

**United States Environmental Protection Agency
Region II
POLLUTION REPORT**

Date: Monday, September 13, 2004

From: Cris D'Onofrio

Subject: Initiation of Action

Robinson Fiddlers/Green Manufacturing Site
243 West Main Street, Town of Concord, NY
Latitude: 42.5087430
Longitude: -78.6772160

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|--------------------------|-------------------------|----------------------------|----------------|
| POLREP No.: | 1 | Site #: | UP |
| Reporting Period: | 2/26/04 through 9/10/04 | D.O. #: | |
| Start Date: | 7/15/2004 | Response Authority: | CERCLA |
| Mob Date: | | Response Type: | Time-Critical |
| Demob Date: | | NPL Status: | Non NPL |
| Completion Date: | | Incident Category: | Removal Action |
| CERCLIS ID #: | NYD981133309 | Contract # | |
| RCRIS ID #: | | | |

Site Description

On October 21, 2003, the New York State Department of Environmental Conservation (NYSDEC) verbally requested that the EPA conduct an assesment of the Robinson Fiddlers Green Manufacturing facility located at 243 West Main Street in Springville, New York. On October 22, 2003, EPA met on-site with NYSDEC and began a Removal Site Evaluation at the Site. On that day, OSCs from EPA's Response and Prevention Branch toured the facility. EPA documented the presence of approximately 200 steel and poly drums and numerous 5 gallon pails strewn throughout various areas of the property. Based upon visual observations, EPA determined that the drums and pails appeared to contain various cutting oils, waste and lube oils, and chlorinated solvents believed to have been used for degreasing.

Based on conditions observed at the Site on October 22, 2003, the NYSDEC verbally requested that the U.S. Environmental Protection Agency (EPA) conduct a removal action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, 42 U.S.C. §9601 et seq.

On October 27, 2003, EPA conducted a sampling event as part of the Removal Site Assessment. Samples were collected and field tested using hazard characterization techniques which verified the presence of hazardous substances at the Site. At that time, EPA also observed that the roof on the primary building was leaking and rain water was infiltrating the premises. Rain water was also noted entering the storm drains from various parts of the facility including immediate areas surrounding the drum storage locations. The Site was unsecured and unoccupied. Based on the results of the removal assessment, EPA determined that this Site met the criteria for the performance of a removal action.

The Site includes an irregularly shaped parcel of land containing approximately 4.5 acres located at 243 W. Main Street in the Village of Springville, Town of Concord, Erie County, NY. Approximately two of these acres are developed with five structures as follows: i) a primary building being a mixed two-story and three-story brick-facade manufacturing building containing approximately 75,000 enclosed square feet and a partially paved inner courtyard, ii) free-standing enclosed loading dock, iii) two free-standing open-sided sheds, both adjacent to the primary building, and iv) a garage building located at the rear of the property. Throughout the primary building and inner paved court yard there are numerous storm drains.

Approximately 100 steel and poly drums in various stages of deterioration are staged inside the primary building. Approximately another 75 steel and poly drums are located within the open-sided sheds, and approximately 25 additional drums are located inside the enclosed loading dock. Many of the steel drums are rusty and are bulging.

From 1994 through approximately 2002, Robinson Fiddlers Green Manufacturing Co., Inc. ("Robinson/Fiddlers Green") and a "sister" company, AMP Technologies, Inc., used the Site to manufacture kitchen utensils including knives, spatulas and other cutlery. Business had failed some time in 1992 when AMP Technologies moved their operations, Robinson/Fiddlers Green ceased operations and

the Site was abandoned. Robinson Knife Manufacturing Co., Inc. manufactured knives and other cutlery at the Site prior to 1994.

Current Activities

EPA mailed a draft AOC to the PRPs (Robinson Fiddlers/Green Manufacturing Co., Inc. and AMP Technologies, Inc.) on February 26, 2004. Negotiations related to the AOC requirements between EPA and the PRPs were complicated due to the financial status of the PRPs. In order to provide the EPA with sufficient financial assurances and to allow the PRPs to understand the scope of their financial undertaking before signing the AOC, the PRPs were allowed to develop a draft work plan, quantify drum contents and conduct drum sampling and analysis, all under EPA review, for the purpose of developing a detailed cost analysis. The PRP completed the draft Work Plan by the end of April, 2004.

Prior to completion of the draft Work Plan, EPA visited the site on March 10, 2004 to verify that the condition of drums and containers had not been affected by the winter weather. During the visit, EPA utilized RST to conduct a complete inventory of materials. A total of 250 drums were identified on-site; many contained trash and some were empty. Based on the results of the inventory, it appeared that container degradation was minimal over the winter months and no containers were leaking at the time of inspection.

