

**CONFIDENTIAL**

Don Hamera

**ARCHIVE NOTE** (subevent "ZS")  
ARCHIVE DECISION -EPA REGION VII

**CON 12-15**  
**Doc #12792**

SITE NAME: Nahant Marsh EPA ID#: IA0001909498 SSID#: 07YC  
Alias Site Names: Quao City Shoot and Trap Club, Scott County Sportsman Assoc  
City: Davenport State: IA County or Parish: Scott Zip Code: 52802

**DECISION CHECKLIST:**

No Further Superfund Interest Exists at the Site based upon the following:

All CERCLIS Site work has been completed. ☒ Yes ☐ No ☐ N/A  
{site assessment, RI/FS, RD, RA, O&M, All Monitoring, Closeout Report,  
5-yr review, NPL Deletion, Removal(s)}:

All Enforcement actions have been completed. ☒ Yes ☐ No ☐ N/A  
{PRP has complied with all aspects of enforcement document(s), All Orders  
and/or Consent Decrees have been closed out}

All Cost Recovery actions have been completed. ☒ Yes ☐ No ☐ N/A  
{final billing sent & collected, referral completed, DD completed}

All existing monitoring wells closed in accordance with State Regulations. ☐ Yes ☐ No ☒ N/A  
Date of final well closure: \_\_\_\_\_

*If any of the above questions have a no response, site does not qualify for archival.*

**DISCUSSION/RATIONALE FOR ARCHIVAL:**

See Attached Decision Document not to Cost Recover and the CERCLIS printout for the site.

The Nahant Marsh Site is located at 4220 Wapello Avenue, Davenport, Iowa along the Mississippi River near Rock Island, Illinois. The site was used for 25 years (1969 to 1994) as a skeet and trap shooting operations by the Scott County Sportsmen's Association. The site is currently owned by the City of Davenport. In 1996, the Fish and Wildlife Service (FWL) visited the site and determined that the Nahant Marsh is frequented by migratory waterfowl. FWL recovered four sick waterfowls in 1999. An additional waterfowl was discovered in November 1997. The five waterfowl were examined by a veterinary pathologist and diagnosed with lead poisoning. In 1999, the EPA conducted a removal to clean up the lead shot in the soils and sediments. Approximately, 10,416 cubic yards of contaminated soils and 49,162 cubic yards of contaminated sediments were treated and removed from the site.

EPA gave the Nahant Marsh Site for the Extended Site Inspection a NFRAP designation in 1999. No further response under CERCLA/SARA is required. The site has been NFRAPed, and archiving is appropriate.

Site Reviewed and Approved by

RPM/OSC, if applicable:

Site Assessment Manager:

Cost Recovery Unit concurrence:

IMC Review of site data in CERCLIS:

State concurrence:

Date:

Date:

Date:

Date:

Date:

Dan Hamara  
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Site Name: NAHANT MARSH

