

United States Environmental Protection Agency
Region II
POLLUTION REPORT

Date: Wednesday, March 14, 2007

From: Jack D. Harmon

To: Jack Harmon, USEPA, 2ERRD-RAB Mike Basile, USEPA Region II

Subject: POLREP No. 4

Buckbee-Mears
30 Kellogg Road, Cortland, NY
Latitude: 42.5920000
Longitude: -76.1581800

POLREP No.:	4	Site #:	YH
Reporting Period:	02/20/07 - 03/12/07	D.O. #:	EP-W-04-054-044
Start Date:	1/10/2007	Response Authority:	CERCLA
Mob Date:		Response Type:	
Demob Date:		NPL Status:	Non NPL
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:	NYN000205908	Contract #	
RCRIS ID #:			

Site Description

The facility is located at 30 Kellogg Road, City of Cortland, Cortland County, New York, 13045. The property is approximately 50 acres in size and contains a large main production building, interconnected with several smaller production buildings, an office building and several support buildings, including a flammable storage building and a hazardous waste storage garage. The size of the facility buildings are estimated at 367,000 ft².

The Buckbee-Mears facility was purchased by International Electron Devices (IED) on October 26, 2004. IED operated the facility until May, 2005, when they closed due to a lack of funding. A large number of the bulk chemicals used in production and the chemical wastes from past operations were abandoned on Site. These materials included: strong acids and caustics in large tanks, drums, process piping and numerous small containers throughout the facility. Approximately 7 cylinders of chlorine gas were also abandoned on Site.

During the Summer of 2006, the Cortland Police Department responded to a report of vandalism and became concerned when they discovered the large amount of chemicals which had been abandoned at the Site. The Cortland Police subsequently notified the New York State Department of Environmental Conservation (NYSDEC) of their findings. On July 27, 2006, representatives from the NYSDEC, the Cortland Police and Fire Departments and the Environmental Protection Agency (EPA) conducted a Site visit. The visit confirmed the presence of numerous hazardous substances in drums, tanks and cylinders throughout the facility. The potential for a chemical release was deemed serious because the facility was idle with no security and all utilities had been terminated. On August 1, 2006, the NYSDEC formally requested the EPA to conduct a removal action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) at this Site.

Negotiations with the PRP to perform the required clean up actions resulted in EPA issuing an Administrative Order on September 29, 2006. The PRP initially complied with the Order, but ceased correspondence with EPA in early November, 2006. Following several acts of vandalism at the facility, EPA initiated a Removal Action on January 10, 2007.

Current Activities

EPA initiated a removal action at this Site on January 10, 2007. This period, RST completed the inventory of the facility and ERRS continued with the collection and staging of these materials. During this period, the tank of Anhydrous Ammonia was drained and removed and the removal of the Sulphuric Acid tank contents was initiated.

Site security was in place during all non working hours this period. No incidents were reported. Freezing

conditions and snow fall necessitated the Site being plowed in order to gain access to the trailers, buildings and several of the outside tanks. Snow plowing activities occurred on February 26, March 6 and March 7, 2007. The freezing conditions have burst numerous sprinkler lines resulting in ceiling damage and icing conditions on the floors of the buildings.

On February 21, 2007, the OSC met with County Clerks Office and obtained copies of the most recent property deed, liens on the property and the outstanding tax balance. This information was provided to ORC and will be used in the ongoing enforcement action.

On February 23, 2007 and again on March 2, 2007, the Cortland Fire Department made a Site visit to monitor EPA progress. The Fire Department was given a tour of the staging area and discussions regarding safety, emergency procedures and schedules were discussed. The Fire Department was pleased with the work being performed. A map of the staging area and a list of the waste streams identified, along with their estimated volumes, was provided to the Fire Department for their reference. A copy of the daily air monitoring log performed in the staging area was also provided.

On February 26, 2007, Yaman Realty was on Site with a potential buyer for the facility. Yaman has a signed agreement with IED, to sell the property and its contents. ERRS accompanied the realtor while they gave the tour of the facility.

