

New York State Department of Environmental Conservation
 Division of Hazardous Waste Remediation
 Bureau of Hazardous Site Control

DELIST

ADDITIONS/CHANGES TO REGISTRY: SUMMARY OF APPROVALS

SITE NAME: STOCK'S POND

DEC I.D. NUMBER 915082

Current Classification 2a

Activity: Add as Class Reclassify to Delist Category D1 Modify

Approvals:

Regional Hazardous Waste Engineer	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	SEE MEMO TO P. Bevchi from CNC dtd 11/2/94 -> Verbal approval Dist. to Dennis 11/24/94
NYSDOH	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	
DEE	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	
Construction Services	Yes	<input type="checkbox"/> n/a	No	<input type="checkbox"/>	
BHSC: a. Investigation Section	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	
b. Site Control Section					<u>Paul Marsand</u> Date <u>11/21/94</u>
c. Director					<u>[Signature]</u> Date <u>11/21/94</u>
DHWR Assistant Director					<u>Charles [Signature]</u> Date <u>11/23/94</u>

Completion Checklist		Completed By:	
		Initials	Date
OWNER NOTIFICATION LETTER?	<input checked="" type="checkbox"/>		<u>12/12/94</u>
ADJACENT PROPERTY OWNER NOTIFICATION LETTER?	<input checked="" type="checkbox"/>		<u>12/27/94</u>
ENB/LEGAL NOTICE SENT? (For Deletion Only)	<input type="checkbox"/>		
COMMENTS SUMMARIZED/PLACE IN REPOSITORY	<input type="checkbox"/>		
FINAL NOTIFICATION SENT TO OWNER? (For Deletion Only)	<input type="checkbox"/>		

(For proposed Class 2a sites only) Planned investigative activities & dates: _____

LES PIOTROWSKI
126 CANTON SQUARE
WEST SEASCA, NY 11724

41827 BROADWAY, INC.
41827 BROADWAY
WEST SEASCA, NY 11724

Dear :

Re: DEC Site No.: ~~270270-2-000~~ 95082
Site Name: ~~STOCKS POND~~
Site Address: ~~CONTRA SUBSIDENCY AND SANITARY DISPOSAL~~

As mandated by Section 27-1305 of the Environmental Conservation Law, the New York State Department of Environmental Conservation (NYSDEC) must maintain a registry of all disposal sites known to contain hazardous wastes. It is this Department's procedure to notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part-owner of the above-referenced site. Based on the information that has been gathered to date, the NYSDEC has not identified any hazardous wastes at this site. Therefore, this letter constitutes notification of DEC's intention to delist this site from the Registry of Inactive Hazardous Waste Disposal Sites in New York State. State laws require that DEC set a 60-day public notification period of our intention to delist a site from the Registry, and receive any public comments on the proposed deletion. At the conclusion of this period, if no new information is presented, this site will be removed from the Registry. If we receive any information which causes us to reconsider this deletion, you will be notified of the change.

If you have any further questions, please contact me at (518) 457-0747.

Sincerely,

Robert L. Marino
Chief
Site Control Section
Bureau of Hazardous Site Control
Division of Hazardous Waste Remediation

bcc: R. Marino
R. Dana
A. Carlson, NYSDOH
L. Condra
Regional-Division-of-Regulatory-Affairs S. P. C. S. R. A. S.
Appropriate Attorney J. A. M. A. S.
Regional People M. P. S. R. A. S.
Remediation People C. P. S. R. A. S.
Section Chief T. A. S.
Originator D. P. S. R. A. S.

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

SEE ATTACHED



Thomas C. Jorling
Commissioner

Dear _____:

The New York State Department of Environmental Conservation (DEC) maintains a Registry of sites where hazardous waste disposal has occurred. Property located at *(description needs to be reader friendly--reader should be able to recognize the property being described--the tax numbers only serve as back-up and for legal purposes)* THE CORNER OF BALDWIN + TRAVEL ROAD IN DEPUE, ALBANY COUNTY was listed in the Registry because there was some concern that there was hazardous waste there. The DEC is proposing to delist this site from the Registry. The reason for proposing the removal of this site from the Registry is as follows:

(provide explanation here)

(A)

Public comments about delisting this site are being received before the decision to remove this site from the Registry is finalized. If you would like to provide us with your written comments, please send them to: *(Project Manager, NYSDEC, address)* ELAINE LUK, 50 WOLF ROAD, ALBANY, NY 12233-2907. The public comment period will end _____. A summary of any comments we receive will be made available at our Region 9 Office 275 MICHIGAN AVE, BUFFALO, NY 14203-1299.

If we do not receive any new or additional information during this public comment period that changes our proposal, we will delist THIS SITE on or after _____. The name and site I.D. number of this property is listed in the Registry is 915082 - STOCK'S POND.

