

**US Environmental Protection Agency
Region II
EXPEDITED REMOVAL ASSESSMENT CRITERIA**

SITE NAME	Luster-Coate Metallizing Corp.		
Date of Report	9/02/03-11/05/03	Removal Eligible (yes/no)	Yes - Pending JOTA Meeting
SITE ID No.	UJ	CERCLIS/RCRIS NO.	NYD002216125

Location: {street, block, lot, city, county, state, zip code, Longitude, Latitude}	32 East Buffalo Street, Churchville, Monroe County, NY 14428 42 51' 30" N, 42 53' 30" W		
Mailing Address	32 East Buffalo Street, Churchville, Monroe County, NY 14428		
Abandoned (date)	unknown 2001?		
EPA Investigators (Name & Phone #)	Michael J. Brescio Kevin Matheis	Date of Investigation	9/02/03 11/4-5/03
State Investigators (Name & Phone #)	Ed Hampston 518.402.9812	Date of State Response	None
State Case No.		NRC Case No.	
ERNS Case No.			
Contact for Access to Property (facility, state, local) (phone #)	David Adams has keys to site. (585) 293-2128. Access agreement signed by Devon Palmer, Esq., Bankruptcy trustee. (585) 232-3528.		
Directions to site (narrative) (Enclose copy of map at end of report)	From Buffalo Airport, Exit Route 33 west and continue until you reach 90 Expressway. Take 90 East to the 490 Rochester Exit. Take Exit 3 off of the 490, continue towards Churchville and turn right on East Buffalo Street. Site is on hill overlooking wetlands area. About a 50 minute ride from airport.		
Access Agreement (Verbal, Written, None, Any problems gaining access? If so, was an attorney assigned for the site? EPA Attorney's name & phone number)	Signed by Bankurpty Trustee, located in site file.Grants for assessment and removal actions. Liliana Villatora, ORC, 212-637-3248		

A. Site History (*Short Narrative describing the origination of the site*)

The Luster-Coate Metallizing Corp. site was the former location of a company that coated plastic items with metal paint. The site consists of a main building dating to the 1800's and four warehouse buildings. According to local officials, the site was most recently reported as a metal film and paint coating applicator to plastic products, but also conducted a variety of industrial activities prior to these operations. The site is currently inactive and reportedly in bankruptcy. The site bankruptcy caused a liquidation of equipment and machinery at the site.

According to the NYSDEC, and confirmed by EPA, approximately 25-55 gallon drums and about 100 or more smaller containers of chemicals were observed to be abandoned on-site. In addition, 3 to 6 process tanks containing residual liquids and sludge are also present. Based on a review of available drum/container labels, flammable materials (ethylene glycol, ether acetate, topcoat paint, laquer, mineral spirits), sulfuric acid, and VOC's are present.

There is evidence of spillage, possibly to the environment through pit floors and sumps, and several of the drums and containers were observed to be in a deteriorated state.

Site assessment conducted on November 4-5, 2003.

B. Site Characteristics

1. Physical Location

<i>Type of Site (Industrial, Commercial, residential etc.)</i>	Mixed industrial and residential. Building is set back from East Buffalo Street and is adjacent to a residential area to the east, west, and north of the site. To the south of the site, Black Creek borders the site.
<i>Current Operations</i>	Abandoned
<i>Past Operations</i>	Plastic-metal coating business. Unknown prior tenants at this time.
<i>Nature of Neighborhood (industrial, commercial, rural, suburban. Describe the pedestrian and vehicular traffic, is it a highway, is the area deserted etc.)</i>	Mixed residential and commercial. Site fencing and buildings are intact. Due to location of site in proximity to residences, the potential for illegal entry exist. Vehicular traffic and pedestrian traffic are minimal since the site is a dead end for traffic.

2. Physical Characteristics

<i>Size of Property</i>	approximately 1 acre	<i>Number of Buildings</i>	4.
<i>Size of Bldgs, number of floors, basement</i>	Main production and office building is approximately 200 x 100 feet in size. Each of the four warehouse buildings is approximately 40 x 60 feet in size. Warehouse buildings are 1 story, main office and production building is one-story with full basement.		
<i>Building Drains (describe any evidence of potential discharge from the building and direction of flow, e.g sanitary sewer, are drain outfalls directed to a stream or other sensitive area, etc.)</i>	Building contains floor drains and the town of Churchville Superintendent has met the OSC at the site. They informed EPA that the sewer connects to their system from outfalls within the site buildings, and sewer violations occurred from the plant while it was in operation. Since the closure, the outfall to the sewer system has been normal.		
<i>Building Construction (Roof: Wood, metal Walls: Masonry, wood Floor: Concrete, wood)</i>	Masonry walls, concrete walls and floors and wooden roofs. Debris and abandoned production materials situated throughout the entire building complex..		
<i>Fire Protection systems (indicate if operational)</i>	None		
<i>System automatic Yes/No</i>	None		
<i>Other Physical Hazards (stability of the terrain, stability of stacked material)</i>	None noted.		
<i>Space availability for vehicles trailers, staging of drums, equipment, etc.</i>	Ample space for storage, command post, and vehicles at the site. Front parking lot could be used for command post. Several warehouse buildings have containment areas for drum storage.		

