



HAZARDOUS MATERIAL SPILLS INFORMATION REQUEST

HOLMES AND MURPHY
BANK STREET

ORCHARD PARK, NY NO ZIP PROVIDED

Spill Number: [REDACTED]

Close Date: 04/09/2008

ADDRESS CHANGE INFORMATION

Revised street:

Revised zip code:

Source of Spill: GASOLINE STATION OR PBS FACILITY

Notifier Type: Other

Caller Name:

DEC Investigator: fxcgalleg

Spiller:

Notifier Name:

Caller Agency:

Contact for more spill info: JEAN GAILINE

Spiller Phone:

Notifier Phone:

Caller Phone:

Contact Person Phone: (716) 998-7586

Category: Known petroleum or hazardous material release with minimal potential for fire/explosion (indoors or outdoors), drinking water contamination, or releases 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	
07/01/2006		UNKNOWN	NO		NO	

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
GASOLINE	PETROLEUM	0.00	GALLONS	0.00	GALLONS	SOIL

Caller Remarks:

Contamination found in phase II. Also found some solvent impacts. At least one ust was closed in place. Product was found in that ust. Consultants report will be submitted buy 8/30/06.

DEC Investigator Remarks:

7/7/06 Jean Gailine inquiry of status. Doug Reid/LCS regarding report.

7/10/6 LCS states Refi generated phase 2. Solvent impacts were TCE. UST had 6' diameter (3,000 GALLON) suspected installation around 70s/80s. H&M had been there since 1917. USTs filled in early 80s. LCS submitted report to owners for review. JeanG t/c requested report be sent to DEC AND KEEP US INFORMED OF WHEN WORK IS PLANNED TO BE DONE SO WE CAN BE PRESENT. PBS RECORDS DON'T SHOW THIS TANK REGISTRATION.

7/28/6 REPORT RECEIVED. DISCOVERED PARTIALLY CLOSED UST, PRODUCT OBSERVED IN SOILS, ODORS(TP1) AND TCE EXCEEDANCES (TP3). DOUG/LCS T/C REGARDING PLANS, PLEASE ADVISE DEPT. HE WASN'T SURE LCS WAS GOING TO DO WORK. GAILINE T/C, ADVISE DEPT OF WORK TO BE DONE AND WHEN. HE IS WORKING ON IT.

8/20/07 SOIL PILES UNCOVERED.

10/5/6 JEFF-LCS RE STATUS OF REPORT FOR WORK TO BE COMPLETED. NO ANSWER. LEFT MESSAGE FOR GENE REQUESTING SAME.

10/17/6 JEFF, LCS T/C REGARDING SITE STATUS. T/C W/ GENE ON SITE STATUS.

11/2/6 RECEIVED REPORT OF DUPLICATE RESULTS FROM PREVIOUS REPORT. DISCUSSION W/EDWARD DENNING REGARDING STATUS. THEY PULLED UST, DID NOT REGISTER TANK, WAS SITE ASSESSMENT COMPLETED, BACKFILLED W/O DEPT INSPECTION, NEED EXCAVATION SAMPLE RESULTS, DISPOSAL RECEIPTS, ETC. THEY HIRED OPTECH TO PERFORM WORK. GARY T/C STATES HE SPOKE W/SAL AND AS REGARDING UST REMOVAL.

11/6/6 RP/ OPTION LETTER SENT.

11/8/6 Ed Dening regarding site status.

11/10/6 SAC t/c w/Ed Dening. Solves in report, removed tank, Optech/ Gary called to review spill. Confirmed w/Gary that soil pile generated from tank contents. Suspected 1000 gallon gasoline UST. Gary hired to field screen, take two samples of composited walls and bottom, backfill and report if needed. Work performed in July. Thinks tank was closed in early 1990s.

12/27/6 T/C W/HOWIE HOLMES. THEY NEED TO SEND IN SAMPLE RESULTS TO DEPT. FED SITE ASSESSMENT REQUIRED, TANK CLOSURE REPORT, DISPOSAL INFO, REGISTER TANKS, RE-EXCAVATE IF NECESSARY, EXTENT OF CONTAMINATION NEEDED. HE WILL CALL GARY.

12/29/6 HOWIE SPOKE W/GARY. WILL BE SENDING IN REPORTS. OPTECH HAS NOT SENT THEM TO HOWIE YET.

1/2/7 GARY STATES WHEN ON SITE HE CLEANED UST PIT, ONLY HITS WERE OF UST CONTENTS (NOW STAGED), HW SPOKE W/ANDREA, SAL PRIOR TO UST REMOVAL. ON SITE W/HOWIE, GRAVELED AREA IN PARKING AREA WHERE UST WAS. STAGED PILE BEHIND FENCE NEXT TO UNREGISTERED 6,000 GAL AST. SPILL OBSERVED AT THIS LOCATION. OPENED NEW SPILL FOR THIS TANK AND OTHER SPILLS OBSERVED IN WALKAROUND. RCVD COPY OF TCLP RESULTS FOR SOIL DISPOSAL AND BOTTOM/WALL RESULTS. RESULTS SHOW ND FOR EXCAVATION. WILL ARRANGE DISPOSAL AND PROVIDE RECEIPTS. **WILL NEED TO ADDRESS TCE EXCEEDANCES BY OTHER PROGRAM.** DURING WALK AROUND OBSERVED ON-GOING LEAK FROM UNREGISTERED 6,000 GAL AST.(STATED TO BE RESPONSIBILITY SISTER COMPANY-UNITED MATERIALS), STAINED AREAS AROUND UNREGISTERED 1,000 GAL WASTE OIL TANK, TWO 275 GAL ASTS ALSO NOT REGISTERED. OPENED NEW SPILL FOR AST LEAK (SPILL ██████████).

