Kerr-McGee Chemical Corp.
Navassa, North Carolina
Superfund Site

Introductory Meeting

August 8, 2022

Greenfield Environmental Multistate Trust LLC,
Trustee of the Multistate Environmental Response Trust
Introductions

Kerr-McGee Chemical Corp. Superfund Site Project Team

✓ U.S. Environmental Protection Agency (EPA)
  • Erik Spalvins, EPA Remedial Project Manager
  • Charles King, Interim EPA Remedial Project Manager
  • L’Tonya Spencer-Harvey, EPA Community Involvement Coordinator

✓ N.C. Department of Environmental Quality (NCDEQ)
  • David Mattison, NCDEQ Superfund Section Project Manager

✓ Multistate Environmental Response Trust (Multistate Trust)
  • Claire Woods, Multistate Trust Director of Environmental Justice
  • Ngozi Ibe, Multistate Trust Senior Project Manager
  • Theo von Wallmenich, Multistate Trust Federal Sites Program Director

Multistate Trust is responsible for investigating and remediating the Navassa Site under EPA oversight, and in consultation with NCDEQ
Background

246 acres formerly owned by Kerr-McGee:
- Multistate Trust owns 154 acres
- North Carolina owns 92 acres

Kerr-McGee and its predecessors used creosote and other chemicals to treat wood utility poles and railroad ties at the Site from 1936 – 1974

Wood treating was an unsophisticated process and Kerr-McGee dumped waste in open ditches and buried wastes

EPA listed ±100-acre Superfund Site on National Priorities List (NPL) in 2010
2005: Kerr-McGee created Tronox, a shell corporation, then transferred Navassa Site and hundreds of other sites to Tronox, without funds needed for cleanup

2006: Kerr-McGee sold its most valuable assets to Anadarko

2009: Unable to pay for cleanup of Kerr-McGee sites, Tronox filed for bankruptcy

2011: Bankruptcy court approved a settlement with U.S. and 22 states that established several environmental response trusts, including Multistate Trust to:
  • Take title to 100s of Kerr-McGee/Tronox sites
  • Investigate and clean up sites using finite funds, under the oversight of lead agency and in consultation with other beneficiaries
  • Fulfill fiduciary duties to its beneficiaries -- U.S./EPA and States
  • Facilitate beneficial reuse of sites, subject to beneficiary approval

2014: Additional federal litigation against Anadarko was settled

2015–2016: Multistate Trust received meaningful funds to proactively investigate and remediate former Kerr-McGee sites under oversight of each site’s lead agency
Navassa Site Overview

✔ Goal: Remediate Superfund Site and return property to productive uses consistent with community goals

✔ Site is divided into Operable Units (OUs) to facilitate completing the Superfund process, including:
  • Operable Unit 1 – Portion of wood storage areas not requiring remediation
  • Operable Unit 2 – Portion of wood storage areas requiring remediation
  • Operable Unit 3 – Southern Marsh
  • Operable Unit 4 – Pond and process area, also including portion of wood storage areas
  • Operable Unit 5 – Groundwater
OU2 Anticipated Work

- Excavate ±2900 cubic yards of surface soil from 1.6 acres of the 15.6-acre OU2 and transport soil to EPA-permitted landfill

- Contaminants include PAHs, dioxins/furans, benzo[a]pyrene, naphthalene, and PCP

- Concentrations exceed residential cleanup criteria but are below standards for industrial, commercial, construction workers, trespassers, recreational users, and site visitors/trail walkers

- Soil was sampled for hazardous waste toxicity characteristics:
  - Soil is not expected to be hazardous based on contaminant concentrations found in 400+ samples; will be taken to a RCRA Subtitle D (non-hazardous) landfill
  - If additional sampling identifies waste that is hazardous, it will be taken to a Subtitle C (hazardous) landfill
Transportation and Disposal

 ✓ Work plans will be developed to protect health and safety of residents and workers and minimize disturbance to affected communities (including plans for health and safety, soil excavation, air monitoring, stormwater pollution prevention, and transportation and disposal)