3. Site Conditions

<p><i>Structural Integrity of Building/Structures</i> <i>(e.g. holes in the roof, past fires, evidence of past damage, water damage, obstacles to site entry)</i></p>	<p>Buildings are in reasonably good shape. No leaks from the roof observed. The site fencing is intact and floors are generally dry and free from extensive clutter. Site entry easily obtained through various entry points large enough for equipment.</p>
<p><i>Evidence of Public Entry</i> <i>(graffiti, vagrants, dumping etc.)</i></p>	<p>Site is fenced and doorways are locked. No evidence of widespread break-ins or vandalism. Property is adjacent to residential area and it appears that residences can observe activities within the site yard area.</p>
<p><i>Housekeeping</i> <i>(Evidence of stains on ground, discolored water, pools of liquid on the ground, debris)</i></p>	<p>Poor housekeeping. The equipment formerly located at the site has been removed, but cluttered areas of racks and paint drying areas remain. Drums and other containers are generally consolidated into 4 storage areas within the site buildings.</p>
<p><i>Occupancy (hours occupied)</i></p>	<p>None</p>
<p><i>Utilities</i> <i>Power/gas/water (On/off)</i> <i>Is there a fire hydrant nearby?</i></p>	<p>No power. Hydrants located near the site. Fire Department and Town of Churchville has been briefed about the contents of the buildings.</p>
<p><i>Lighting</i> <i>(need of portable lights in order to work in the affected area?)</i></p>	<p>Natural lighting sufficient in some areas but portable lights will be required in some of the work areas.</p>
<p><i>Natural Hazards</i> <i>(e.g. poison ivy, poisonous snakes, stray dogs)</i></p>	<p>Evidence of pests, both animal and insect, are evident at the site. Site operations will be predominantly indoors and natural hazards should not be a factor during the removal.</p>
<p><i>Other hazardous substance indicators</i> <i>(e.g. Dead fish, animals, vegetation; fissures or cracks in solid surfaces to expose deep waste layers, cleared land areas, pits, possible landfilled areas, pools of liquids, distinct odors, anything unusual)</i></p>	<p>No evidence of outside dumping exists. Some of the containers in the four waste accumulation areas have staining and evidence of historic and current releases.</p> <p>Two paint booths had 100 square foot sumps with a water/oil/paint sludge mixture that will require removal. One sump containing waste water will be sampled.</p>

4. Security

<i>Fencing (complete, partial, type, number of gates)</i>	Complete fencing with entry gates. Building doorways are adequately secured, though trespassing may occur with effort. (i.e. entering open windows on second floor, or prying garage doors open)
<i>Condition of fences (holes in fence)</i>	Fencing on-site is in good condition and is intact.
<i>Other means of site access (open door, windows etc)</i>	As indicated above, the doorways are locked and closed. Some opening in second floor windows exist and can be entered with ladders or assistance.
<i>Security Guard/Service (Type, shift hours)</i>	None

5. Migration Pathways and Potential Receptors

<i>Sewers (Storm or sanitary and distance from site)</i>	Sewers within buildings. Town of Churchville sewer treatment plant is aware of plant history and threats of current releases.
<i>Waterway, Confluences, Water intakes, drinking water wells (Distance from site)</i>	Residents utilize municipal water. Water intakes are located in Lake Ontario, well away from site location.
<i>Sensitive ecosystems (wetlands, sanctuaries etc. and distance from site)</i>	Adjacent to the site to the north is a spill way of Black Creek. This spill way causes water from the Black Creek to back up and has created a wetlands and pond adjacent to the site. This pond is in the center of town and provides park frontage and fishing areas for local residences. Great blue herons have been observed in this waterway.
<i>Human Exposure (playground, nursing homes, schools etc., Distance from site)</i>	Within 1/10 mile radius of the site, over 15 homes are situated. Within a 1/4 mile radius of the site, over 30 homes are located with an estimated population of 60.
<i>Air Pathways (Dust or spray in the air, asbestos, gas generation or effervescence, distinct odors, etc.)</i>	None noticed. No asbestos within site buildings. Slight paint odor is coming from one of the site doorways in the main site building.

