

# Group Environmental Management Company

**William B. Barber**  
Environmental Manager

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*JK*

April 14, 2003

Mr. James Charles  
Sr. Attorney  
New York Department of Environmental Conservation  
Division of Environmental Enforcement  
270 Michigan Avenue  
Buffalo, New York 14203-2999

RE: Voluntary Cleanup Program Application for the  
EkonoI Polyester Resins Site  
Wheatfield, New York

Dear Jim:

Transmitted herewith are two copies of the Voluntary Cleanup Program Application for the subject site. The application is for the impacts related to the former secondary waste containment tank. We look forward to your comments and moving ahead with the project.

If you have any questions, please call me.

Sincerely,



William B. Barber  
Environmental Manager

**RECEIVED**

APR 15 2003

NYS DEPT OF  
ENVIRONMENTAL CONSERVATION  
DIV. ENVIRONMENTAL ENFORCEMENT  
BUFFALO FIELD UNIT

cc: D.L. Bell/BP America  
L. P. Alterman/St. Gobain  
J. Sabbitis/St. Gobain  
C. Hatfield/St. Gobain  
G. Hermance/Parsons



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



VOLUNTARY CLEANUP PROGRAM APPLICATION<sup>(1)</sup>

NYSDEC Site No.: \_\_\_\_\_

STATEMENT OF CERTIFICATION

I, Richard M. Frankoski, do hereby certify and attest that the information included in this Voluntary Cleanup Program application, including any attachments, is, to the best of my knowledge and belief, accurate and complete; and that the applicant has the necessary funds to undertake the activities proposed to be implemented under this application, if approved.

April 11, 2003  
Date

Richard M. Frankoski  
Volunteer's Signature

TYPE OF CONTAMINANTS:       Petroleum  Hazardous Substances  MGP  Other

I. SITE NAME AND LOCATION

SITE NAME (legal, common, or descriptive): Former Secondary Containment Tank

SITE LOCATION: Street or Route No.: 6600 Walmore Road (yard south of Ekonol building)

CITY/TOWN: Wheatfield COUNTY: Niagara ZIP: 14304

LATITUDE: N 43° 6' 21" LONGITUDE: W 78° 55' 40"

COUNTY TAX MAP IDENTIFIER NO(S). SBL 146.00 - 1 - 9.2

SITE SIZE: (ACRES) Tank Dimensions 18' x 6' x 9' (yard south of Ekonol building)

SITE BOUNDARIES: Please attach maps and figures (and survey data if needed) to show the location and boundaries of the site.  
See Figures in March 2003 Data Summary Report for location of the tank and the general site dimensions

Do the site boundaries correspond to Tax Map metes and bounds? Yes - \_\_\_\_\_ No X

II. CURRENT OWNER/OPERATOR INFORMATION

Current owner's name, address, and phone and fax nos.:

Saint-Gobain Ceramics & Plastics, Inc.

6600 Walmore Road

Building W-4

Niagara Falls, New York 14304

Phone: (716) 731-5011

Fax: (716) 731-9050

Current operator's name, address, and phone and fax nos.:

Saint-Gobain Ceramic Materials -

Coating Solutions Division

Saint-Gobain Ceramics & Plastics, Inc.

6600 Walmore Road

Building W-4

Niagara Falls, New York 14304

Attn: Charles Hatfield

Phone: (716) 731-5011

Fax: (716) 731-9050

<sup>(1)</sup>New York State Department of Environmental Conservation, May 2002, Voluntary Cleanup Program Guide Draft, pp. 24-25.

### III. VOLUNTEER IDENTIFICATION

Volunteer's name, address, and phone and fax nos.:

BP America Inc.

4101 Winfield Road

Warrenville, IL 60555

Phone (630) 821-2222

Volunteer's contact name, address, and phone and fax nos.:

Mr. William B. Barber, CPG

Group Environmental Management Co.

4850 East 49<sup>th</sup> Street, MBC3-147

Cuyahoga Heights, Ohio 44125

Phone: (216) 271-8038

Fax: (216) 271-8937

Describe Volunteer's relationship, if any, to current owner and current operator (subsidiary, shareholder, partner, etc.). If no relationship, put "none".

Site originally owned by Carborundum, which was subsequently acquired by Kennecott, Sohio, BP, and Saint-Gobain. Volunteer retained the liability by contract with Saint-Gobain, not actually by successor to owner or owners.

### IV. PROPERTY'S ENVIRONMENTAL HISTORY OVER PAST 50 YEARS

A. To the extent that existing information/studies/reports are readily available to the applicant, attach: See Attachment A

- a description of the environmental history of the site that includes previous uses of the property, types of operation, chemicals used on the property, by-products or wastes produced by previous activities on-site, and a list of any orders, decrees, or other legal documents regarding violations of the Environmental Conservation Law or equivalent federal environmental statutes;
- a list of previous owners with names, last known addresses and telephone numbers (describe Volunteer's relationship, if any, to each previous owner listed. If no relationship, put "none"); and
- a list of previous operators with names, last known addresses and telephone numbers (describe Volunteer's relationship, any, to each previous operator listed. If no relationship, put "none").