In May of 2004, the PRP conducted two sampling events in accordance with the draft AOC and draft Work Plan requirements. Drum sampling was conducted on May 12 and 13, 2004. In order to facilitate the sampling event, all drums containing suspected hazardous materials were moved from various areas of the main building into the shipping/receiving portion of the Press Room. All small containers requiring lab-packing were consolidated and staged at the entrance of the Salt Furnace Room. On May 18, 2004, soil sampling was conducted in two areas of concern (identified in the AOC) located in the court yard area. Analytical results from both sampling events were received during the week of June 7, 2004. The cost estimate based on the analytical results was completed during the week of June 21, 2004.

On June 28, 2004, the current property mortgage holder reported to EPA that a release had occurred on-site. The release had reportedly occurred some time on the night before and was allegedly caused by vandals. It was reported to EPA that a one gallon plastic container was apparently knocked over with the lid removed and had created a white haze/fumes within the Salt Furnace Room of the building. EPA notified the PRP and requested that they stabilize the site immediately.

The PRPs' contractor responded to the site on the afternoon of June 28, 2004 and discovered that several 1 and 2 gallon-sized containers had been maliciously punctured and/or tipped over with contents spilled and mixed on the floor. The contractor tested the compatibility of the leaking materials with an absorbent material, placed the leakers into separate over pack containers filled with the absorbent, and recovered spilled materials. The overpack lids were left open over night to allow any side reactions to terminate without over-pressurizing the containers. The overpack container for the 1 gallon jug was sealed closed since it was suspected of causing the air release, was tentatively identified as concentrated hydrochloric acid and was still fuming.

On June 29, 2004, two EPA OSCs met on-site with the PRP and their contractor to assess site conditions and determine the effectiveness of the PRP stabilization efforts. At that time it was determined that nine small containers had been intentionally punctured or opened by alleged vandals, thereby causing the release. The OSCs collected two samples for hazard characterization purposes and performed Draeger Tube sampling of the fuming container. The results of their assessment confirmed that the white haze was caused by a container of concentrated hydrochloric acid (the 1 gallon plastic jug). It appeared that, although other materials had spilled, no other materials had reacted during the incident. The OSCs determined that the PRP response was successful at containing the release and that establishing 24 hour security would be sufficient to temporarily stabilize the site. EPA then directed the PRP to close all over pack containers and arrange for site security. The PRP posted a 24 hour guard on-site on June 29, 2004.

On July 14, 2004, the Regional Administrator of EPA Region II, signed an Administrative Order on Consent (AOC) with the two corporate parties, requiring them jointly and severally to perform a time-critical removal response action at the Robinson/Fiddlers Green Super Fund Site, Erie County, New York, pursuant to Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act.

On July 15, 2004, the PRP conducted limited removal activities under EPA oversight. The purpose of the actions conducted on that day were to further stabilize the site until the Final Work Plan could be submitted to EPA for approval. The intention was to stabilize/remove the materials that pose the highest

human health/environmental risks due to their condition or chemical nature. A total of 18 drums of TCE were over packed in preparation for shipment off-site. Shipment of the TCE drums is pending the identification by the PRP of an appropriate facility that is in compliance with the CERCLA Off-Site Rule. Additionally, all small containers were lab-packed and shipped for disposal to the Clean Harbors facility in Reidsville, North Carolina. A total of 8 lab packs were shipped including corrosives, flammables, oxidizers, and non-DOT regulated materials.

A Work Plan Addendum identifying the handling and disposal of site wastes was received by EPA on September 9, 2004. EPA is currently reviewing and making comment to the Work Plan Addendum. Site clean-up activities are tentatively scheduled for the week of September 27, 2004.

Planned Removal Actions

The 22 drums of trichlorethylene will be shipped off-site for incineration. As a cost saving measure, liquids from sumps around machinery will be transferred into tanker trucks. Drums of oil and oily-water wastes will also be recovered and bulked into the appropriate tanker trucks and shipped off-site for recycling and/or fuels blending. Oily solids/sludges such as grinding swarf, oily rags and oil-soaked absorbent materials will be drummed/overpacked as necessary and shipped off-site for fuels blending or incineration as appropriate. Drummed soils will be combined with the soil pile currently staged in the court yard area. The soil will be loaded into a roll-off container and shipped to a non-hazardous waste landfill. Empty drums will also be crushed and combined with the soil waste stream for disposal.

The RP is currently investigating recovery and disposal options for the solid materials in the salt furnace. This material potentially contains cyanide salts; analytical results are pending. EPA is also awaiting soil sampling results from the in-place soils in the two areas of concern. Further actions in these areas will be determined based on the analytical results.

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