

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Scott Auto Sales - Removal Polrep
Final Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: POLREP #17
Removal Action Completed-FINAL POLREP
Scott Auto Sales

Northumberland, NY
Latitude: 43.1768633 Longitude: -73.6539510

To: Andrew Raddant, Department of Interior
Dennis Farrar, NYSDEC
Mike Dipietro, NYSDEC
Richard Colozza, Town of Northumberland
Kurt Haas, Gansevoort Fire Department

From: Paul L. Kahn, OSC

Date: 6/27/2014

Reporting Period:

1. Introduction

1.1 Background

Site Number:	A22K	Contract Number:	EP-S2-10-01
D.O. Number:	063	Action Memo Date:	7/22/2013
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	8/26/2013	Start Date:	8/26/2013
Demob Date:	6/27/2014	Completion Date:	6/26/2014
CERCLIS ID:		RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

Abandoned drums of automotive chemicals including waste oil and other lubricants.

1.1.2 Site Description

The Site is a former automotive supply store and repair shop.

1.1.2.1 Location

The Site is located in Northumberland, Saratoga County, NY, a semi-rural area amidst residential and light commercial properties. It is bordered on County highway #50 on the south and an un-named brook on the north

There are private residences on the east and west sides of the Site.

1.1.2.2 Description of Threat

The threats are twofold: one is a release of oil-based automotive chemicals and substances overland into the brook and thence into the Hudson River, approx. 2 miles to the east. The second threat is the release of chemicals and waste oil inside the premises in the event of a fire. The building is unoccupied, has no operating smoke or fire detections systems, and is readily accessible to anyone seeking access. In the event of a fire or act of vandalism there could be a release of chemicals or the by-products of combustion into the environment.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

Preliminary observations of the Site revealed the presence of approx. 200 containers of what appears to be waste oil. Containers vary from 5-gallons up to 250 gallon home heating oil tanks. In addition there are some containers of automotive chemicals and other chemicals. The Site is owned but has been

abandoned by the owner. There is no electricity in the building and no functioning fire or smoke detectors. There is no business being conducted so there is no one present to monitor fire or flood conditions.

In addition, there is evidence of drums and other containers having been buried in a filled-in area adjacent to the brook.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date

CURRENT ACTIVITIES ARE HIGHLIGHTED IN BOLD FONT:

A brief walk-thru assessment was conducted by an EPA OSC and a rep with the NYSDEC.

On 10/17/2012 the OSC used a magnetometer to survey the site for suspected USTs. Based on information obtained from a relative of the former owner the OSC surveyed the front and rear of the Site. A large UST, possibly 2,000 capacity, was discovered in front of the garage where gasoline pumps had been located. The magnetometer also located a metallic anomaly, possibly a buried pipeline, leading from the large tank off at an angle to the rear of the property to a 4-bay car garage. A large anomaly was located to the left of the garage where the relative stated he recalled was another UST.

The OSC entered the 4 car garage and observed 4 additional full 55-gallon drums. Two of the drums bore labels/stenciling, but from appearances the drums seem to contain waste oil. Also inside the garage were boxes of bank statements for Scott Auto Sales and merchandize display stands identical to those inside the main garage building.

The Action Memo for this Site was signed by the ERRD Division Director on July 22, 2013. A Task Order was subsequently approved and initial funding has been allocated to initiate Phase I of the EPA response action. The chosen Emergency Rapid Response Services (ERRS) contractor and the OSC will deploy to the Site on Monday, August 26th. At that time all damaged and/or leaking containers of chemicals and waste oil will be overpacked as needed and all containers will be moved inside the main building. The contents of partially filled waste oil storage tanks will be bulked into new containers which will be moved inside the main building. Four 55-gallon drums of waste oil will be moved from an adjacent detached garage and also moved inside the main building. ERRS will secure doors and windows and assess the condition of the buried drums and truck saddle tanks in the adjacent wetlands in the rear of the property. This phase will conclude with the initial stabilization of all chemical containers. Phase II of the removal is pending completion of off-Site arrangements for additional sampling (if necessary) and preparation of bulking/disposal plans followed by actual shipping all chemicals off-Site for disposal.

On 8/26/2013 the removal action was initiated when the ERRS contractor (Kemron Environmental) was mobilized to the Site. ERRS strung temporary lighting and cleared debris from the repair bays in preparation for staging drums and other containers inside the building. ERRS posted the site sign and cleared brush from the drums and the main building.

There were indications that someone had entered the main building and the adjacent detached garage but none of the containers of chemicals had been compromised. ERRS installed new locks on the passage doors and secured the numerous overhead doors with chains.

The OSC notified the State Police that EPA was working on the Site and gave the Gansevoort NY Fire Chief a tour of the Site. The OSC will provide the FD with a floor plan showing the staged drums at the end of this week when the ERRS crew will temporarily demobe.