6. Instrumentation and Sampling

<i>Significant instrument readings during investigations (List instrument, levels and background)</i>	No readings taken. Entry to drum storage areas have not occurred.
<i>Number of samples and type of analysis (e.g. hazcat or lab)</i>	None

7. Number & Types of Containers

Container	Number and types of Containers (e.g. plastic, wooden, concrete, metal)	Condition of containers (rusted leaking, bulging corroded etc.)
55-gal drums	18 containers	From good to poor condition.
5 - 30 gal containers	20 containers	Varies from poor to fair. Many of the containers have been tossed around the building or stored without regard to compatibility.
<5 gal containers	~500 containers	Varies from poor to good. Many of the containers have been tossed around in the buildings and are not segregated.
Below ground storage tanks (number and sizes; indicate phase levels, etc.)	None noticed	
Above ground storage tanks (number and sizes; indicate phase levels, etc.)	Four paint sumps within spray booths appear to contain approximately 100 gallons of oil/water/sludge mixture.	Sampled on 11-5-03
Secondary containment (Condition, size and type of construction)	None	

Container	Number and types of Containers (e.g. plastic, wooden, concrete, metal)	Condition of containers (rusted leaking, bulging corroded etc.)
Other (cylinders, explosives, etc.)	Light ballasts exist in lighting fixtures and propane cylinders exist in several parts of the buildings.	Fair to good.
Empty containers (number, type and sizes)	Some, but most have materials.	

8. Total Estimated Quantities

<i>CERCLA Hazardous substance</i>	2000 gallans
<i>OIL</i>	100 gallons
<i>RCRA</i>	550 gallons.

9. Material Identification

Classification	Substance	Method of Identification (Labels, hazcat, analysis etc)
CERCLA (identify substances, e.g. benzene, PCB, etc.)	Paint-related materials Corrosive treatment chemicals	Labels, Hazcatting, lab analysis
Oil (Type)	Lubricating oil	Labels
RCRA hazardous waste	D001 D002	Paint related materials such as paint and solvents. Corrosive water treatment chemicals from label information, Hazcatting, Lab analysis

10. Evidence of Discharge

<i>Evidence of actual discharge (leaking containers, observation of runoffs, etc.)</i>	Some containers have leaked or appear to be leaking through the top of the drums. Oil and paint stains exist in proximity to the location where the drums and containers are stored. Appears that oil and paint exist in sumps that are contained and one that leads to the Town of Churchville waste water treatment system.
<i>Potential discharge (Haphazard storage, incompatibility, etc.)</i>	Incompatible storage, poor building conditions, overall sloppy housekeeping can all contribute to the threat of potential discharge.
<i>Imminent discharge (e.g. damaged drums located at the edge of waterway, etc.)</i>	Severe fire threat throughout buildings due to the amount of paint-related materials, combustible debris (such as rags, paper and other combustible material.

11. Pending Actions

<i>Pending Actions to complete investigations (e.g. sampling, hazcat, lab analysis)</i>	Label information and visual observations have been made and a determination can be reasonably made.
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C. Site Legal Status

1. Ownership

<i>Status of Site Ownership</i>	The property is owned by the bankrupt Luster-Coate Corporation.
<i>Status of Site Operations</i>	Abandoned since 2001.

2. Site Cleanup

<i>Previous Actions</i>	The NYSDEC required Luster Coate to remove drums of accumulated waste materials from the site prior to the bankruptcy. The drums that remain at the site may be product drums that were not utilized by the site.
<i>Present Actions</i>	None at this time. No one has claimed ownership or responsibility for the chemicals.

3. Enforcement Actions:

<i>Records (records at the site or elsewhere)</i>	Records of operations at the site could exist at the site because the site is in good condition.
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Local	None
State	None
EPA	None
Other	None

4. Suspected PRPs

Name	Address	Phone
Luster-Coate	Out of business	

E. Other Information

1. List of Contacts/ Other Notifications

Name	Affiliation	Address	Phone
David Adams, Town Supervisor	Churchville	23 E. Buffalo St. Churchville, NY 14428	(585) 293-2128
Ed Hampston, Project Manager	NYSDEC	625 Broadway Ave, Albany, NY 12233	(518) 402.9812
Devon Palmer, Esq.	Bankruptcy trustee	Rochester, NY	(585) 232-3528

2. Additional Information

Hazcatting results: pH <1, pH=14, Ignitable liquid. See attached draft inventory.

3. Site Sketch, Maps, Photographs (append)

See attached site map.