| S | ▲ | C | Ⓢ | OU | Action Name                     | Sq | Ld | Planned    |        |            |        | Actual     |            | H | Qual | Takeover<br>Phased | SCAP Note           | EPA Person |
|---|---|---|---|----|---------------------------------|----|----|------------|--------|------------|--------|------------|------------|---|------|--------------------|---------------------|------------|
|   |   |   |   |    |                                 |    |    | Start      | FYQ    | Complete   | FYQ    | Start      | Complete   |   |      |                    |                     |            |
|   |   |   |   | 00 | DISCOVERY                       | 1  | F  | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 08/01/1996 |   |      |                    | FWS CONTACT EPA     |            |
|   |   |   |   | 00 | ADMINISTRATIVE RECORDS          | 2  | F  | 00/00/0000 |        | 09/30/2005 | 2005/4 | 12/02/1998 | 00/00/0000 |   | V    |                    |                     |            |
|   |   |   |   | 00 | Contractor for Review           | 1  | F  | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 12/01/1998 |   |      |                    |                     |            |
|   |   |   |   | 00 | AR for RPM to Review            | 1  | F  | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 11/25/1998 |   |      |                    |                     |            |
|   |   |   |   | 00 | To CNSL for Review              | 1  |    | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 11/25/1998 |   |      |                    |                     |            |
|   |   |   |   | 00 | NPL RP SEARCH                   | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 06/13/1997 | 07/07/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Title Search                    | 1  | FE | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 07/07/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | PRELIMINARY ASSESSMENT          | 1  | F  | 07/01/1996 | 1996/4 | 11/30/1997 | 1998/1 | 08/30/1996 | 09/30/1997 |   | H    |                    | COMBINED PA/SI      |            |
|   |   |   |   | 00 | Tentative Disposition           | 1  | F  | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 09/30/1997 |   |      |                    | FORM 9100           |            |
|   |   |   |   | 00 | SITE INSPECTION                 | 1  | F  | 07/01/1996 | 1996/4 | 00/00/0000 |        | 08/30/1996 | 09/30/1997 |   | F    |                    | 9100 FORM           |            |
|   |   |   |   | 00 | Tentative Disposition           | 2  | F  | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 09/30/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Data Transmittal                | 1  | F  | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 09/15/1997 |   |      |                    | 5/7/97 RESULTS      |            |
|   |   |   |   | 00 | Work Plan Submitted             | 1  | F  | 00/00/0000 |        | 12/31/1996 | 1997/1 | 00/00/0000 | 11/20/1996 |   |      |                    |                     |            |
|   |   |   |   | 00 | Work Plan Submitted             | 2  | F  | 00/00/0000 |        | 12/31/1996 | 1997/1 | 00/00/0000 | 12/17/1996 |   |      |                    |                     |            |
|   |   |   |   | 00 | Work Plan Submitted             | 3  | F  | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 07/08/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Work Plan Submitted             | 4  | F  | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 07/21/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Raw Data/EPA Lab                | 1  | F  | 00/00/0000 |        | 06/30/1997 | 1997/3 | 00/00/0000 | 04/02/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Trip Report                     | 1  | F  | 00/00/0000 |        | 03/31/1997 | 1997/2 | 00/00/0000 | 03/26/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Raw Data/EPA Lab                | 2  | F  | 00/00/0000 |        | 09/30/1997 | 1997/4 | 00/00/0000 | 09/04/1997 |   |      |                    |                     |            |
|   |   |   |   | 00 | Final Disposition               | 2  | F  | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 01/13/2000 |   |      |                    | RPT DATE 12/27/99   |            |
|   |   |   |   | 00 | REMOVAL                         | 1  | F  | 12/31/1998 | 1999/1 | 12/31/1999 | 2000/1 | 10/27/1998 | 10/14/1999 |   | C    |                    |                     |            |
|   |   |   |   | 00 | OSC Report                      | 1  | F  | 00/00/0000 |        | 12/31/2000 | 2001/1 | 00/00/0000 | 12/14/2000 |   |      |                    |                     |            |
|   |   |   |   | 00 | Approval Of Action Memo         | 1  | F  | 00/00/0000 |        | 09/30/1998 | 1998/4 | 00/00/0000 | 09/28/1998 |   |      |                    |                     |            |
|   |   |   |   | 00 | Approval Of Action Memo         | 2  | F  | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 04/12/1999 |   |      |                    | 2MILEXMP/INC/CHGSCP |            |
|   |   |   |   | 00 | REMOVAL ASSESSMENT              | 1  | F  | 00/00/0000 |        | 12/31/1998 | 1999/1 | 10/01/1997 | 07/30/1998 |   |      |                    | REMOVAL NEEDED      |            |
|   |   |   |   | 00 | LABORATORY SUPPORT              | 1  | F  | 10/19/1998 | 1999/1 | 12/31/1999 | 2000/1 | 10/19/1998 | 12/31/1999 |   |      |                    |                     |            |
|   |   |   |   | 00 | EXPANDED SITE INSPECTION        | 1  | F  | 00/00/0000 |        | 03/31/2000 | 2000/2 | 06/10/1998 | 12/27/1999 |   | N    |                    |                     |            |
|   |   |   |   | 00 | Final Disposition               | 3  | F  | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 01/13/2000 |   |      |                    | RPT DATE 12/27/1999 |            |
|   |   |   |   | 00 | ADMINISTRATIVE RECORDS          | 1  | F  | 00/00/0000 |        | 09/30/2005 | 2005/4 | 12/02/1998 | 00/00/0000 |   |      |                    |                     |            |
|   |   |   |   | 00 | PPA ASSESSMENT                  | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 05/20/1997 | 12/30/1999 |   | PS   |                    | CITY OF DAVENPORT   |            |
|   |   |   |   | 00 | All Necessary Information Recei | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 03/03/1999 |   |      |                    |                     |            |
|   |   |   |   | 00 | Proposed Settlement Sent to Pr  | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 06/11/1999 |   |      |                    |                     |            |
|   |   |   |   | 00 | Signature By Purchaser          | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 11/13/1999 |   |      |                    |                     |            |

