



## Hillcrest Industries Update: 11/1/12

### Summary of Work

- October 31, 2011 - DEC receives first odor complaint.
- November 2011 – DEC inspects site and follows up with letter to Hillcrest dated November 18
- November 2011 - Hillcrest starts odor control, adding lime to the pile and installing odor control product along the train tracks
- DEC remains in contact with Hillcrest via inspections, phone calls, letters, and e-mail correspondence throughout the winter and spring of 2011-2012.
- May 2012 – Hillcrest stops adding recycled material to the pile
- June 2012 – Hillcrest places plastic cover on the pile.
- June 2012- DEC sends first Notice of Violation
- July 2012 - DEC meets with Hillcrest in July to discuss a resolution
- July 2012 - Hillcrest stops accepting mixed recycled material to use in its manufacturing process
- August 2012 – Hillcrest begins injections of nitrogen and carbon dioxide
- August 2012 – Hillcrest adds Posi-shell
- September 2012 – DEC contacts EPA for assistance; EPA agrees pile needed to be separated
- September 2012 – Hillcrest injects F-500 fire suppressant
- September 2012 – Hillcrest hires Wargo Construction to break up pile, EPA oversees
- October 14, 2012 – fire extinguished
- October 17, 2012 – DEC sends Hillcrest Order of Consent
- October 19, 2012 – DEC and Hillcrest meet to discuss Order

### Why was USEPA called to assist with the site?

- EPA was contacted by the DEC after Hillcrest had unsuccessfully attempted to reduce or eliminate the odors and temperature in the mixed glass/paper/plastic recyclable pile.

**What did USEPA do and what happens now?** The EPA began overseeing Wargo's work to put the fire out on September 29, 2012. Nearly 49,000 cubic yards of material was moved and placed in smaller piles to prevent reignition. The fire was officially extinguished on Sunday, October 14, 2012. Hillcrest is monitoring the temperature in the unprocessed glass piles until the material is processed and removed from the site. EPA's most recent results of air monitoring show no detectable levels of volatile organic compounds. Levels of particles have also been very low throughout most of the work. Data from previous lab analyzed results are posted on the EPA's website at

<http://www.epa.gov/region02/superfund/removal/hillcrest/index.html>

### Who paid to break up the piles and extinguish the fire?

- Hillcrest hired and paid Wargo Construction to perform the work. EPA's role was to oversee the work paid for by Hillcrest.

### Enforcement Actions

#### What is the timeframe for legal enforcement action related to Hillcrest?

- Order with compliance schedule will be signed within next several months; Hillcrest is cooperating and committed to come into compliance

#### Can DEC prevent Hillcrest from operating?

- No, DEC can only shut a facility down if the operation is causing an imminent danger to the health or welfare of the people of the State of New York. No agency (federal, state, health) has

determined Hillcrest is a danger to the health or welfare of Attica residents.

- DEC did direct Hillcrest to cease operation of two furnaces and two emission points that vent grit crushing, screening and drying operations while needed repairs to control equipment, and cleaning are performed.
- Hillcrest has made the necessary changes to both glass bead furnaces and, following a DEC inspection, has been authorized to operate the furnaces. The indoor grit and glass crushing, screening and drying operations are partially operable at this time. A stack test to demonstrate compliance with the particulate emission limits will be conducted in the near future. Hillcrest has an Air State Facility permit to operate. In order to revoke the permit, the DEC would need to follow regulatory procedures that provide Hillcrest with the opportunity to contest the revocation by requesting a hearing which can be a lengthy process. Hillcrest also has a Beneficial Use Determination (BUD) that permits them to process slag into an abrasive material but is considering ending that part of their business.
- DEC has worked with Hillcrest not only to bring its operations into compliance, but also to assure the availability of the funds necessary to clean up the site. This is important because neither DEC nor EPA has a dedicated fund for cleanup of non hazardous sites.

## Next Steps

**How will DEC ensure that the situation at Hillcrest improves?** DEC met with Hillcrest on October 19 to discuss the terms of a draft Consent Order to address their violations of the Environmental Conservation Law. Hillcrest will submit a written response to the Order on November 2, 2012. DEC will place Hillcrest on an aggressive schedule to screen out the non-glass items (paper, plastic, metal) in the extinguished material for proper disposal offsite no later than April 1, 2013. Similarly, a schedule is planned to process the glass from this screening operation. DEC will closely monitor Hillcrest and do everything possible to ensure there will be no further impacts to the community. Hillcrest will also be required to:

- Monitor temperatures in the extinguished piles;
- Cover outdoor materials that may be sources of fugitive dust;
- Institute Best Management Practices for raw materials;
- Address general site housekeeping issues;
- Upgrade their air pollution control equipment;
- Conduct stack tests;
- Control fugitive emissions;
- Apply for a SPDES Multi-Sector General Permit;
- Remove fill from the adjacent area of Wetland AT-6;
- Address Petroleum Bulk Storage issues;
- Limit storage of slag to that allowed under BUD No. 745-9-61;
- Pay a penalty for violations of the Environmental Conservation Law.

## Websites

DEC – <http://www.dec.ny.gov/chemical/83781.html>

USEPA – <http://www.epa.gov/region02/superfund/removal/hillcrest/index.html>

## Who to Contact

Comments and questions are always welcome and should be directed as follows:

### **Project Related Questions:**

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