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U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION REPORT

I. HEADING

Date: September 30, 2003

From: Irmee Huhn, OSC, Region II *Irmee Huhn*  
Removal Action Branch

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	A. Block, CDC-ATSDR	ERD, Washington, (E-Mail)
	Weston Solutions	

Subject: Amenia Town Landfill, Amenia, Dutchess County, New York

POLREP NO.: Seven (7) and FINAL - 314006

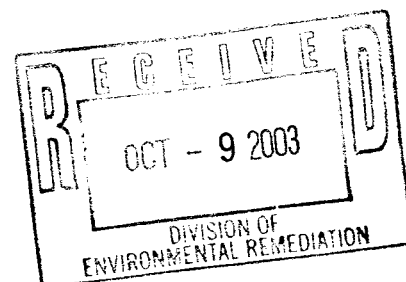
II. BACKGROUND

Site No.: LZ  
 Delivery Order No.: 2100-02-032  
 Response Authority: CERCLA  
 CERCLIS ID#: NYD980641559  
 NPL Status: Non-NPL  
 State Notification: NYSDEC notified  
 Action Memo Status: Verbal Authorization 10/8/98, Signed 2/25/99  
 Start Date: 10/12/98  
 Demobe Date: 11/20/98  
 Remobe Date: 05/25/99  
 Demobe Date: 06/10/99  
 PRP Start Date: 09/10/99  
 PRP Completion Date: 06/16/03

*John M. [unclear] / [unclear]*  
10/17

III. SITE INFORMATION

A. Incident Category: Inactive municipal landfill



## **B. Site Description**

### **1. Site description**

The Site is a privately owned 10 acre parcel of land located in a rural area of the Town of Amenia, Dutchess County, New York. The area currently being investigated by EPA is in the southernmost portion of the Site and is approximately 1 acre in size. The Site is bordered by Route 22 to the east and by freshwater wetlands on the north and west. An unnamed stream flows through this wetland area which is a tributary to the Amenia Brook. The Harlem Valley landfill is located less than one quarter mile south west of the Site. An active public golf course is located within one half mile west of the Site.

The Site operated as a municipal landfill from the early 1940's until it was officially closed on April 16, 1976. During that period the property had several owners and operators, one of which was believed to have accepted industrial wastes in the form of drums and other containers. This allegedly occurred between 1969 and 1971, after which the owner/operator filed for bankruptcy. During an inspection performed by the Dutchess County Department of Health (DCDOH) on October 26, 1970, the inspector recorded the presence of several hundred drums of industrial waste staged in the southern end of the Site. Several of the drums were reportedly punctured and leaking onto the ground.

### **2. Description of threat**

The Site was listed by the NYSDEC as a reported hazardous waste site in 1980 after visual inspections revealed the presence of surface drums and areas of stressed vegetation. Follow up investigations conducted by the state, which included geophysical studies, soil gas studies and test pit excavations, were conducted by NYSDEC from August 1986 through September 1998. These investigations revealed soil and sediment contamination and the presence of buried drums containing waste material. Samples of soil, sediments and surface waters have identified the presence of PCBs. This information prompted the New York State Division of Fish and Wildlife (NYSDFW) to declare this Site a significant threat to wildlife. The soil gas survey data collected during the investigation showed levels of toluene up to 1,600 ug/m<sup>3</sup> in two sampling locations in the suspected drum burial area.

## **C. Preliminary Assessment Results**

The NYSDEC began a Phase I investigation of this Site in August 1986. The data collected during this Phase, as well as follow up inspections performed in 1990, led NYSDEC to begin a Phase II investigation in October 1991. The Phase II investigation included a historical review of site use, literature searches on the property and interviews with personnel familiar with the Site during its years of operation. Geophysical studies,

soil gas surveys and soil, water and sediment sampling was also conducted at that time. The results of this investigation concluded that a Remedial Investigation, which included test pit excavations, was warranted to further delineate the Site. Test pits were conducted in September 1998 by NYSDEC which revealed numerous drums in the southwest corner of the Site.

On October 6, 1998, NYSDEC formally requested EPA to undertake an Emergency Removal Action to stabilize, identify and dispose of an estimated 30 buried drums containing pesticides, spent solvents and other unknowns identified during NYSDECs test pit investigation of anomalies from a geophysical and soil vapor gas survey. On October 7, 1998, the United States Environmental Protection Agency (EPA) met with the NYSDEC to view the Site and obtain information regarding the drums identified during test pit excavations.