U.S. ENVIRONMENTAL PROTECTION AGENCY
INITIAL POLLUTION REPORT

Ed Belmore ^{AE}
Gary Litwin
Bruce Finster

I. HEADING

Date: July 7, 2004
From: Kevin M. Matheis, On-Scene-Coordinator
U.S. EPA Region II
To: R. Salkie, EPA
T. Johnson, 5202G
M. Basile, 2CD-POB
L. Villatora, 2ORC-NYCSF
R. Byrnes, 2OIG
ERD-Washington (E-Mail)
E. Hampston, NYSDEC
D. Adams, V. of Churchville
S. Soden, WRS I&E, Inc.
J. Rotola, EPA
P. Brandt, 2CD
B. Deese, 2ERRD-RAB
J. LaPadula, 2ERRD-NYRB
T. Rivero, 2OPM-GCMB
S. Ervolina, NYSDEC
D. Ehrmentraut, Village of Churchville
R. Van Houten, NYSDOH
S. Cannon, Weston Solutions

Subject: Luster-Coate Metallizing Corp. Site. Inactive paint coating facility containing drums and vats of paints, drums of corrosive materials, and various sized containers of maintenance and paint-related materials.

POLREP NO: One (1) and Initial

II. BACKGROUND

JUL 12

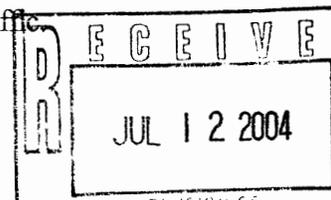
SITE/SPILL NO.: 02UJ
RESPONSE AUTHORITY: CERCLA/SARA
NPL STATUS: Non-NPL
CERCLIS ID: NYD002216125
START DATE: June 22, 2004
COMPLETION DATE: N/A
ACTION MEMO (AM) STATUS: Signed May 27, 2004

III. RESPONSE INFORMATION

A. **Situation**

The Luster-Coate Metallizing Corp. Site was the former location of a company that coated plastic items with metal paint. The Site consists of a main building and four secondary warehouse buildings. The Site is currently inactive and in bankruptcy. The Site bankruptcy caused a liquidation of equipment and machinery at the Site.

The Site is located in a mixed industrial and residential area. The Site buildings are set back from East Buffalo Street and the facility is adjacent to a residential area to the east, west, and north of the Site. Black Creek borders the Site to the south. Site fencing and buildings are intact. Due to location of Site in proximity to residences, the potential for illegal entry exist and is evident. Vehicular traffic and pedestrian traffic are minimal since the Site is a dead end for traffic.



According to the New York State Department of Environmental Conservation (NYSDEC), and confirmed by the U.S. Environmental Protection Agency (EPA), approximately 25-55 gallon drums and about 100 or more smaller containers of chemicals were observed to be abandoned on-site. In addition, 3 to 6 process tanks containing residual liquids and sludge are also present. Based on a review of available drum/container labels, flammable materials (ethylene glycol, ether acetate, topcoat paint, laquer, mineral spirits), and sulfuric acid are present. There is evidence of spillage, possibly to the environment through pit floors and sumps, and several of the drums and containers were observed to be in a deteriorated state.

Potential storage/disposal of hazardous materials was suspected based on a previous NYSDEC enforcement action that had found that the facility violated state environmental laws by releasing volatile organic compounds from the facility, observations from off-site, and the reported abandonment of the Site. On March 4, 2003, NYSDEC conducted an environmental property assessment and determined that hazardous wastes were released and abandoned on the Site. NYSDEC representatives followed up on July 2003 with a second visit to the Site, but could not gain entry. On August 20, 2003, NYSDEC Region 8, Monroe County Health Department (MCHD), and a Village of Churchville representative again visited the Site and confirmed that containers of chemicals were abandoned on Site. NYSDEC listed the Site as a "P" potential hazardous waste disposal site and believes a more detailed investigation of the Site is necessary.

As a result of the Site conditions, on September 11, 2003, EPA received a request from the NYSDEC to perform a removal action at the Luster-Coate Metallizing Site under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. §§ 9601 *et. seq.*

On September 2, November 4 and 5th 2003, EPA conducted a removal assessment and determined that the Site met the criteria for the performance of a time-critical removal action.

B. Actions Taken

1. Upon completion of the RSE, hazards were identified and an Action Memorandum was prepared to address the threats from the Site. The Action Memorandum was signed by EPA's Emergency and Remedial Response Division Director on May 27, 2004, authorizing work to begin at the Site.
2. EPA met with the cleanup contractor at the Site on June 22, 2004 to overview the project and collect background information, marking the start date for the project.
3. EPA OSC and EPA Public Affairs Specialist from Niagara Falls prepared information sheets about the Site and distributed them on July 1, 2004 to the local and regional elected officials, media, and the residences surrounding the Site. A web site has been established for the Site. The address is
4. EPA's cleanup contractor, WRS Infrastructure and Environment, mobilized to the Site on July 6, 2004. Site command post was established within the Luster-Coate front offices. The contractor prepared staging areas for the chemical containers in the main warehouse, boarded and secured the Site buildings, and secured safety hazards within the Site buildings.

