

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

Date: Thursday, February 22, 2007

From: Jack D. Harmon

To: Jack Harmon, USEPA, 2ERRD-RAB Mike Basile, USEPA Region II

Subject: POLREP No. 3
Buckbee-Mears
30 Kellogg Road, Cortland, NY
Latitude: 42.5920000
Longitude: -76.1581800

POLREP No.:	3	Site #:	YH
Reporting Period:	02/05/07 - 02/19/07	D.O. #:	EP-W-04-054-044
Start Date:	1/10/2007	Response Authority:	CERCLA
Mob Date:		Response Type:	
Demob Date:		NPL Status:	Non NPL
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:	NYN000205908	Contract #	
RCRIS ID #:			

Site Description

The facility is located at 30 Kellogg Road, City of Cortland, Cortland County, New York, 13045. The property is approximately 50 acres in size and contains a large main production building, interconnected with several smaller production buildings, an office building and several support buildings, including a flammable storage building and a hazardous waste storage garage. The size of the facility buildings are estimated at 367,000 ft².

The Buckbee-Mears facility was purchased by International Electron Devices (IED) on October 26, 2004. IED operated the facility until May, 2005, when the facility closed due to a lack of funding. A large number of the bulk chemicals used in production and the chemical wastes from past operations were abandoned on Site. These materials included: strong acids and caustics in large tanks, drums, process piping and numerous small containers throughout the facility. Approximately 7 cylinders of chlorine gas were also abandoned on Site.

During the Summer of 2006, the Cortland Police Department responded to a report of vandalism and became concerned when they discovered the large amount of chemicals which had been abandoned at the Site. The Cortland Police subsequently notified the New York State Department of Environmental Conservation (NYSDEC) of their findings. On July 27, 2006, representatives from the NYSDEC, the Cortland Police and Fire Departments and the Environmental Protection Agency (EPA) conducted a Site visit. The visit confirmed the presence of numerous hazardous substances in drums, tanks and cylinders throughout the facility. The potential for a chemical release was deemed serious because the facility was idle with no security and all utilities had been terminated. On August 1, 2006, the NYSDEC formally requested the EPA to conduct a removal action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) at this Site.

Negotiations with the PRP to perform the required clean up actions resulted in EPA issuing an Administrative Order on September 29, 2006. The PRP initially complied with the Order, but ceased correspondence with EPA in early November, 2006. Following several acts of vandalism at the facility EPA initiated a Removal Action on January 10, 2007.

Current Activities

EPA initiated a removal action at this Site on January 10, 2007. This period, RST continued the inventory of the facility and ERRS initiated collection and staging of these materials.

Site security was in place during all non working hours this period. No incidents were reported. Heavy snow on February 14, 15 and 16, required snow removal activities to access the Site. Site work was shortened on those days due to the weather.

RST continued the chemical and hazardous waste inventory of the facility. The inventory procedure began in Building 5 and has expanded into Building 1. Each room was given a number and the information on the chemical and hazardous materials it contained was recorded. This process was complicated by the absence of any natural light and the configuration of the Buildings. Several locked doors were forcibly opened by the ERRS contractor to facilitate the inventory. To date, a total of 209 rooms have been inventoried. A total of 3,384 containers of waste requiring disposal were identified. In addition, 10 pieces of equipment believed to contain radioactive sources were also identified.

On February 6, 2007, ERRS began collection of the inventoried waste. The waste containers were transported to the staging area in Building 5 where they were sorted by waste category. On February 13, 2007, ERRS installed a propane heater in the staging area to facilitate the staging and segregation process. To date, ERRS has collected 1,110 containers from 178 rooms on the facility.

On February 8, 2007, ERRS completed a detailed inventory of all the bulk chemical storage tanks on the facility. They noted access points, quantity of material remaining and the quality of the material. An estimated 42,828 gallons of chemicals were discovered on Site. However, only 14,734 gallons of material were in useable condition, the balance is waste. The useable materials are mainly acids which may be recycled.

On February 7 and 8, 2007, Yaman Realty was on Site with potential buyers for the facility. Yaman has a signed agreement with IED, to sell the property and its contents. ERRS accompanied the realtor while they gave tours of the facility.

Planned Removal Actions

The planned scope of work for this action is to dispose or recycle all chemical wastes which remain on Site. This process will be accomplished in several phases. The first phase will be to dispose of the most dangerous materials posing the most significant threat of release, including the outside tanks and cylinders of chlorine gas. The next phase will be to perform a detailed inventory of the entire facility and get an accurate measure of the number of containers and volume of waste remaining on Site. Disposal of these materials, by either recycling or through an approved disposal facility, will follow. The last phase will be to flush process lines, drain equipment reservoirs, clean the catch basins, address the water treatment tanks and any remaining tanks or containers which may contain residual solidified waste.

Next Steps

EPA will continue Site security during all non working hours. ERRS will pursue disposal and recycling options for the waste material remaining on Site. RST will continue with the inventory process and ERRS will continue with the collection and segregation process.

Key Issues

Equipment failures due to freezing conditions and routine snow plowing have impeded daily progress at the Site. The magnitude of the facility and the lack of utilities has also slowed the chemical container inventory process.

EPA CID is pursuing a criminal investigation of IED. EPA plans to document the location, condition and volume of all waste material discovered on Site prior to its disposal. This information is necessary to counter any future PRP claims concerning any "takings" issues.

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