1/4/7 HOWIE HELP W/PBS APPLICATION.

1/8/7 NEED TO SUBMIT APPLICATION.

1/15/7 LANDFILL DISPOSAL SCHEDULED TODAY.

1/22/7 HOWIE T/C. ENSOL DISPOSAL RECEIPTS TO BE SUBMITTED W/TANK CLOSURE REPORT, WILL HIRE OPTECH FOR AST CLEANUP AND CALL WHEN SCHEDULED.

2/12/7 TANK CLOSURE REPORT RCVD. APPROX 37 TONS REMOVED. GARY CLARIFIED THAT THE TANK CONTENTS WERE DIRTY AND WAS THE SOURCE OF SOIL DISPOSAL, BUT THE EXCAVATION WAS CLEANED, SAMPLED.

4/10/7 HOLMES RE TP1 AND TP3 NEED TO BE REMEDIATED. MAY WANT TO KEEP PILES SEPARATE DUE TO TP3 TCE SOLVENT CLASSIFICATION. UST REMOVAL UNDER SPILL # ██████████ MAY MEET WITH THIS SPILL AREA.

4/19/7 T/C W/ HOLMES RE SOLVENT AREA CLEANUP. PLEASE FAX DEC REQUIREMENT TO CLEANUP.

4/20/7 T/C W/ HOLMES, SENT DEC RP LTR REQUIRING CLEANUP OF SOLVENT AREA. ASKED FOR PLAN/ W/ TIMEFRAME ON WORK START DATE. HE WANTS TO WAIT UNTIL AUCTION OF EQUIPMENT 2 WKS FROM NOW.

5/2/7 ON SITE W/HOWIE ON OTHER SPILL (# [REDACTED]). HOWIE STATES IN NEXT WEEK OR TWO, HE WILL PLAN TO CLEAN UP REMAINING TWO AREAS OF THIS SPILL. HIS CONTRACTOR HAS NOT SUBMITTED A PLAN TO HIM YET.

6/6/7 HOWIE HOLMES MET ON SITE AND STATES HE HAD TANK MOVED AND GRAVEL PLACED. CGM REQUESTED START DATE FOR REMAINING WORK TO BE COMPLETED (SOLVENT IMPACTED SOILS REMOVED). HOLMES STATED HE IS IN CONTACT W/OPTECH REGARDING TANK REMOVAL. HE THOUGHT IT WASN'T NECESSARY TO REMEDIATE SOLVENT SOILS. REFERRED HIM TO 11/6/6 DEC LTR WHICH REQUIRED CLEANUP. HOLMES WILL NOTIFY DEPT BY MONDAY, 6/11.

6/15/07 H HOLMES LEFT MSG THAT OPTECH WILL START SOIL REMOVAL OF SOLVENT IMPACTED SOILS ON THURSDAY 6/21/07. OPTECH WAS HIRED TO PID AND DETERMINE EXTENT OF EXCAVATIONS.

6/21/07 H HOLMES MSG STATING EXCAVATION FOR WASTE OIL AST SOIL STAINS AND TEST PIT #3- PART SOLVENTS SOIL REMOVAL READY FOR INSPECTION (SPILL # [REDACTED]), AND SOLVENT EXCAVATIONS (TEST PIT #S 1,5) TO BE STARTED TOMORROW.

CGM ON SITE INSPECTED TEST PIT AREA #3 IN AREA OF WHERE WASTE OIL SAT. BOTH EAST AND WEST SIDES ARE EXPOSED TO THE LIMITS AT ~6' DEPTH. APPROXIMATELY 21' OF BUILDING FOUNDATION (WEST SIDE) IS EXPOSED WITH HEAVY OIL STAINS. THE EAST SIDE EXCAVATION IS ~34' LONG EXPOSED UP TO OLD BURIED RAIL LINE. THE NORTH AND SOUTH SIDES ARE ~20' AND APPEAR TO HAVE REMOVED ALL WASTE OIL STAINS. OPTECH STATES THEIR READS INDICATE ALL SOLVENTS HAVE BEEN REMOVED AND WILL COLLECT FOUR SIDE WALLS AND ONE BOTTOM SAMPLE RUNNING 8260/8270 STARS.

6/22/07 CGM ON SITE IN AM TO REVIEW W/ H HOLMES OTHER REQUIRED TEST PIT W/ EXCEEDANCES TEST PIT #1. H HOLMES SHOWS OCT 2006 QUOTE FROM LCS INDICATING A NEED TO ALSO ADDRESS TEST PIT #5 DUE TO ELEVATED BUT NOT EXCEEDING ACETONE RESULTS. H HOLMES WILL EXCAVATE BOTH TEST PITS.

