

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Dudka's Auto Parts - Removal Polrep
Initial Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: POLREP #1
Dudka's Auto Parts
A-27A
Perth (Amsterdam), NY
Latitude: 43.0175740 Longitude: -74.1940203

To:
From: Paul L. Kahn, OSC
Date: 10/11/2016
Reporting Period:

1. Introduction

1.1 Background

Site Number:	A27A	Contract Number:	
D.O. Number:		Action Memo Date:	
Response Authority:	CERCLA	Response Type:	Pre-Deployment
Response Lead:	EPA	Incident Category:	Removal Assessment
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:		Start Date:	
Demob Date:		Completion Date:	
CERCLIS ID:	NYR000174755	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

Abandoned auto salvage yard, aka junkyard.

1.1.2 Site Description

The Site is a former auto salvage business that became defunct in 2013. Thousands of junked vehicles were crushed and disposed of by an "unknown" party and more than 100+ drums of waste oil and paint wastes were left at the property, mostly in drums left in bunches or individual locations throughout the approximately 100 acres of vacant land comprising the Site. In addition, there are a number of out-buildings that most likely contain drums and tanks of waste oil and other automotive fluids and wastes.

1.1.2.1 Location

The Site is located on approximately 100 acres of predominantly vacant (open) land in Perth, NY. The Site has an access road from State Road 30 that leads directly into the property. There is one residence on the property and a number of enclosed workshops. There are a number of stream running through the Site, and one stream running N-S along the eastern side of the property, almost parallel to Rt. 30 connects with the Mohawk River approximately 8 miles south in Amsterdam, NY. The Mohawk River is a navigable waterway of the US and is part of the Erie Barge Canal System.

1.1.2.2 Description of Threat

All of the drums are deteriorated and rusted and placed either directly on the ground or are staged in the beds of pick up trucks that are lying on the ground. The immediate threat is from an unknown number of leaking and/or overturned drums of waste oil and paint wastes, including paint solvents, leaking directly onto the ground. The secondary threat is from other deteriorated drums that will begin to leak with the coming winter weather. The proximity of a small wetlands and stream running through the Site raises a possibility of a release not only to the ground but into the wetlands.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

A walk through of the site by the OSC and a representative of the NYSDEC in September, 2016,

revealed the presence of 100+ drums of automotive waste liquids as described above. The property is owned by the RP but is not being used for any productive purpose. The thousand of junked vehicles that were there as recently as 2013 have been crushed and hauled away, but thousands of gallons of fluids from those vehicles have been left at the Site.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

This Site was referred to EPA by the NYSDEC on October 4, 2016 for a removal action.

On 10/12 the OSC visited the Fulton County Clerk's office and obtained property deeds and current tax map of the property that makes up the Site. The OSC was informed that the property owner had submitted an application to subdivide 4 2-acre parcels from the largest parcel (75 acres). the Clerk's office was unsure of the status of the application and referred the OSC to the Perth Planning Board.

On 10/13 the OSC has met with the property owner and discussed access. The owner initially refused to sign an access agreement, but after further discussion agreed to reconsider. He promised a decision by next week.

On 10/13 the OSC met with the Perth Town Clerk and obtained copies of the Planning Board's 3-21-2016 meeting minutes. The Board approved the application for sub-division and the property is currently on the real estate market for sale.

2.1.2 Response Actions to Date

See above

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

According to the property deeds it appears that the property was originally jointly owned by Gary R. Dudka (the father) and Frances Dudka (the mother). Upon her death in 2004 France's share of the property went into a revocable trust, with Paul Dudka (the son) as trustee. In 2014 (a year after all the junked cars were removed) Paul Dudka sold his mother's share of the property to the father, Gary, for \$1 and "other considerations". At this point there are two possible PRPs: Gary R. Dudka, and Paul Dudka, who is believed to have operated the auto parts business.

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>
waste oil	drums				
waste oil	tanks				
paint solvent	drums				
other auto fluids	druums				

2.2 Planning Section

2.2.1 Anticipated Activities

Mobilize ERRS clean up contractor to the Site to initiate a Superfund removal action.

2.2.1.1 Planned Response Activities

Mobilize an EPA technical contractor to the Site to assess site conditions, including haz-cating a representative number of drums, compiling an inventory of drums and tanks, and acquiring the GPS location of all drums and tanks at the Site. This information will be over-laid onto a Google Maps image of the Site.

Information gained from the Site assessment will be used to document and justify the need to initiate a removal action.

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

3.1 Unified Command

n/a

3.2 Cooperating Agencies

NYSDEC

4. Personnel On Site

No information available at this time.

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.