



HAZARDOUS MATERIAL SPILLS INFORMATION REQUEST

BLACK SLUDGE IN THE ALLEGANY R.
SOUTH 7TH STREET

OLEAN, NY NO ZIP PROVIDED

Spill Number: 0650800

Close Date:

ADDRESS CHANGE INFORMATION

Revised street: NO CHANGE
Revised zip code: 14760

Source of Spill: UNKNOWN
Notifier Type: Citizen
Caller Name:
DEC Investigator: BJMCPHER

Spiller: ELIZABETH ZINKEVICZ – EXXON MOBIL
Notifier Name:
Caller Agency:
Contact for more spill info:

Spiller Phone:
Notifier Phone:
Caller Phone:
Contact Person Phone:

Category: Known or probable release, where, without action, there is a potential for a fire/explosion hazard (indoors or outdoors), contamination of drinking water supplies, or significant release to surface waters.

Class: Willing RP – DEC Field Response – Corrective Action Initiated, Taken Over, or Completed by RP or Other Agency

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards		Penalty Recommended	
08/14/2006		UNKNOWN	NO		NO	
Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
UNKNOWN PETROLEUM	PETROLEUM	0.00	GALLONS	0.00	GALLONS	SURFACE WATER

Caller Remarks:

BLACK TAR LIKE SUBSTANCE OBSERVED ON THE BED OF ALLEGANY RIVER.

DEC Investigator Remarks:

8/14/2006: RJJ AT SITE AT 1800...MEET WITH CALLER,RICHARD STRINGER,HE EXPLAINED THAT WHILE HE WAS FISHING IN THE ALLEGANY RIVER,IN 3' OF WATER,~20' FROM SHORE,HE SAW A BLACK-TAR-LIKE SUBSTANCE ON THE BOTTOM OF THE RIVER ~50'LONG X 10'WIDE X 1'DEEP...HE TOOK A SMALL SAMPLE(WHICH I HAVE),IT DOES HAVE A SLIGHT PETROLEUM ODOR...THERE IS NO PETROLEUM SHEEN IN THE WATER AND THE PLUME DOES NOT MOVE,THE SUBSTANCE IS ALL ON THE BOTTOM UNDER 3' OF WATER...I WILL DISCUSS THIS WITH DK TOMORROW.

8/15/2006: AFTER DISCUSSING SITE,DK RECOMMENDS THAT WE FIRST ANALYZE THE SUBSTANCE,THEN WE WILL DETERMINE WHAT IT IS,AND WHAT WE WILL NEED TO DO...I WILL HIRE OP-TECH TO TAKE A SAMPLE.

8/16/2006: RJJ/GARY HOUSE,OP-TECH AT SITE AT 0900...I HAD GARY WALK INTO THE RIVER AND TAKE A SEDIMENT SAMPLE WHICH THEY WILL ANALYZE FOR 310-13,SVOCS,AND PCBS...IT APPEARS THAT THIS SUBSTANCE IS IN THE SEDIMENT,NOT ON TOP AND THAT THE EXTENT OF THIS

SUBSTANCE IN THE WATER IS LARGER THAN THE CALLER SAID...WHEN THE SEDIMENT IS DISTURBED,A PETROLEUM SHEEN IS EVIDENT...WE WILL WAIT FOR THE ANALYTICAL RESULTS,THEN DETERMINE THE NEXT STEP-OF-ACTION.

9/5/2006: RECEIVED THE ANALYTICAL RESULTS FROM STL FROM OUR SEDIMENT SOIL SAMPLE...IT INDICATES THAT FUEL OIL #2,MOTOR OIL,AND A PCB IS DETECTED(4.9 PPM)...NEXT,WE WILL TAKE ADDITIONAL SEDIMENT SAMPLES TO DETERMINE THE EXTENT OF CONTAMINATION IN THE RIVER.

9/14/2006: RJJ/OP-TECH AT SITE AT 0900...ATTEMPTED TO TAKE ADDITIONAL SEDIMENT SAMPLES,BUT DUE TO MUCH HIGHER WATER LEVELS WE COULD NOT...WE WILL HAVE TO TAKE THE SAMPLES ONLY AT LOW WATER LEVELS AT A LATTER TIME.

10/19/2006: RECEIVED A PAYMENT PACKAGE FROM OP-TECH FOR THE AMOUNT OF \$629.83 FOR THEIR SEDIMENT SAMPLING AND ATTEMPT.