CGM BACK ON SITE WITH H HOLMES IN PM, OBSERVED TEST PIT AREA #3 BACKFILLED, TEST PIT AREA #1 DOWN TO WHAT APPEARED TO BE 4' HAD SEGREGATED SOIL PILES AND HAD PIT WATER. TEST HOLE SMALLER THAN TEST PIT INDICATED ON LCS SAMPLE MAP. CGM T/C W/OPTECH REGARDING PIT FINDINGS, READS SUGGEST THEY OBTAINED CLEAN PIT, PIT DEPTH IS 6' W/ 2' WATER. OPTECH WILL RETURN TO SAMPLE THIS PIT FOR 8260/8270. TEST PIT AREA #5 HAD SEGREGATED PILES, OPTECH INDICATES THAT SMALL AREA WITHIN PIT HAD HITS AND REMOVED PORTIONS TO OBTAIN CLEAN PIT/ NO PID READS. WALL AND BOTTOM SAMPLES WERE OBTAINED TO RUN 8260 ONLY. H HOLMES STATES HE WILL BE RESPONSIBLE FOR COLLECTING THREE SEPARATE TCLP ANALYTICAL FOR LANDFILL APPROVALS. EMPHASIZED NEED TO KEEP PILES SEPARATE **DUE TO POSSIBLE HAZ LEVELS OF SOLVENTS**. HE WILL NEED TO SUBMIT LAB RESULTS AND DISPOSAL RECEIPTS.

7/10/07 HOWIE HOLMES T/C W/CGM STATING NO TEST RESULTS RECEIVED YET. WILL CALL OPTECH TO INQUIRE.

7/11/07 CGM T/C W/HOWIE HOLMES THAT OPTECH STATES ALL OKAY W/SAMPLES. HOWIE HOLMES TO CALL ENSOL AND TCLP SOIL PILES FOR DISPOSAL. DEPT NEEDS COPIES OF ALL ANALYTICAL AND DISPOSAL RECEIPTS.

CGM T/C W/OPTECH CONFIRMS EXCAVATION SAMPLES CAME BACK ND, NOT EXCEEDING TAGM. H&M TO FORWARD COPIES OF RESULTS.

7/16/07 DEPT RECEIVES OPTECH SAMPLING RESULTS FROM HOLMES AND MURPHY. ALL SHOW ND. TANK SLUDGE TCLP RESULTS SHOW MTBE AND BTEX.

7/30/07 CGM ON SITE. SOIL PILES COVERED/ON POLY. SPOKE W/OFFICE STAFF REQUESTING TCLP RESULTS AND DATE OF SOIL DISPOSAL. 60

DAY DISPOSAL REMINDER. HOWIE HOLMES T/C W/CGM. RECEIVED TCLP, WILL FAX. ENSOL PREPARING DISPOSAL. TCLP RESULTS FAX RECEIVED BY DEPT. NOT SHOWING HAZ LEVELS.

8/10/07 H HOLMES LEAVES MSG STATING SOIL DISPOSAL TO BE COMPLETED NEXT WEEK.

8/20/07 CGM ON SITE. NO CHANGE. H&M SOILS STILL ON SITE. LEFT MSG AT H&M OFFICE TO COVER SOIL PILES AND NOTIFY UPON REMOVAL. MET W/MIKE C RE APPLICATION. FAXED APPL MOD FORM FOR UPDATING EXISTING INACTIVE PBS REGISTRATION 9-5 [REDACTED]. H HOLMES STATES ENSOL HIRED TO REMOVE. CGM T/C W/ADAM H STATES THEY WERE NOT HIRED TO REMOVE SOILS.

8/27/07 H HOLMES MSG STATING NOW ENSOL COORDINATING DISPOSAL.

9/6/07 NICK MORIELLE T/C W/CGM STATES DENNIS WEIS-DEC APPROVED LANDFILL REQUEST FOR SOIL DISPOSAL. NICK TO DRIVE BY FOR ESTIMATING QUANTITY OF SOILS AND NOTIFY HOWIE H FOR DEPOSIT.

9/26/07 CGM T/C W/H HOLMES SOIL IS NOT GONE YET.

9/27/07 H HOLMES T/C W/CGM STATES NICK CONFIRMS TWO TRUCKS ARRIVE TOMORROW. HOLMES TO LOAD INTO TRUCKS.

9/28/07 CGM ON SITE W/H HOLMES. SOIL PILES BEING HAULED AWAY TODAY. APPROX FOUR TRUCKS LOADED OUT SO FAR. WAITING FOR RETURN OF 1-2 TRUCKS FOR REMAINING SOIL PILE. WILL SUBMIT DISPOSAL RECEIPTS UPON COMPLETION.

3/19/08 LETTER SENT REQUESTING DISPOSAL RECEIPTS BY 4/2/08.

4/9/08 DISPOSAL RECEIPTS HAVE BEEN RECEIVED. NO FURTHER WORK IS REQUIRED.