

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

**Date:** Friday, December 22, 2006

**From:** Paul Kahn

**To:** Paul Kahn, ERRD-RPB  
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Mark Landry, US Coast Guard

**Subject:** Bio-Tech Mills OPA Removal Site  
RFD 2, Battenville, NY  
Latitude: 43.1097000  
Longitude: -73.4225000

<b>POLREP No.:</b>	9	<b>Site #:</b>	n/a
<b>Reporting Period:</b>		<b>D.O. #:</b>	029
<b>Start Date:</b>	6/6/2006	<b>Response Authority:</b>	OPA
<b>Mob Date:</b>	11/29/2006	<b>Response Type:</b>	Non-Time-Critical
<b>Demob Date:</b>		<b>NPL Status:</b>	Non NPL
<b>Completion Date:</b>		<b>Incident Category:</b>	Removal Action
<b>CERCLIS ID #:</b>		<b>Contract #</b>	EP-W-O4-055
<b>RCRIS ID #:</b>		<b>Reimbursable Account #</b>	2005HR02H0X71302D91CZ271
<b>FPN#</b>	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**

During this reporting period two tanker trucks removed 8,836 gallons of oil from the storage tank at the Site. Unfortunately, the pump on the second truck burned out before the tank was empty, and approximately 2,000 gallons remain in the tank. In addition, the trucking company, Freehold Cartage, refused to pump out the #6 oil inside the sump in the main mill building, saying that they thought it was too

thick to put through their pumps. This became a moot issue when the pump on the truck burned out.

EPA will be paid 9 cents a gallon for the oil from the end user, and will realize almost \$1,000 from the sale of the oil. This money will go directly to the ERRS contractor as a credit against the removal costs.

**Planned Removal Actions**

ERRS will remobe to the Site on 1/8/07 to begin to pump out the remaining oil in the tank and in the sump. Possible end-user is the Town of Greenwich DPW, and the OSC will contact the town to make inquiries. If the town does not want the oil, then it will be sent off-site for fuels blending.

**Next Steps**

Return to the Site to complete the removal action.

**Key Issues**

Key issue remains the cold winter temperatures and the possibility of snow, both of which will hamper removal activities.

ERRS contractor has informed the OSC that additional funds are needed to complete the project. The OSC will request an additional \$10,000 funds from the NPFC.

**Estimated Costs \***

	Budgeted	Total To Date	Remaining	% Remaining
<b>Extramural Costs</b>				
ERRS - Cleanup Contractor	\$45,000.00	\$42,000.00	\$3,000.00	6.67%
<b>Intramural Costs</b>				
USEPA - Direct (Region, HQ)	\$5,000.00	\$4,000.00	\$1,000.00	20.00%
<b>Total Site Costs</b>				
	\$50,000.00	\$46,000.00	\$4,000.00	8.00%

\* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

**Disposition of Wastes**

Waste Stream	Quantity	Manifest #	Disposal Facility
mixture of 80% #6 oil and 20% #2 oil	8, 836 gallons	Bill of lading only	Clean Water Inc., Staten Island, NY

[response.epa.gov/biotech\\_II](http://response.epa.gov/biotech_II)

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