5. EPA's technical contractor (START contractor), Weston Solutions, mobilized to the site on July 6, 2004. START will provide administrative and technical support for the duration of the project. This will include daily air monitoring, photodocumentation, and preparation of the administrative record and drum logs.
6. Two phases of cleanup work will be implemented. The first phase will be the container collection and removal of paint vat wastes. All containers will be collected, stabilized, sampled as necessary and staged within the Site warehouse. The drums of 30 gallons or larger will be tracked and logged via drum trak program. Paint waste will be removed from the storage vats and put into drums for off-site shipments. Phase one should last 2-3 weeks.
7. Phase two of the cleanup will be the shipment of waste materials from the Site once disposal approvals are received. This phase should occur in August 2004. Waste materials from the Site will be sent to off-site disposal facilities in compliance with EPA's off-site disposal policy.
8. The Village of Churchville will turn the lights on to the rear of the Site during night hours to provide security lighting.

C. Future Actions

1. Site setup will continue and work zones will be established. Disposal bids for the removal of the waste within the buildings will be solicited, once inventory is complete.
2. Paint waste will be removed from the vats and placed into DOT storage containers.

D. Key Issues - None

IV. COST INFORMATION: As of 07/07/04

Site Ceiling as of 07/07/04			
	Total Ceiling	Costs to Date	Amount Remaining
WRS	\$ 75,000	\$ 3,000	\$ 72,000
START/EPA	\$ 10,000	\$ 1,000	\$ 9,000
Totals	\$ 85,000	\$ 4,000	\$ 81,000

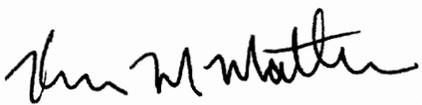
The costs above reflect the amounts obligated to the project at this time but do not reflect the entire Site ceiling amounts. If additional funding is necessary, the totals will be adjusted accordingly.

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data, which the OSC must rely upon, may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT

JUL 22 2004

I. HEADING

Date: July 19, 2004
From: Kevin M. Matheis, On-Scene-Coordinator 
U.S. EPA Region II
To: R. Salkie, EPA
T. Johnson, 5202G
M. Basile, 2CD-POB
L. Villatora, 2ORC-NYCSF
R. Byrnes, 2OIG
ERD-Washington (E-Mail)
E. Hampston, NYSDEC
D. Adams, V. of Churchville
R. Van Houten, NYSDOH
S. Cannon, Weston Solutions
J. Rotola, EPA
P. Brandt, 2CD
B. Deese, 2ERRD-RAB
J. LaPadula, 2ERRD-NYRB
T. Riverso, 2OPM-GCMB
S. Ervolina, NYSDEC
S. Foti, NYSDEC VIII
D. Ehrmentraut, Village of Churchville
S. Soden, WRS I&E, Inc.

Subject: Luster-Coate Metallizing Corp. Site. Inactive paint coating facility containing drums and vats of paints, drums of corrosive materials, and various sized containers of maintenance and paint-related materials.

POLREP NO: Two (2)

II. BACKGROUND

SITE/SPILL NO.: 02UJ
RESPONSE AUTHORITY: CERCLA/SARA
NPL STATUS: Non-NPL
CERCLIS ID: NYD002216125
START DATE: June 22, 2004
COMPLETION DATE: N/A
ACTION MEMO (AM) STATUS: Signed May 27, 2004

III. RESPONSE INFORMATION

A. **Situation**

See POLREP one (1).

B. **Actions Taken**

1. EPA's cleanup contractor, WRS Infrastructure and Environment, is on-site and has completed container collection throughout site buildings. A central staging area has been

established and preliminary waste groups have been identified. Approximately 150 five-gallon pails, 500 small containers and 20x55 gallon drums are on-site.