On March 1, 2007, the RAB and ORC held a conference call to discuss the outstanding access and disposal issues. Formal access is being pursued through a warrant to be issued by a local judge and also via a Federal Order to be issued through the DOJ. With the access issue still pending, ORC has qualified what disposal measures can be implemented. Opened, damaged or expired containers may be disposed. Acids in bulk storage containers and the tank of Anhydrous Ammonia may also be disposed, based on their low dollar value and threat of release. Un-opened containers and tank solids will not be disposed until a formal access agreement is in place.

On March 9, 2007, RST completed the inventory of known chemical waste containers remaining on the facility. Each room of each building was given a number and the information on the chemical and hazardous materials it contained was recorded. This process was complicated by the absence of any natural light, the freezing conditions within the buildings and the volume of material to be inventoried. Several locked doors were forcibly opened by the ERRS contractor to facilitate the inventory. A total of 395 rooms have been inventoried and found to hold 7,134 containers of waste which will require disposal. A total of 134 pieces of equipment believed to contain some hazardous waste materials were also identified. In addition, 34 sumps containing unknown liquids were also discovered. Additional containers and waste materials may still be discovered as Site work proceeds.

ERRS continues with the collection of the inventoried waste. The waste containers are being transported to the staging area established in Building 5 where they are sorted by waste category. Unknown materials are being haz catted to identify their waste stream. To date, ERRS has collected 3,787 containers from 313 rooms on the facility. ERRS has also begun lab packing several waste streams into drums and cubic yard boxes for future disposal.

On March 7, 2007, Airgas Corporation was on Site to evacuate the anhydrous ammonia tank contents and remove the empty tank. The transfer was completed without incident and approximately 1,300 gallons of material was retrieved. A vacuum was placed on the distribution lines to drain any residual material remaining in the process piping. RST provided air monitoring during the entire transfer process utilizing an ITX air monitoring device equipped with an ammonia and nitrous oxide sensor. No readings above background were detected at a distance of 5 feet from the tank. Once drained, the process and electrical lines were disconnected and capped and the empty tank was loaded onto a flat bed. The empty tank was removed on March 8, 2007. Airgas shipped the ammonia to its facility in Donora, PA for recycling.

On March 12, 2007, approximately 3,000 gallons of 93% sulphuric acid was transferred into a tanker truck and shipped off Site. The material was shipped as product to a facility in Rhode Island that was identified by the ERRS waste broker. EPA has contacted the facility and learned the acid will be used in their waste water treatment plant to neutralize caustic waste water. The Region 1 EPA office was also contacted and there are no current violations associated with this facility. EPA incurred no cost for the transportation or removal of this material. The remaining 1,500 gallons of sulphuric acid will be removed from the tank during the next reporting period.

A confirmation of verbal authorization and ceiling increase action memorandum has been prepared and submitted for approval. The additional funding requested is necessary to continue field operations and

implement off site disposal.

Planned Removal Actions

The planned scope of work for this action is to dispose or recycle all chemical wastes which remain on Site. This process will be accomplished in several phases. The first phase will be to dispose of the most dangerous materials posing the most significant threat of release, including the outside tanks and cylinders of chlorine gas. The next phase will be to perform a detailed inventory of the entire facility and get an accurate measure of the number of containers and volume of waste remaining on Site. Disposal of these materials, by either recycling or through an approved disposal facility, will follow. The last phase will be to flush process lines, drain equipment reservoirs, clean the catch basins, address the water treatment tanks and any remaining tanks or containers which may contain residual solidified waste.

Next Steps

EPA will continue Site security during all non working hours. ERRS will pursue disposal and recycling options for the waste material remaining on Site. ERRS will continue with the collection, segregation and packaging process. RST will continue to perform air monitoring and photo-document field activities.

Key Issues

Equipment failures due to freezing conditions and routine snow plowing have impeded daily progress at the Site. As the freezing conditions continue, the buildings show signs of damage.

EPA CID is pursuing a criminal investigation of IED. EPA has documented the location, condition and volume of all waste material discovered on Site. This information is necessary to counter any future PRP claims concerning any “takings” issues.

Disposition of Wastes

Waste Stream	Quantity	Manifest #	Disposal Facility
Anhydrous Ammonia For recycle/reuse	1,300 gallons	AG-001	AirGas 1220 Scott Street Donora, Pennsylvania
Sulphuric Acid (93%) For reuse	3,000 gallons	40101	Bradford Dyes 460 Bradford Road Bradford, RI

www.epaossc.org/BuckbeeMears