

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

**Date:** Tuesday, October 31, 2006

**From:** Paul Kahn

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**Subject:** Initiation of Action

Bio-Tech Mills OPA Removal Site

RFD 2, Battenville, NY

Latitude: 43.1097000

Longitude: -73.4225000

**POLREP No.:** 5      **Site #:** n/a  
**Reporting Period:**      **D.O. #:** 029  
**Start Date:** 6/6/2006      **Response Authority:** OPA  
**Mob Date:**      **Response Type:** Non-Time-Critical  
**Demob Date:**      **NPL Status:** Non NPL  
**Completion Date:**      **Incident Category:** Removal Action  
**CERCLIS ID #:**      **Contract #:** EP-W-O4-055  
**RCRIS ID #:**      **Reimbursable Account #:** 2005HR02H0X71302D91CZ271  
**FPN#**      E05204

#### **Site Description**

Site is a defunct paper converter which manufactured tissue and toilet paper, and is located within 10 feet of the Battenkill River in upstate rural NY. Owner operates a business office at the site, but manufacturing ceased 12 years ago.

Since April, 2004, OSC has been working with the owner to remove approx. drums of hydraulic fluid, PCB fluids, waste oil and other chemical substances. The CERCLA removal action was completed in June, 2005.

During the removal action, the OSC observed a large oil tank on the property. Closer examination revealed the presence of approx. 10,000 gallon of aged #6 oil being stored in what was a deteriorated metal tank that had inadequate secondary containment.

Inasmuch as the mill has been shut down for 12 years and will never operate again, the OSC determined that the oil being stored in the deteriorated tank, with less than adequate secondary, constituted a significant threat of a release of petroleum to a navigable waterway of the United States. Because of the Petroleum Exclusion in CERCLA, the oil will be now be addressed with funding authority under CWA-Oil Pollution Act '90. The owner has agreed to cooperate with EPA and have the oil removed.

See separate site profile for "Bio-Tech Mills-CERCLA" for additional information.

#### **Current Activities**

OSC and ERS RM conducted site walk-thru on 10/27, at which time distances from tank to staging areas were measured and strategy options were discussed. It was decided that one wall of the deteriorated concrete block containment structure, and parts of the two adjacent walls, will have to be

demolished in order for the crew to safely access the tank to remove piping and manoeuvre equipment, such as an air sparger, up to the tank.

There is a possibility that ERRS will be able to use existing internal steam coils to heat the viscous oil to the point it will flow.

After the walk-thru, OSC and RM met briefly with owner to discuss the project and start dates.

#### **Planned Removal Actions**

RM will draft a HASP and Work Plan for OSC review and approval. T & D Coordinator is working on trying to locate potential buyers for the approx. 10,000 gals of #6 oil.

#### **Next Steps**

Full crew mobe to take place immediately after Thanksgiving.

#### **Key Issues**

Key issue is devising a Work Plan and prep the site for full crew mobe.

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