2. ERRS contractor has begun removal of waste materials from paint and treatment vats. One vat contained over 400 gallons of a caustic (pH >12.5) material. The vat was pumped into 55 gallon poly drums, pending off-site disposal. One paint vat of dry paint waste was shoveled into 2x55 gallon drums. The other four vats will be addressed during the week of July 19.
3. EPA OSC and EPA Public Affairs Specialist from Niagara Falls prepared information sheets about the Site and distributed them on July 1, 2004 to the local and regional elected officials, media, and the residences surrounding the Site. A web site has been established for the Site. The address is www.epaosc.net/lustercoate.
4. The Administrative Record for the site was prepared by Weston Solutions and upon OSC approval was placed in the local library repository. The publication announcement for the Administrative Record appeared in the local weekly newspaper during the week of July 19.
5. Weston Solutions continues to provide air monitoring at the site. During the initial mobilization phase of the project, some portions of Site buildings containing with solvent drums and paint vats had elevated organic reading on the multiple gas indicator (multi-Rae). No oxygen deficient atmospheres were detected. Fan-assisted ventilation of the areas lowered the organic readings to acceptable levels. Perimeter air monitoring outside of the fan assisted ventilation did not show elevated off-site readings of organic vapors. Radiation monitoring of the site was negative.
6. Two phases of cleanup work will be implemented. The first phase will be the container collection and removal of paint vat wastes. All containers will be collected, stabilized, sampled as necessary and staged within the Site warehouse. The drums of 30 gallons or larger will be tracked and logged via drum trak program. Paint waste will be removed from the storage vats and put into drums for off-site shipments. Phase one should last 2-3 weeks.
7. Phase one of the cleanup will be completed during the week of July 26.
8. The Village of Churchville will turn the lights on to the rear of the Site during night hours to provide security lighting.

C. Future Actions

1. Phase two of the cleanup will be the shipment of waste materials from the Site once disposal approvals are received. This phase should occur in late-August or early-September 2004. Waste materials from the Site will be sent to off-site disposal facilities in compliance with EPA's off-site disposal policy.

D. Key Issues - None

IV. COST INFORMATION: As of 07/19/04

Site Ceiling as of 07/19/04			
	Total Ceiling	Costs to Date	Amount Remaining
WRS	\$ 75,000	\$ 35,000	\$ 40,000
START/EPA	\$ 10,000	\$ 5,000	\$ 5,000
Totals	\$ 85,000	\$ 40,000	\$ 45,000

The costs above reflect the amounts obligated to the project at this time but do not reflect the entire Site ceiling amounts. If additional funding is necessary, the totals will be adjusted accordingly.

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data, which the OSC must rely upon, may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

AUG -- 4

**U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT**

I. HEADING

Date: August 2, 2004
From: Kevin M. Matheis, On-Scene-Coordinator 
 U.S. EPA Region II
To: R. Salkie, EPA
 T. Johnson, 5202G
 M. Basile, 2CD-POB
 L. Villatora, 2ORC-NYCSF
 R. Byrnes, 2OIG
 ERD-Washington (E-Mail)
 E. Hampston, NYSDEC
 D. Adams, V. of Churchville
 R. Van Houten, NYSDOH
 S. Cannon, Weston Solutions
 J. Rotola, EPA
 P. Brandt, 2CD
 B. Deese, 2ERRD-RAB
 J. LaPadula, 2ERRD-NYRB
 T. Riverso, 2OPM-GCMB
 S. Ervolina, NYSDEC
 S. Foti, NYSDEC VIII
 D. Ehrmentraut, Village of Churchville
 S. Soden, WRS I&E, Inc.

Subject: Luster-Coate Metallizing Corp. Site. Inactive paint coating facility containing drums and vats of paints, drums of corrosive materials, and various sized containers of maintenance and paint-related materials.

POLREP NO: Three (3)

II. BACKGROUND

SITE/SPILL NO.: 02UJ
RESPONSE AUTHORITY: CERCLA/SARA
NPL STATUS: Non-NPL
CERCLIS ID: NYD002216125
START DATE: June 22, 2004
COMPLETION DATE: N/A
ACTION MEMO (AM) STATUS: Signed May 27, 2004

III. RESPONSE INFORMATION

A. Situation

See POLREP one (1).

B. Actions Taken

1. EPA's cleanup contractor, WRS Infrastructure and Environment, will complete Phase 1 operations on August 6, 2004. WRS has collected all containers of waste material and

consolidated them into a central storage location. Paint containers of 5 gallon or less in size have been bulked into 55 gallon drums for disposal. Empty paint containers have been placed into cubic yard tri-wall boxes, pending disposal. Non paint-related materials have been packed into lab pack groups, pending disposal. Sampling of the bulked wastes, individual drums, and tank wastes will occur during the week of August 2.

2. Waste materials in the eight paint vats and caustic tanks have been removed. Solids and liquids have been placed into drums, pending disposal. The vat containing caustic liquids and solids has been cleaned and neutralized. Vats containing paint waste have been pumped and shoveled clean. Absorbent has been added to the tanks to absorb any residual liquid, then the absorbent was removed. Pending results of the laboratory analysis of the vat waste, a decision on the extent of decon options for the vats will be made.
3. Air monitoring on-site has showed volatile organics in the areas that the paint waste was being consolidated, but not in adjacent buildings or in off-site areas.
4. The Village of Churchville continues lighting the Site during night hours to provide security lighting.