9/14/2006: RJJ/OP-TECH AT SITE AT 0930...DUE TO RAIN,THE WATER LEVEL IN THE ALLEGANY RIVER WAS 3' HIGHER THAN NORMAL,SO WE COULD NOT OBTAIN THE SEDIMENT SAMPLES...WE WILL WAIT UNTIL THE LEVEL RECEDES AND TRY AGAIN IN ABOUT 2 WEEKS,IF WE CAN.

10/2/2006: RECEIVED A PAYMENT PACKAGE FROM STL FOR THE AMOUNT OF \$171.60 FOR THE ANALYTICAL RESULTS OF THE SEDIMENT.

1/4/2007: OP-TECH AT SITE AT 0900 TO AGAIN,TRY TO OBTAIN THE SEDIMENT SAMPLES,BUT THE WATER LEVEL IS STILL TOO HIGH TO TRY TO ATTEMPT,SO WE WILL NOW HAVE TO WAIT UNTIL LATE SPRING.

4/20/2007: RECEIVED A PAYMENT PACKAGE FROM OP-TECH FOR THE AMOUNT OF \$573.66 FOR THEIR WORK ON 1/4/2007.

6/26/2007: RJJ/OP-TECH AT SITE AT 0900...OP-TECH IS IN THE ALLEGANY RIVER ,FINDING THE EXTENT OF THE CONTAMINATION...THUS FAR,THEY HAVE DISCOVERED CONTAMINATED SEDIMENT ~50' DUE SOUTH OF THE CULVERT(~2.5' DEEP),THEN IT RUNS WEST FOR ~175' TO CLEAN...WE WILL WAIT FOR OP-TECH'S REPORT TO DETERMINE OUR NEXT STEP-OF-ACTION...ALSO,THEY OBTAINED ANOTHER SEDIMENT SAMPLE WHICH THEY WILL ANALYZE FOR 310-13/PCBS...THIS SAMPLE CAME FROM AN AFFECTED AREA ~100' DUE SOUTH OF THE CULVERT(OUTFALL #22).

7/12/2007: RECEIVED THE ANALYTICAL RESULTS FROM STL(VIA E-MAIL) FOR THE 1 SAMPLE OF THE SEDIMENT IN THE MIDDLE OF THE RIVER...THE 310-13 RESULTS INDICATE THAT THERE IS #4 FUEL OIL & MOTOR OIL PRESENT,HOWEVER,NO PCBS WERE DETECTED.

9/17/2007: RECEIVED THE SAMPLING REPORT FROM OP-TECH,WHICH CONTAINS THEIR ACTIVITIES AND ALL THE ANALYTICAL RESULTS FROM THE ALLEGHENY RIVER...I WILL DSICUSS THIS REPORT WITH DK.

9/18/2007: RECEIVED A PAYMANT PACKAGE FROM OP-TECH FOR THE AMOUNT OF \$ 889.21 FOR THE ABOVE WORK.

10/16/2007: RECEIVED A PAYMENT PACKAGE FROM OP-TECH FOR THE AMOUNT OF \$246.90 FOR THEIR WORK ON DRAFTING UP THE REPORT.

11/30/2007: AFTER REVIEWING THE ANALYTICAL RESULTS AND SPILL FILE,JOE EVANS,DEC FISH & WILDFIFE,WOULD LIKE US TO REMOVE THE SEDIMENT...I WILL CONTACT OP-TECH AND HAVE THEIR EXPERTS, IN THIS FIELD, DRAFT A WORKPLAN.

4/1/2008: RECEIVED A PAYMENT PACKAGE FROM OP-TECH FOR THE AMOUNT OF \$246.90 FOR THEIR PREPARATION OF THE SLUDGE REMEDIATION PLAN.

7/1/2008: RECEIVED A PAYMENT PACKAGE FROM OP-TECH FOR THE AMOUNT OF \$211.51 FOR THEIR SLUDGE ASSESSMENT & CLEANUP PLAN....ALSO,I RECEIVED THEIR 'RIVER BOTTOM SLUDGE INVESTIGATION & CONCEPTUAL CLEANUP WORK PLAN'...I GAVE A COPY OF THIS REPORT TO DK & TED MYERS(DOW).

10/10/2008: RJJ/DK/TED MYERS DISCUSSED SITE...TED WILL SEND ME THEIR PERMIT APPLICATION,BEFORE WE CAN BEGIN REMEDIATION.

1/5/2009: DK WILL REVIEW SPILL FILE AND THEN DETERMINE THE NEXT STEP-OF-ACTION.

8/19/2009: RJJ AT SITE AT 1100...DUE TO HEAVY RAINS LAST WEEK,THE WATER IN THE ALLEGANY RIVER IS ~8' HIGHER THAN NORMAL,SO I COULD NOT OBSERVE THE CONTAMINATION...ALSO,DK IS STILL REVIEWING SPILL FILE.