 ✓ Transportation and Disposal Plan will:
   • identify selected landfill
   • describe measures to prevent accidents and spills during hauling process (e.g., tarping and lining)
   • detail loading procedures that minimize spillage
   • outline use of spotters to guide equipment operators and haul trucks
   • specify procedures for decontamination of equipment

 ✓ We seek input from community members on measures to minimize impacts to residents and people/communities along haul route
To accept the excavated OU2 soil, a landfill will have to:

1. be an approved landfill under the CERCLA Off-Site Rule
2. be a RCRA Subtitle D (non-hazardous) landfill (or Subtitle C landfill, if soil is hazardous)
3. accept out-of-county waste (Brunswick County Landfill is not Subtitle D)
4. not impose legal requirements that are inconsistent with the court-approved (a) Settlement Agreement that created the Multistate Trust or (b) the Multistate Trust Agreement which governs its operations/obligations

We seek to mitigate disproportionate impacts of Kerr-McGee’s contamination, and address communities’ concerns, and therefore are also considering:

5. EPA EJSCREEN data and NCDEQ North Carolina Community Mapping System Tool data for select landfills; and reports from contractor visits to areas close to locations of several of the landfills being considered

The landfill should ideally:

6. not require long hauling distances to minimize the risk of potential accidents or spills along the route and to minimize hauling costs (to preserve funding for future cleanup work at the Navassa Site)
As part of the initial evaluation, we considered these six factors in reviewing 25 landfills in North Carolina and South Carolina.

22 of the 25 landfills were eliminated from consideration because they could not meet one of the first four, mandatory factors.

Based on this analysis to date, only three landfills may potentially meet the four mandatory factors:

- Anson Landfill (±148 miles)
- Great Oak Landfill/Randolph County Landfill (±191 miles)
- Sampson County Landfill (±69 miles)
Community Engagement Overview

✓ We are committed to involving communities in cleanup of and redevelopment planning for former Kerr-McGee sites

✓ Our core values require robust engagement program:
  • Sharing information and being transparent
  • Seeking input and allowing time for meaningful contribution
  • Actively and respectfully listening to concerns and suggestions
  • Encouraging broad participation and engagement from residents, community leaders, and other stakeholders
  • Encouraging community members to take leadership roles
  • Using plain, accurate language in all communications—written and oral
  • Slowing down to allow communities time to engage and provide input
  • Developing constructive, community-based solutions to challenges

✓ We recognize that engaged communities can help Multistate Trust meet its overall remediation and redevelopment goals
Community Engagement Methods

- In-person, large-group community meeting(s)
- In-person and virtual small group meetings with concerned residents and stakeholders
- Fact sheet and/or Frequently Asked Questions describing OU2 work, landfill selection process, and opportunities for engagement
- Site-specific website
- Translation of written materials and at in-person meetings
- What other types of outreach would be helpful?
Resources

- EPA’s Administrative Record:*  
  [https://semspub.epa.gov/src/collections/04/AR/NCD980557805](https://semspub.epa.gov/src/collections/04/AR/NCD980557805)

- Multistate Trust Website:  
  [https://navassa.greenfieldenvironmental.com/](https://navassa.greenfieldenvironmental.com/)

- Other helpful documents:  
  - [OU2 Remedial Action Work Plan](OU2%20Remedial%20Action%20Work%20Plan)
  - [OU2 Feasibility Study](OU2%20Feasibility%20Study)
  - [OU2 Proposed Plan](OU2%20Proposed%20Plan)
  - [OU2 Proposed Plan Fact Sheet](OU2%20Proposed%20Plan%20Fact%20Sheet)
  - [Multistate Trust 2021 Annual Report](Multistate%20Trust%202021%20Annual%20Report)

*EPA Region 4, Superfund Records Center, Atlanta, GA, is closed due to COVID-19. The Administrative Record for the Navassa Site is available at the link.
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Questions and Discussion