movement of contaminated particles by using dust suppression and collecting all the water used in tire washing. BASF has hired a radiation consultant licensed by the Ohio Department of Health to oversee the proper handling of radioactive materials.

U.S. EPA would impose and oversee requirements to minimize the movement of hazardous waste during demolition and then monitor compliance.