On 8/29/2013 ERRS completed Phase I of the removal action and demobed the crew and rental equipment. During the 3 days of Phase I ERRS moved and/or bulked 49 full drums of waste oil and automotive chemicals from areas around the Site into a prepared staging area inside the main building. ERRS emptied 300+ gallons of waste oil from storage tanks into poly drums and staged them inside the building. In addition to the full drums, ERRS moved 150 containers of chemicals 5 gallons or less into the staging area. Thirty five empty metal/poly drums and ASTs were staged at the rear of the main building pending arrangements for recycling. A floor plan of the drum storage area was prepared and e-mailed to the Gansevoort FD.

The Site was placarded and all doors were secured. The Site was demobed at 1300 hours on 8/29/2013.

With the history of a massive junkyard having been operated on and around the Site until the mid-1980s, on 9/18 and 9/19 the OSC and two Techs with the EPA START team sampled 10 residential drinking water wells within one mile of the Site. A background sample was also acquired from a residence approximately 3 miles west and up-gradient of the Site. The samples will be analyzed for metals, volatile organic compounds and semi-organic compounds.

On 10/1/2013 the OSC and ERRS contractor personnel mobilized to the Site to acquire samples for disposal analysis and to lab-pack all chemical containers 1 gallon and less. ERRS provided split samples to reps with the NYSDEC.

ERRS chemist haz-cated 50 drum samples, resulting in 3 samples testing positive as ignitable, one sample was bi-phased with the top layer being flammable and the lower layer having a pH of 2.5. Top layer was pumped into an acid drum and lower layer was bulked into drum of used gasoline. ERRS Techs bulked approx. 40 gallons of waste oil from two small oil tanks into a drum. ERRS also moved 3 drums and 20 1-gallon paint cans hidden in weeds into chemical staging area. Samples will be used to bulk compatible

waste streams for disposal profiling.

On 10/4 ERRS lab-packed 174 small containers of chemicals into 2 55-gallon drums and 2 85-gallon overpack drums.

ERRS discovered an undeployed Ford air bag component, complete with air bag initiator which contains a mixture of sodium azide and potassium nitrate. After contacting Ford Motor Company, the OSC learned that the initiator contains between 200 - 250 grams of chemicals. DOT regulations classify air bags as Class 1.6 explosives. The OSC learned that Ford has a free recycling program for undeployed air bags and the OSC will pursue recycling as a disposal option for this waste.

On 10/7/2012 ERRS and OSC returned to the Site. ERRS inventoried the fluorescent light bulbs (RCRA "U" waste) inside the Site. A total of 96 bulbs which will be bulked and shipped, postage paid, for free disposal at a licensed disposal company.

Also on 10/7 ERRS partially excavated the blacktop surface covering the area where the suspected UST was believed to be based on magnetometer readings taken last year. ERRS excavated to almost 5 feet on both 'ends' of the UST. No tank was located but there were many small pieces of what appeared to be old car/truck parts, including metal springs from a car seat and a window frame with pieces of thick glass. Although it was surprising to not find a tank, given the perfect outline of a tank visualized by the magnetometer, in all likelihood the tank was removed and the instrument only detected metal parts or residual rust in the soil. None of the excavated soil had even a hint of oil/gasoline odor. The holes were backfilled and covered.

ERRS moved approximately 400 old tires away from the main building and stacked them in the rear yard. This eliminated a serious fire threat that could have involved the building where the drums of waste chemicals are stored.

On 10/9 ERRS excavated the location of a second suspected UST. No tank was located.

On 10/9 ERRS bulked 96 fluorescent lights in prepaid packages and shipped them via Fed Ex. for disposal.

On 10/9 ERRS demobed the crew and all rental equipment. Removal operations are temporarily suspended pending receipt of waste profiles for T & D.

On 9/18 -19 the OSC and contractor personnel with Weston-Solutions LLC acquired 10 drinking water samples from residences located within one mile of the Site. The samples were sent to a certified lab and analyzed for volatile organic compounds, semi-volatile organic compounds, and metals. The lab results revealed "no detects" for all chemicals tested, with the exception of one residence which had 'hit' for the chemical naphthalene at a level of 11 parts per billion parts. There is no state or federal standard for naphthalene in drinking water, and a 2003 EPA study of the health effects of exposure to naphthalene (see reference in Additional Sources of Information section) concluded that there is no "meaningful" health effect of exposure to naphthalene in drinking water. The analytical results will be mailed to each respective homeowner. For privacy concerns the results will not be made public.

On 10/15/13 the ERRS contractor issued a request for bids for the disposal/recycling of the chemical waste streams currently staged inside the main building at the Site.