| S | ▲ | C | ⑩ | OU | Action Name              | Sq | Ld | Planned    |        |            |        | Actual     |            | ② | H | Qual | Takeover<br>Phased | SCAP Note     | EPA Person |
|---|---|---|---|----|--------------------------|----|----|------------|--------|------------|--------|------------|------------|---|---|------|--------------------|---------------|------------|
|   |   |   |   |    |                          |    |    | Start      | FYQ    | Complete   | FYQ    | Start      | Complete   |   |   |      |                    |               |            |
|   |   |   |   | 00 | NEGOTIATION (GENERIC)    | 1  | FE | 00/00/0000 |        | 09/30/2000 | 2000/4 | 06/28/1999 | 12/30/1999 |   |   |      |                    | PPA           |            |
|   |   |   |   | 00 | NEGOTIATION (GENERIC)    | 2  | FE | 00/00/0000 |        | 09/30/2000 | 2000/4 | 06/28/1999 | 12/23/1999 |   |   |      |                    | COST RECOVERY |            |
|   |   | C |   | 00 | CONSENT DECREE           | 2  | FE | 09/30/2000 | 2000/4 | 09/30/2000 | 2000/4 | 12/23/1999 | 09/07/2000 |   |   |      |                    | COST RECOVERY |            |
|   |   |   |   | 00 | Lodged By DOJ            | 2  | FE | 00/00/0000 |        | 09/30/2000 | 2000/4 | 00/00/0000 | 04/18/2000 |   |   |      |                    |               |            |
|   |   |   |   | 00 | Entered By Court         | 2  | FE | 00/00/0000 |        | 09/30/2000 | 2000/4 | 00/00/0000 | 09/07/2000 |   |   |      |                    |               |            |
|   |   |   |   | 00 | COST RECVRY DECSN DOCMT  | 1  | FE | 00/00/0000 |        | 12/31/2001 | 2002/1 | 00/00/0000 | 11/28/2001 |   |   |      |                    |               |            |
|   |   | C |   | 00 | CONSENT AGREEMENT (ADMIN | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 12/30/1999 |   |   |      |                    | PPA           |            |
|   |   |   |   | 00 | Signature By DOJ         | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 04/15/2000 |   |   |      |                    |               |            |
|   |   |   |   | 00 | Effective Date           | 1  | FE | 00/00/0000 |        | 00/00/0000 |        | 00/00/0000 | 09/12/2000 |   |   |      |                    |               |            |

|                             |                        |                |                |
|-----------------------------|------------------------|----------------|----------------|
| Site Short Name:            | NAHANT MARSH           | Archive Ind:   |                |
| Owner Operator Type:        | Private                | Archive Date:  | 00/00/0000     |
| Operational Status:         |                        | NPL Status:    | Not on the NPL |
| Federal Facility Indicator: | Not a Federal Facility | RCRA Site:     |                |
| Site Type:                  |                        | Incident Type: |                |
| Responsible Federal Agency: |                        | Primary RPM:   | None Assigned  |
|                             |                        | Primary OSC:   | None Assigned  |

Non-NPL Status: NFRAP Date: 01/13/2000 Protect Status: ☒

Human Exposure Under Control: None Assigned

Groundwater Migration Under Control: None Assigned

Description:

MARSH WITH LEAD SHOT IN SEDIMENT/SOIL, RESULT OF SHOOTING RANGE ACTIVITIES 1969-1995

THE NAHANT MARSH SITE IS LOCATED AT 4220 WAPELLO AVENUE IN DAVENPORT, IOWA. THE SITE IS CURRENTLY OWNED BY THE SCOTT COUNTY SPORTSMEN'S ASSOCIATION, WHICH OPERATED A SHOOTING RANGE ON THE PROPERTY FROM 1969 UNTIL 1995. CURRENTLY, THE SITE IS LEASED TO THE RANCH RIDERS MOTORCYCLE CLUB, WHICH USES THE SITE FOR CLUB-RELATED ACTIVITIES. AFTER RICH WATERFOWL AT THE SITE WERE DETERMINED TO BE SUFFERING FROM LEAD POISONING, SAMPLING SHOWED THAT LEAD WAS PRESENT IN SOIL TO A CONCENTRATION OF 40,100 MG/KG.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

NOV 28 2001

ENFORCEMENT CONFIDENTIAL - DO NOT RELEASE

MEMORANDUM

Subject: Nahant Marsh  
EPA ID #IA0001909498  
Decision Document Not to Pursue Cost Recovery

FROM: James V. Callier, Chief *James V. Callier*  
Superfund Technical Assistance &  
Reuse Branch

TO: Michael J. Sanderson, Director  
Superfund Division

SITE DESCRIPTION

The Nahant Marsh site is located at 4220 Wapello Avenue, Davenport, Iowa along the Mississippi River near Rock Island, Illinois. The site is currently owned by the City of Davenport. The U. S. Environmental Protection Agency (EPA) conducted a time-critical removal action in fiscal year 1999 to remove contaminated soils and sediments that resulted from shooting activities by the former owners, the Scott County Sportsmen's Association (SCSA). The site was contaminated with lead shot from about 25 years of skeet and trap shooting operations by the SCSA. The site is not listed or proposed for listing on the National Priority List.

WORK AUTHORIZED AND CONDUCTED AND ASSOCIATED COSTS

In 1996, the FWL Service visited the site and determined that the Nahant Marsh is frequented by migratory waterfowl. FWL recovered four sick waterfowls in 1994. An additional sick

waterfowl was discovered in November 1997. The five waterfowl were examined by a veterinary pathologist and diagnosed with lead poisoning.

In 1997, the EPA was contacted by local conservation groups, including River Action, Inc., and the FWL Service, regarding possible clean up of the site. The FWL Service and River Action, Inc., provided information to the EPA showing that the Nahant Marsh is a unique wetland with a valuable ecosystem and is part of the migratory bird flyway along the Mississippi River. Future land use plans by the community for the site include research and educational opportunities for the people in the Davenport, Iowa metropolitan area.

In 1998, the EPA conducted a removal site evaluation and determined that a time-critical removal action was warranted to clean up the lead shot in the soils and sediments. Identified risks include human health risks from exposure to contaminated soils and ecological risks from exposure to contaminated soils and sediments in the Nahant Marsh.

On September 29, 1998, EPA issued the time-critical action memorandum for this site to clean up contaminated soils and sediments. The action memo required excavation of contaminated soils and sediments which were treated on-site and disposed in an off-site landfill (Scott County Solid Waste Commission Landfill). The contaminated sediments and soils were located within about ten acres on the SCSA property. The treated sediments and soils augmented the municipal landfill's daily cover material and were an extremely cost effective disposal operation.

The EPA has determined that all the waste was contributed by SCSA. Based on real estate records in Scott County, the former owner of the site was a farmer and no significant farming took place on the property because it is mostly a wetland. SCSA purchased the property in 1969 and operated the skeet and trap shooting range on-site for nearly 25 years until 1994. In general, members of the SCSA met at the property for shooting events on a weekly basis. At one time, the SCSA had more than 250 members. The EPA estimates that about 243 tons of lead shot were disposed at the site. About 10,416 cubic yards of contaminated soils and 49,162 cubic yards of contaminated sediments were treated and removed from the property.