B. Is/was the site listed in New York State's Registry of Inactive Hazardous Waste Sites?

Yes \_\_\_ No X

If yes, the Registry Site Code is/was \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

C. Is the site listed as Class 1 or 2 in New York State's Registry of Inactive Hazardous Waste Sites? Yes \_\_\_ No X

D. Did the Volunteer generate, transport or dispose of, arrange for or cause the generation, transportation or disposal of hazardous substance on the property? Yes \_\_\_ No X

E. Is the site a treatment, storage, or disposal facility (TSDF) subject to corrective action or closure under permit or order issued under the Department's hazardous waste management regulatory ("RCRA") program? Yes \_\_\_ No X

F. Is the site a TSDF operating under interim status under the RCRA program that is subject to

enforcement action leading to the issuance of an order containing a corrective action schedule? Yes \_\_\_ No X

G. Have there been any spills or other releases of petroleum at the site that have been reported to the Department? Yes \_\_\_ No X

H. Are there any enforcement actions pending against the Volunteer or against the site? Yes \_\_\_ No X

I. Is the Volunteer or the site the subject of any active consent orders with the Department or the United States Environmental Protection Agency? Yes \_\_\_ No X

#### V. INTENDED SITE USE

Briefly describe below the Contemplated Use of the site following cleanup.

Restricted Commercial – Residential uses will not be allowed on the property. Depending on the implementation of engineering and/or institutional controls, including limitations on use of groundwater only specific commercial uses will be allowed. Commercial uses having the potential for residential-type exposures will not be allowed.

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## **ATTACHMENT A**

### **IV. PROPERTY'S ENVIRONMENTAL HISTORY OVER PAST 50 YEARS**

- A. To the extent that existing information/studies/reports are readily available to the applicant, attach a description of the environmental history; a list of previous owners; and a list of previous operators:

#### **ENVIRONMENTAL HISTORY**

The former secondary containment tank at the Ekonol facility received wastewater rinsates from floor drains inside the process area of the adjacent Ekonol plant. The tank was installed prior to 1960, and remained in use until October 1999. According to the Frontier Tank Closure Report (2000), the tank was constructed of reinforced concrete walls, approximately 9.5 inches thick, the interior dimensions were approximately 18 feet long, 6 feet wide, and 9 feet deep and at capacity, the maximum volume of the tank was 7,794 gallons. The tank had an open top, that was covered with large steel plates. Frontier described the walls and floor to be sound, with minimal cracking or fractures. At the time the tank was removed, there was no protective coating visible on the inside walls or floor (Frontier, 2000).

The former Ekonol Polyester Resins facility removed the containment tank from service at the facility in October 1999. Following removal of the tank and surrounding soils, soil sampling of the walls and floor of the excavation was conducted. Results of the sampling indicated the presence of several organic compounds. Because some of the sample results exceeded New York State Department of Environmental Conservation (NYSDEC) Technical and Administrative Guidance Memorandum (TAGM) 4046 values, a site characterization was required.

The Phase I Site Characterization determined the extent of the target organic compounds and metals in soil and groundwater in the vicinity of the former containment tank. The Phase I work was summarized and presented to the NYSDEC in a report, dated March 2001. The NYSDEC reviewed the report. Needs for further characterization of soil and groundwater were discussed.

A Work Plan for Phase II Site Characterization was prepared and submitted for approval. The objective of the Phase II Site Characterization was to define the extent of impacts related to the former containment tank. The NYSDEC approved the Phase II Work Plan on September 6, 2001. Preliminary field and analytical data from this Phase II investigation showed impacts to groundwater including a dense non-aqueous phase liquid (DNAPL). The data further indicated that additional investigation activities were warranted to fully define the extent of impacts to groundwater in both the shallow water-bearing zone in overburden and the deep water-bearing zone in bedrock. In January 2002, after reviewing the preliminary Phase II data, NYSDEC concurred that additional work, similar to the Phase II work already completed, was warranted for groundwater.

To address the need for further characterization of groundwater, a Work Plan for a second stage of Phase II Site Characterization was prepared and submitted to NYSDEC for approval.

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The objective of the second stage of Phase II Site Characterization was to further define the extent of impacts to groundwater in both the shallow water-bearing zone in overburden and the deep water-bearing zone in bedrock. The NYSDEC approved the Additional Phase II Work Plan on May 13, 2002. The field activities associated with the second stage of Phase II work were completed in November 2002.

The Data Summary Report for the Phase II Site Characterization at Ekonol Polyester Resins summarizes the findings of the Phase II Site Characterization work completed to date. The Data Summary Report was submitted to NYSDEC on March 3, 2003. The report includes a description of the site, a summary of the site history, a discussion of all Phase II Site Characterization work completed through November 2002, a summary of the analytical results for all Phase II work, and conclusions drawn from the Phase II work completed to date.