C. Future Actions

1. Phase two of the cleanup will be the shipment of waste materials from the Site once analysis is received and evaluated, disposal facility accepted, and disposal approvals are received. This phase should occur in September 2004. Waste materials from the Site will be sent to off-site disposal facilities in compliance with EPA's off-site disposal policy.

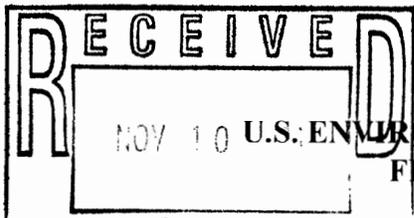
D. Key Issues - None

IV. COST INFORMATION: As of 08/02/04

Site Ceiling as of 08/02/04			
	Total Ceiling	Costs to Date	Amount Remaining
WRS	\$ 75,000	\$ 55,000	\$ 20,000
START/EPA	\$ 10,000	\$ 8,000	\$ 2,000
Totals	\$ 85,000	\$ 63,000	\$ 22,000

The costs above reflect the amounts obligated to the project at this time but do not reflect the entire Site ceiling amounts. If additional funding is necessary, the totals will be adjusted accordingly.

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data, which the OSC must rely upon, may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.



Ed Hampston
Ed Belmore
Gary Litwin
Bruce Finster

**U.S. ENVIRONMENTAL PROTECTION AGENCY
FINAL POLLUTION REPORT**

I. HEADING

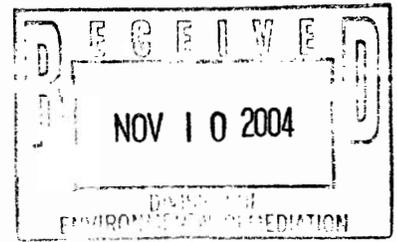
Date: November 8, 2004
From: Kevin M. Matheis, On-Scene-Coordinator *Kevin M Matheis*
U.S. EPA Region II
To: R. Salkie, EPA J. Rotola, EPA
T. Johnson, 5202G P. Brandt, 2CD
M. Basile, 2CD-POB B. Deese, 2ERRD-RAB
L. Villatora, 2ORC-NYCSF J. LaPadula, 2ERRD-NYRB
R. Byrnes, 2OIG T. Rivero, 2OPM-GCMB
ERD-Washington (E-Mail) S. Ervolina, NYSDEC
E. Hampston, NYSDEC S. Foti, NYSDEC VIII
D. Adams, V. of Churchville D. Ehrmentraut, Village of Churchville
R. Van Houten, NYSDOH S. Soden, WRS I&E, Inc.
S. Cannon, Weston Solutions

Subject: Luster-Coate Metallizing Corp. Site. Inactive paint coating facility containing drums and vats of paints, drums of corrosive materials, and various sized containers of maintenance and paint-related materials.

POLREP NO: Four (4) and final

II. BACKGROUND

SITE/SPILL NO.: 02UJ
RESPONSE AUTHORITY: CERCLA/SARA
NPL STATUS: Non-NPL
CERCLIS ID: NYD002216125
START DATE: June 22, 2004
COMPLETION DATE: November 8, 2004
ACTION MEMO (AM) STATUS: Signed May 27, 2004



III. RESPONSE INFORMATION

A. Situation

The Luster-Coate Metallizing Corp. Site was the former location of a company that coated plastic items with metal paint. The Site consists of a main building and four secondary warehouse buildings. The Site is currently inactive and in bankruptcy. The Site bankruptcy caused a liquidation of equipment and machinery at the Site.

The Site is located in a mixed industrial and residential area. The Site buildings are set back from East Buffalo Street and the facility is adjacent to a residential area to the east, west, and north of the Site. Black Creek borders the Site to the south. Site fencing and buildings are

intact. Due to location of Site in proximity to residences, the potential for illegal entry exist and is evident. Vehicular traffic and pedestrian traffic are minimal since the Site is a dead end for traffic.

According to the New York State Department of Environmental Conservation (NYSDEC), and confirmed by the U.S. Environmental Protection Agency (EPA), approximately 25-55 gallon drums and about 100 or more smaller containers of chemicals were observed to be abandoned on-site. In addition, 3 to 6 process tanks containing residual liquids and sludge are also present. Based on a review of available drum/container labels, flammable materials (ethylene glycol, ether acetate, topcoat paint, laquer, mineral spirits), and sulfuric acid are present. There is evidence of spillage, possibly to the environment through pit floors and sumps, and several of the drums and containers were observed to be in a deteriorated state.