3/26/2010: AFTER REVIEWING/DISCUSSING SPILL FILE,DK & GREG SUTTON HAVE DECIDED TO REFER THIS TO THE USEPA FOR THEM TO REMEDIATE THIS SPILL...I WILL WAIT FOR THEIR REPLY.

04/15/2010: GPS – EPA–EMERGENCY RESPONSE HAS AGREED TO REVIEW SITE FILE AND DO A SITE INSPECTION. REFERRED TO M. DOSTER – REMEDIATION FOR IMMEDIATE FOLLOW-UP WITH EPA. WILL ASSIGN TO CHAD S. SINCE HE IS ALREADY WORKING IN OLEAN

12/13/2010: RECEIVED THE SAMPLING REPORT,VIA E-MAIL,FROM USEPA REGION #2...AFTER CHAD STANSIZEWSKI REVIEWS DATA,WE WILL DISCUSS SITE.

3/22/2012: GPS SAID THAT THE USEPA WILL NOT REMEDIATE THIS SITE,SINCE THEY FOUND NO EVIDENCE OF ANY PCB CONTAMINATION IN THEIR SEDIMENT SAMPLING...GREG SAID THAT WE NEED TO FIND THE EXTENT OF THE CONTAMINATION WITH ADDITIONAL SEDIMENT SAMPLING...CHAD AND MYSELF WILL DISCUSS SITE.

3/27/2012: AFTER DISCUSSING SITE,WE WILL HIRE GES TO OBTAIN ADDITIONAL SEDIMENT SAMPLES TO TRY TO FIND THE EXTENT OF THIS CONTAMINATION,BOTH ALONG THE SHORELINE & IN THE MIDDLE OF THE RIVER...THEN,BASED ON THESE RESULTS,WE WILL DETERMINE OUR NEXT STEP-OF-ACTION...STEVE LEITTEN,GES,WILL DRAFT A PROPOSED SAMPLING WORKPLAN,FOR MY REVIEW/APPROVAL.

7/11/2012: RECEIVED THE PROPOSED SAMPLING PLAN FROM STEVE LEITTEN...AFTER REVIEWING THIS,I APPROVE.

8/3/2012: GES WILL BEGIN THEIR SEDIMENT SAMPLING NEXT WEEK,MONDAY 8/6/2012...CHAD STANSIZEWSKI WILL OVERSEE THIS WORK ON MONDAY.

8/7/2012: RJJ AT SITE AT 0900...GES STARTED SAMPLING THE RIVER BANK YESTERDAY,AND WILL CONTINUE TODAY...THEY THEN WILL CONTINUE THEIR SAMPLING OF THE RIVER BOTTOM,LATER THIS WEEK.

8/30/2012: STEVE LEITTEN TELECON RJJ,HE SAID THAT THEY HAVE FINISHED ALL THE SAMPLING AND ARE IN THE PROCESS OF DRAFTING-UP A REPORT...ALSO,I RECEIVED THE ANALYTICAL DATA,VIA E-MAIL,FROM TEST AMERICA...NONE OF THE SAMPLES INDICATED ANY PCBS...AFTER I RECEIVE/VIEW GES'S REPORT,WE WILL THEN DISCUSS REMEDIATION.

9/17/2012: TED MYERS,DOW,SAID THAT THIS OUTFALL BELONGED TO THE VACUUM OIL CO....I WILL TRY TO OBTAIN ADDITIONAL INFORMATION ON THIS.

9/26/2012: RECEIVED A PAYMENT PACKAGE FROM GES FOR THE AMOUNT OF \$8,438.23 FOR THE GEO-PROBING/OBTAINING THE SOIL SAMPLES.

10/12/2012: RECEIVED A PAYMENT PACKAGE FROM TEST AMERICA FOR THE AMOUNT OF \$11,751.33 FOR THE SOIL/SEDIMENT ANALYSIS.

11/13/2012: RECEIVED A PAYMENT PACKAGE FROM GES FOR THE AMOUNT OF \$7,549.70 FOR THEIR LABOR/EQUIPMENT COSTS.

12/6/2012: RECEIVED THE FINAL REPORT FROM GES FOR THEIR SUBSURFACE INVESTIGATION,WHICH INCLUDES ALL THE ANALYTICAL RESULTS FROM THEIR SAMPLING(NOTE,NO PCBS WERE DETECTED IN ANY SAMPLE,HOWEVER,THE IMPACTED AREA IS ~300'X150' AND IS ALSO ON THE RIVER'S BANK,UP TO THE LEVEE)...I WILL HAVE GPS/CHAD S. REVIEW THIS.