#### **IV RESPONSE INFORMATION**

##### **A. Planned Removal Actions**

EPA will excavate and document any identifying information from the drums prior to securing drums in over packs. Visibly contaminated soil will be stock piled as the excavation progresses. All of the drums will be sampled and hazcatted and put into bulk groups as designated by the hazcat results. Composite samples will be sent out for disposal analysis. Once the lab analysis is received, the drums and soil will be disposed of accordingly.

##### **B. Situation**

###### **1. Current Situation**

Site work has been completed. By December 21, 1999, the PRP Group had disposed of the drummed wastes and stockpiled contaminated soils. A letter from the property owners' consultant, Roy T. Budnik and Associates, Inc. (Budnik), dated June 2, 2000 identified deficiencies in the restoration of the areas disturbed during the excavation and relocation of drums and soil. In addition, there was an area of stained soil in the vicinity of the storage trailers.

In July 2000, Budnik agreed to conduct the restoration work. On September 25, 2000, Budnik acknowledged that the restoration was completed in the spring, but that the stained soil remained. The PRPs' consultant (URS Corporation) was contacted to address the stained soil and they conducted a site visit on October 10, 2001 and identified the location and size of the stained soil. Upon discussions among the EPA OSC, URS Corp. and the NYSDEC Project manager, a consensus was reached that URS Corp would cover the stained soil with a tarp secured with stones and that the soil would be addressed by

the PRPs during the final site remedy. URS covered the stained soil on November 15, 2001. The Final Report required by the AOC was submitted to EPA on June 16, 2003. EPA has accepted the Final Report as signifying the completion of the PRP action.

**2. Removal actions to date**

The PRPs took over the Fund Lead removal action on September 10, 1999. The final action taken by the PRPs pursuant to the Administrative Order on Consent was the submission of the Final Report to EPA on June 16, 2003.

**3. Enforcement**

The PRPs have reimbursed EPA for its costs incurred in overseeing their performance of the work required by the Administrative Order on Consent. A Section 122(h) Administrative Settlement Agreement was entered with a larger PRP group. This Settlement Agreement required the PRPs to reimburse EPA for \$361,873.17 in costs incurred by EPA at the Site that were not addressed by the Administrative Order on Consent. EPA is currently negotiating with two additional PRPs that did not participate in the administrative settlement for recovery of additional unreimbursed response costs.

**C. Next Steps**

None

**D. Key Issues**

None

## V. COST INFORMATION

The costs estimated below are through January 24, 2001.

	CURRENT APPROVED CEILINGS	CURRENT EXPENDITURES	BALANCE OF REMAINING FUNDS
ERRS <sup>1</sup>	\$200,000	\$175,700	\$154,800
START	\$24,750	\$24,750	\$6,400
EPA	\$35,000	\$28,310	\$15,900
CONTINGENCY	\$30,250	[START] \$10,880	\$30,250
TOTAL	\$290,000	\$239,640	\$207,350

<sup>1</sup> This amount is comprised of DCN #'s as follows: HX-0002, HE-0005, and HE0039 for \$50,000, \$80,000 and \$192,000, respectively.

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure, which the EPA may include in any claims for cost recovery.

## VI. DISPOSITION OF WASTES

Wastestream	Medium	Quantity	Treatment method	Disposal facility
Acidic inorganic liquids	L	165 gallons	wastewater treatment	Dupont, Deepwater, NJ
Inorganic liquids	L	2,250 P	incineration	Ensco, El Dorado, AR
Organic liquids	L	8,950 P	incineration	Ensco, El Dorado, AR
Ignitable chlorinated solids	S	1,275 P	incineration	Ensco, El Dorado, AR
Chlorinated sludge	S	1,700 P	incineration	Ensco, El Dorado, AR
Inorganic solid, corrosive	S	850 P	incineration	Ensco, El Dorado, AR
Inorganic solid	S	27,200 P	incineration	Ensco, El Dorado, AR
Organic solid	S	22,525 P	incineration	Ensco, El Dorado, AR
Inorganic liquids with sample containers (C-3)	S	175 P	incineration	Ensco, El Dorado, AR
Inorganic solids with sample containers	S	600 P	incineration	Ensco, El Dorado, AR
Acidic Inorganic Liquids with sample containers	S	175 P	incineration	Ensco, El Dorado, AR
Chlorinated organic liquid	L	425 P	incineration	Ensco, El Dorado, AR
Medical waste	S	100 P	incineration	Clean Harbors, Braintree, MA
Non-hazardous contaminated soil	S	333 Tons	incineration	High Acres Landfill, Fairport, NY

S= Solid

L= Liquid

P = pounds