Potential storage/disposal of hazardous materials was suspected based on a previous NYSDEC enforcement action that had found that the facility violated state environmental laws by releasing volatile organic compounds from the facility, observations from off-site, and the reported abandonment of the Site. On March 4, 2003, NYSDEC conducted an environmental property assessment and determined that hazardous wastes were released and abandoned on the Site. NYSDEC representatives followed up on July 2003 with a second visit to the Site, but could not gain entry. On August 20, 2003, NYSDEC Region 8, Monroe County Health Department (MCHD), and a Village of Churchville representative again visited the Site and confirmed that containers of chemicals were abandoned on Site. NYSDEC listed the Site as a "P" potential hazardous waste disposal site and believes a more detailed investigation of the Site is necessary.

As a result of the Site conditions, on September 11, 2003, EPA received a request from the NYSDEC to perform a removal action at the Luster-Coate Metallizing Site under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. §§ 9601 *et. seq.*

On September 2, November 4 and 5th 2003, EPA conducted a removal assessment and determined that the Site met the criteria for the performance of a time-critical removal action.

B. Actions Taken

1. Upon completion of the RSE, hazards were identified and an Action Memorandum was prepared to address the threats from the Site. The Action Memorandum was signed by EPA's Emergency and Remedial Response Division Director on May 27, 2004, authorizing work to begin at the Site.
2. EPA met with the cleanup contractor at the Site on June 22, 2004 to overview the project and collect background information, marking the start date for the project.
3. EPA OSC and EPA Public Affairs Specialist from Niagara Falls prepared information sheets about the Site and distributed them on July 1, 2004 to the local and regional elected officials, media, and the residences surrounding the Site. A web site has been established for the Site. The address is www.epaosc.net/lustercoate.
4. EPA's cleanup contractor, WRS Infrastructure and Environment, mobilized to the Site on July 6, 2004. Site command post was established within the Luster-Coate front offices. The contractor prepared staging areas for the chemical containers in the main

warehouse, boarded and secured the Site buildings, and secured safety hazards within the Site buildings.

5. EPA's technical contractor (START contractor), Weston Solutions, mobilized to the site on July 6, 2004. START provided administrative and technical support for the duration of the project. This included daily air monitoring, photodocumentation, and preparation of the administrative record and drum logs.
6. Two phases of cleanup work were implemented. The first phase was the container collection and removal of paint vat wastes. All containers were collected, stabilized, sampled as necessary and staged within the Site warehouse. The drums of 30 gallons or larger were tracked and logged via drum trak program. Paint waste was removed from the storage vats and put into drums for off-site shipments. Phase two was the removal of the wastes from the site including the empty containers from the site generated during bulking and consolidation operations.
7. During the removal, air monitoring on-site showed volatile organics in the areas that the paint waste was being consolidated, but not in adjacent buildings or in off-site areas.
8. Phase two operations began on October 18, 2004 and were completed on October 25, 2004. All waste material was disposed from the site and received at the disposal facilities. OSC inspected the site on November 8, 2004, marking the completion date for the Site.

C. Future Actions

1. The NYSDEC is performing a remedial investigation within the Site buildings to determine if additional cleanup work at the Site is necessary.

D. Key Issues - None

IV. COST INFORMATION: As of 11/08/04

Site Ceiling as of 11/08/04			
	Total Ceiling	Costs to Date	Amount Remaining
WRS	\$ 97,000	\$ 95,000	\$ 2,000
START/EPA	\$ 10,000	\$ 9,000	\$ 1,000
Totals	\$ 107,000	\$ 104,000	\$ 3,000

An additional \$22,000 was obligated to the project in September 2004 for cleanup contractor. The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data, which the OSC must rely upon, may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

V. DISPOSITION OF WASTES

Waste Disposition Table				
Waste type/location	EPA Waste Codes	Quantity	Disposal Facility	Treatment Method
Paint related material from drums and vats	D001,D008	18 x 55 gal dms 1 x 20 gal dms	EQ Resource Recovery, Romulus, MI	Resource Recovery
Sulfuric Acid	D002	3 x 30 gal dms	EQ, Detroit MI	Treatment
Alkaline / Acid Lab Packs	D002	2 x 55 gal dms	EQ, Detroit MI	Treatment
RCRA empty containers	none	5 x 1 cubic yard box	EQ, Detroit, MI	Landfill
Thorium Nitrate	none	1 x 5 gal drm	Envirocare, UT	Stabilization/ disposal
Non-regulated solids/sludges from vats	none	34 x 55 gal drms	Vexor, Medina, OH	Stabilization/ landfill
Non-regulated liquids from vats	none	35 x 55 gal drms	Vexor, Medina, OH	Treatment
Flammable liquid / aerosol lab pack	D001	4 x 55 gal drms	EQ Resource Recovery, Romulus, MI	Resource Recovery