12/7/2012: AFTER DISCUSSING THIS WITH GPS,GREG SAID THAT CHAD STANSIZEWSKI(CRS)WILL NOW BE THE LEAD DEC INVESTIGATOR AND WILL

FOLLOW-UP ON THIS SPILL.

12/20/2012: (CS) Forwarded GES Subsurface Investigation Report dated 12/06/12 to Kristin Mobyed at ExxonMobil via email. Email indicated DEC would contact Exxon in next few weeks to discuss.

1/11/2013: RECEIVED A PAYMENT PACKAGE FROM GES FOR THE AMOUNT OF \$2,757.71, FOR DRAFTING UP THEIR REPORT.

2/5/2013: RECEIVED A PAYMENT PACKAGE FROM GES, FOR THE AMOUNT OF \$1,141.52 FOR THE DISPOSAL OF THE CONTAMINATED WATER. (RECEIPTS INCLUDED)

05/14/2013: Send Eric Errico at ExxonMobil a certified/return receipt letter indicating that the Department considers Mobil a responsible party for the spill. Letter requests Mobil initiates the investigation and/or remediation of this spill within 60 days.

05/21/2013: Date return receipt was signed as received by ExxonMobil.

07/12/2013: (CRS) Received letter from Roux Associates requesting a 120-day extension to allow Mobil time to complete 'fact finding' in regard to Mobil's responsibility for the spill.

07/29/2013: (CRS) Sent letter approving the 120 day fact finding time extension.

11/13/2013: (CRS) Received letter from Roux Associates outlining ExxonMobil's proposal to complete an initial investigation of the spill by probing river sediment from a boat in the vicinity of the spill.

11/25/2014 (CRS) Received the report titled 'Sediment Probing Investigation Summary Report' prepared by Roux Associates dated November 25, 2014. The report documents the sediment probe and limited bathymetric survey investigation completed December 10th through 13th, 2013 and August 27th and 28th, 2014. Sheen and/or tar was observed in 6 of 40 probe locations. The report did not include proposed next steps.

12/29/2014 (CRS) Send Jason Weckbacher of Roux Associates an email requesting proposed next steps and schedule.

01/23/15 (CRS) Received an email from Dan Grapski of ExxonMobil indicating that Exxon intends on conducting a limited round of sediment sampling in the river to further delineate impacts. An investigation WP will be sent to DEC in about 6 weeks.

03/06/2015 (CRS) Received a supplemental investigation WP from Roux Associates indicating Mobil is proposing to collect several samples of the tar like material for analytical testing.

04/01/2015 (CRS) Send an email to Ian Reed of Roux Associates accepting the sludge sampling WP dated 03/06/2015.

08/06/2015 Ben McPherson (BMC) is new DEC lead on project.

08/20/2015 (BMC) and CRS spoke with Jason from Roux Ass. regarding sediment sampling. Due to water level issues Roux was not able to collect as many samples as they wanted. Approved an extension to December 2015 to wait for water levels to rise so more samples may be collected.

11/2/15: Roux mobilized to collect additional sediment samples. B. McPherson observed some sampling on 11/10/15. Photos from SPI sediment cores did show black tar/product material. Waiting on report to detail results. [BMC]

2/12/16: Conference call with Exxon and Roux. Fall sampling went well, and should have a report in about a month. [BMC]

7/11/16: final 'Sediment Investigation Summary Report' submitted addressing past DEC comments. Approval letter sent to Roux on 7/12/16. Expect RAWP to address sediments in November 2016. [BMC]

10/26/16: dredging work plan submitted. Had meeting/teleconf with Exxon/Roux on 11/16/16 to discuss general scope and potential legal/permitting issues in the future. General agreement with the scope of proposed work, but DEC will need some additional details prior to approval. [BMC]

11/16/16: referred to Terri Mucha (OGC) to obtain a STIP for the dredging work. [BMC]

12/9/16: comment letter sent to Roux/Exxon regarding dredging work plan. Response due 1/13/17. [BMC]

1/4/16: DER provided comment letter to Permits as part of their review of the Roux joint permit application for Article 15 and Water Quality Certification. [BMC]

1/12/17: DEC extends revised WP submission date to 2/15/17 to account for meeting to be held. [BMC]

1/24/17: Meeting at DEC offices with Roux, Exxon, DEC, and USACE to discuss project and permitting issues. Discussed potentially using the same access point off of 7th Street as NYSEG is using to complete work. Would simplify access issues and causeway construction. [BMC]

2/15/17: Roux response letter to WP comments. Accepts most comments and asks for conditional approval of WP contingent on submission of a design document and all permits being approved. [BMC]