In 1997 while conducting the Preliminary Assessment/Site Investigation (PA/SI), the EPA collected soil, sediment, surface water, and ground water samples for heavy metals. The highest level of lead detected in a soil sample was 40,100 milligrams per kilogram (mg/kg) at the 0- to 2-inch interval. Soil samples also exceeded the Resource Conservation and Recovery Act (RCRA) Toxicity Characteristic Leaching Procedure (TCLP) test. The highest TCLP level for lead was determined to be 135 milligrams per liter (mg/L). The RCRA regulatory level is 5 mg/L.

The highest level of lead detected in a sediment sample was 726,000 mg/kg. EPA also measured the number of shots per square foot in the sediment area. The highest number was 533 shots per square foot in the sediment area.

In August 1998, EPA conducted an expanded site inspection and removal assessment field work to further characterize and determine the extent of the contamination at the site. Additional lead contamination was detected in the soil at the surface and subsurface.

The ability of SCSA to pay for response actions at the site is limited. The removal action costs were approximately \$2 million. Also, the U.S. Department of Interior (DOI) has incurred significant costs at the site with respect to natural resource damages and restoration. SCSA is a small non-profit corporation that has been inactive since 1994. According to the response EPA received from an information request, the SCSA exists only because it needs to resolve its Superfund liability. Total assets (essentially, the fair market value of the property) were \$86,000. The value of the property was determined by a Department of Justice (DOJ) approved appraiser, and DOJ attorneys approved the final appraisal report. The SCSA's share of responsibility is 100% of the response costs because SCSA was the sole owner/operator at the time of disposal. The SCSA was unable to pay because its responsibility far exceeded its only asset. In addition, no other Potentially Responsible Parties (PRPs) have been identified.

EPA entered into a Consent Decree (CD) with the SCSA based on their limited ability to pay. The CD required the SCSA to place a conservation easement on the property and sell the

property to the City of Davenport, which was done. In exchange, the SCSA was given a covenant not to sue under CERCLA.

Prior to the City of Davenport's purchase of the site, it entered into a Prospective Purchaser Agreement (PPA) with EPA. Under the PPA, the city of Davenport paid the purchase price to EPA and DOI. The City paid \$81,000 to EPA and placed a restrictive covenant on the property so that it will only be used for environmental educational purposes. In exchange, the PPA provides the City with a covenant not to sue under Superfund.

In accordance with the terms of the PPA, the City established a wetlands research station at the Site, which is used by students grade K-12 and junior college students. The facility is staffed by a full time naturalist and is open to the public for viewing wildlife.

The City paid \$5,000 to the DOI for natural resource damages and restoration of the site. The DOI incurred some costs because it restored the natural resources by planting native grasses and wetland plants. In the PPA, the DOI provided the City and SCSA with a covenant not to sue for natural resource damages under Superfund. The indirect benefit to EPA and DOI from the City's promise to use the land for environmental education is substantial and exceeds the value of any monetary recovery that might otherwise have been available from a prospective purchaser.

As shown on the Financial Management Summary Report dated August 16, 2001, the total cost expended on the site is \$2,729,882.26, with \$81,000 paid by the City of Davenport, which leaves a remainder of \$2,648,882.26. There may be additional minimum costs which may not have been recorded at the time of this report.

#### DISCUSSION OF BASIS NOT TO PURSUE COST RECOVERY

The CD and PPA resolve all CERCLA liability for SCSA and the City of Davenport regarding the Nahant Marsh site, unless the financial circumstances of the SCSA significantly increase, in which case EPA may reopen the CD. This completes EPA's enforcement action with respect to SCSA and the city of Davenport. If any other PRPs could be found, EPA might have a case to pursue. However, this is highly unlikely because SCSA was the



sole owner/operator during the time of disposal. Therefore, EPA has determined that no further cost recovery efforts are worthwhile at this site.

**APPROVAL:**

Andrea Jaska for  
Michael J. Sanderson, Director  
Superfund Division

11/28/01  
Date