### CHEMICAL USAGE

The liquid contents of the secondary containment tank were sampled by Ekonol employees on a periodic basis (8/94, 9/94, 8/96, 11/96, 2/97). The results of the sampling presented in the Frontier, 2000 Tank Closure Plan indicated the detection of the following compounds in the wastewater:

1,1,1-trichloroethane (1,1,1-TCA)	lead
trichloroethene (TCE)	tetrachloroethene (PCE)
1,1-dichloroethane (1,1-DCA)	phenol
2,4-dichlorophenol	aniline
bis(2-ethylhexyl)phthalate	carbon tetrachloride
chrysene	trans-1,2-dichloroethene
zinc	

Following removal of the tank and surrounding soils, soil sampling of the walls and floor of the excavation was conducted. Results of the sampling presented in the Tank Closure Report (Frontier, 2000) indicated the detection of the following compounds in soil surrounding the tank:

trichloroethene (TCE)	tetrachloroethene (PCE)
cis-1,2-dichloroethene (cis-1,2 DCE)	phenol
1,1-dichloroethene (1,1-DCE)	zinc
bis(2-ethylhexyl)phthalate	carbon tetrachloride
1,1,1-trichloroethane (1,1,1-TCA)	chrysene
1,3-dichlorobenzene	1,4-dichlorobenzene
pyrene	1,2,4-trichlorobenzene

## VIOLATIONS

On October 29, 1998 NYSDEC conducted a compliance inspection of the former Norton Performance Plastics (Norton) facility (#NYD000688911). The secondary containment tank was cited by NYSDEC with the following violations of the Environmental Conservation Law:

- 6NYCRR Part 373-3.10(b)(1)
- 6NYCRR Part 373-3.10(b)(2)
- 6NYCRR Part 373-3.10(d)(2)(i)
- 6NYCRR Part 373-3.10(d)(2)(ii)
- 6NYCRR Part 373-3.10(d)(9)
- 6NYCRR Part 373-3.10(e)(4)
- 6NYCRR Part 373-3.10(f)(3)
- 6NYCRR Part 373-3.10(d)(5)(i)
- 6NYCRR Part 373-3.10(d)(4)
- 6NYCRR Part 373-3.10(d)(3)

Acting on these violations, Norton removed the tank from service. Sampling conducted during the tank closure effort revealed several compounds above their respective detection limits. BP was contacted by Norton, having acquired liability by contract. BP commenced investigation of impacts from the former secondary containment tank. The attached Data Summary Report provides the findings of the second phase of the investigation.

## PREVIOUS OWNERS

1944 – 1977	The Carborundum Company
1977 – 1996	Kennecott Corporation/Standard Oil of Ohio (SOHIO)/BP America
1996 – present	Saint-Gobain Ceramics & Plastics, Inc.

## PREVIOUS OPERATORS

1944 – 1996	The Carborundum Company
1996 – present	Saint-Gobain Ceramics & Plastics, Inc.

## REFERENCES

- Environmental Data Resources, Inc. (EDR). The EDR Radius Map with Geocheck® and Historical Topographic Map Report for the Ekonol Polyester Resins Facility, Wheatfield, New York. Inquiry Numbers: 518284.1s and 518284-4. July 2000.
- Frontier Technical Associates, Inc. Draft Closure Plan for Underground Spill Collection and Secondary Containment Tank at Norton Performance Plastics Corp. Ekonol Plant, Wheatfield, New York. May 25, 1999.
- Frontier Technical Associates, Inc. Tank Closure Report for Underground Spill Collection and Secondary Containment Tank at the Ekonol Facility, Saint-Gobain Performance Plastics, Wheatfield, New York. August 2000.
- New York State Department of Environmental Conservation. Correspondence to Mr. Phil Papierz, Plant Manager, Norton Performance Plastics Corp. Ekonol Polyester Resins, October 29, 1998.
- Niagara County Soil and Water Conservation District. Aerial Photographs (1951, 1958, 1966, 1977), Lockport, New York.
- Parsons. Work Plan for a Site Investigation at the Ekonol Polyester Resin Facility, Wheatfield, New York. August 2000.
- Parsons. Site Characterization Report Ekonol Polyester Resin Facility, Wheatfield, New York. February 2001.
- Parsons. Work Plan for Phase II Site Investigation at Ekonol Polyester Resins, Wheatfield, New York. August 2001.
- Parsons. Work Plan for Additional Phase II Site Investigation at Ekonol Polyester Resins, Wheatfield, New York. May 2002.
- Parsons. Data Summary Report for Phase II Site Characterization at Ekonol Polyester Resins, Wheatfield, New York. March 2003.
- Town of Wheatfield Tax Assessor's Department, Tax Map Number 147.00, Town of Wheatfield, Niagara County, New York, March 1998;