The bid for disposal of the drummed chemicals collected from around the Site has been awarded. ERRS will mobilize to the Site on 12/2/13 to begin the process of loading drums on trucks. Also during the crew remove ERRS will intentionally activate the automobile air bag on Site using a car battery. The OSC has cleared this on-Site activity with the Sheriff's department. An SOP will be drafted by the OSC and the HASP will be modified to include this task and the associated hazard analysis. At the same time the OSC and START contractors will resample well water at the residence down-gradient of the Site that has high levels of methylene chloride and other semi-volatile chemicals in the drinking water.

On 12/2/13 the OSC and START tech resampled the well water at the residence near the Site that had shown elevated levels of methylene chloride in the earlier sampling event. A resample of the residence immediately adjacent to and up-gradient from the address in question was also acquired. If the results of the resampling confirm the levels of contamination the ATSDR rep in Edison agreed to refer the matter to the NYS DOH for a Health Consultation.

During the week of 12/2/13 the ERRS contractor and OSC mobilized to the Site and prepared the drums of chemical wastes for off-Site disposal. On 12/4 ERRS prepared a staging area on the driveway where an undeployed automobile air bag, found at the Site, was successfully activated; see the Images section for photos of this event. Estimated savings to the taxpayer for the on-Site treatment of the air bag in lieu of off-Site disposal is estimated at approximately \$2,000.

On 12/5/2013 all 58 drums of hazardous waste collected from around the Site and/or bulked out of storage tanks were loaded on a truck and shipped off-Site for disposal.

On 6/16-17/14 the OSC and the ERRS contractor mobilized to the Site to complete the removal action. ERRS is clearing debris from the rear of the property to gain access to compressed gas cylinders and other containers that are partially buried in a field behind the main building and about 30 yards from a seasonally active stream. A local scrap dealer has been contacted regarding the empty oil tanks, an abandoned car, and steel drums. ERRS will crush these items and place them in a roll-off that the scrap dealer will drop at the Site.

ERRS recovered two partially full acetylene cylinders. Both were submerged in water and perforated, allowing the acetylene to bubble off. A local metal scrapper hauled away 3 abandoned vehicles, an RV, a partially buried milk truck, 15 decommissioned fuel oil tanks drained by ERRS in December, and 53

empty 55-gallon drums. Approx. 3,000 scrap tires were shipped off-Site for recycling. Miscellaneous debris and refuse generated during the removal action was disposed as trash. The main building was locked and ERRS demobed all personnel and equipment. The tasks specified in the scope-of-work in the Action Memorandum for this Site have been accomplished.

Activities, Identity of Potentially Responsible Parties (PRPs)

There is one identified RP, the owner of the Site, Scott "Skip" Biss, Jr. who is believed to live in nearby Greenwich, NY. Efforts to contact Mr. Biss have been unsuccessful. Mr. Biss Sr. passed away in 2007 and the company of record that owned the property, Biss Holdings, is defunct.

Based on a telephone conversation with Joseph Biss, cousin to Skip Biss, Mrs. Iris Biss, widow of Mr. Biss Sr., lived in Schuylerville, NY. The OSC went to the Schuylerville Post Office to get an address for Mrs. Biss and was informed that she had moved but did not leave a forwarding address.

The bank which holds a mortgage on the property (TD Bank, Portland ME) informed the OSC that the bank did now own the property. There are no other known PRPs for this Site.

On 4/18/2013 the OSC obtained a deed and related documents for the Scott Auto Sales property from the Saratoga County Clerk's office and visited the residence of the owner, Scott Biss. The local mailman confirmed that Scott Biss indeed lived at that address.

The OSC has contacted the property owner and has obtained written access to the property.

The owner of the Site and the sole identified RP has been arrested by DEC police and charged with a number of environmental crimes. He is scheduled to appear in court on July 17, 2014.

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>	<i>Company</i>
Undeployed air bag	solid	1	n/a	on-Site disp.		
Fluorescent light bulbs	solid	96	n/a		recycled	Veolia, MA
Flammable liquids	liquids	12 DMS	012224583	incineration		Cycle Chem
Chlorinated solvents	liquid	18 DMS	012224583	waste water		Cycle Chem
Combustible liquid	liquid	25 DMS	012224583	incineration		Cycle Chem
Misc. non-RCRA	liquid	1 DMS	012224583	incineration		Cycle Chem
Corrosive	liquid	1 DMS	012224583	neutralization		Cycle Chem
Tanks/drums/vehicles	solid	78	n/a		recycled	--
Acetylene cylinder	gas	2	n/a	on-Site disp.	recycled	--
lead-acid battery	solid	12	n/a		recycled	NAPA
Scrap tires	solid	3000	n/a		recycled	Redlands LF

2.2 Planning Section

2.2.1 Anticipated Activities

See below.

2.2.1.1 Planned Response Activities

None

2.2.1.2 Next Steps

Send close-out letter to town supervisor.

2.2.2 Issues

None

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

No information available at this time.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

No information available at this time.

4. Personnel On Site

None

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.