We are sending this letter to you and others who own property near the site listed above as well as the county and town clerks. We are notifying you about these activities at this site because we believe it is important to keep you informed.

If you have questions or need additional information, the Department of Environmental Conservation maintains a hazardous waste site toll-free number: 1(800)342-9296. The Department of Health maintains a Health Liaison Program (HeLP) toll-free number: 1(800)458-1158 Ext. 402.

If you currently are renting or leasing your property to someone else, please share this information with them. If you no longer own the property to which this letter was sent, please provide this information to the new owner and provide this office with the name and address of the new owner so that we can correct our records.

Sincerely,
Robert L. Marino
Chief, Site Control Section
Bureau of Hazardous Site Control
Division of Hazardous Waste Remediation

bcc: ~~Project Manager~~ E. Z. JIK
R. Marino
R. Dana
A. Carlson
~~RHWRE~~ m. POSTKA, R. G.
~~Remediation Bureau~~ E. BLOMSTAD
~~Investigation Section Chief~~ T. L. ANDERSON
~~CPS - Bruce Bentley~~ B. BENTLEY
~~Originator~~ D. KALLAN

ATTACHMENT #1

Public Notice

776 COLON ST
BROADWAY 3RD FLOOR 20

Region 9 - The Department of Environmental Conservation has determined that the Registry of Inactive Hazardous Waste Disposal Sites in New York State needs to be amended to delete site number 91508L, known as the STAKE'S POND Site. This site is located in the Town of DEPUE in the County of SENeca and is located at _____. The reason for this deletion is (P).

Written comments on this proposed deletion are welcome, and should be sent to:

~~Project Manager~~ E. R. J. K.
New York State Department of Environmental Conservation
(address) 1200 N. 220, 50 WOOD ROAD
ALBANY, NY 12233-7710

All written comments must be received by _____. A summary of all written comments will be assembled and a summary will be available for viewing at 260 S. HORTON, 270 NICHOLS AVE., BUFFALO, NY, 14203-1259.

The Environmental Notice Bulletin is published weekly on Wednesday. Articles to be published are to be given to Betty Jo Daly of Publications no later than noon on the Friday before. There is no set format, however, Publications would like to keep all notices to less than 30 lines. They also require that you provide a floppy disk of the notice in WordPerfect.

SEE JUSTIFICATION FOR (A)



REGISTRY SITE CLASSIFICATION DECISION

1. SITE NAME Stock's Pond		2. SITE NUMBER 915082	3. TOWN/CITY/VILLAGE Village of Depew	4. COUNTY Erie
5. REGION 9	6. CLASSIFICATION CURRENT 2a PROPOSED D1 MODIFY			
7. LOCATION OF SITE (Attach U.S.G.S. Topographic Map showing site location)				
a. Quadrangle - Lancaster, NY				
b. Site Latitude <u>42° 54' 04"</u> Site Longitude <u>78° 42' 14"</u>				
c. Tax Map Numbers - 104.78-1-3.21 and 104.78-1-3.22				
d. Site Street Address - <u>Broadway and Transit Road, Depew, NY 14043</u>				
8. BRIEFLY DESCRIBE THE SITE (Attach site plan showing disposal/sampling locations)				
<p>The site is located at the southeast corner of Broadway and Transit Road in the Village of Depew, Erie County, New York. The site is located approximately 50 feet north of Cayuga Creek. The area surrounding the site is residential and commercial. The site was originally a quarry, then was later used as an ice pond. From 1967 through 1978 approximately 71,831 cubic yards of material was dumped at this site from nearby Dresser Industries; including lagoon sludge, foundry sand and slag. Later, minor amounts of construction and demolition debris were also dumped at the site.</p> <p>These wastes were sampled and found not to exceed levels defining characteristic hazardous wastes.</p>				
a. Area <u>2.5</u> acres b. EPA ID Number <u>NYD980535306</u>				
c. Completed <input type="checkbox"/> Phase I <input type="checkbox"/> Phase II <input checked="" type="checkbox"/> PSA <input type="checkbox"/> RI/FS <input type="checkbox"/> PA/SI <input type="checkbox"/> Other				
9. Hazardous Waste Disposed (Include EPA Hazardous Waste Numbers)				
Hazardous waste disposal has not been documented.				
10. ANALYTICAL DATA AVAILABLE				
a. <input type="checkbox"/> Air <input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> Sediment <input checked="" type="checkbox"/> Soil <input checked="" type="checkbox"/> Waste <input checked="" type="checkbox"/> Leachate <input checked="" type="checkbox"/> EPTox <input type="checkbox"/> TCLP				
b. Contravention of Standards or Guidance Values				
None related to hazardous waste disposal.				
11. JUSTIFICATION FOR CLASSIFICATION DECISION				
<p><i>The wastes disposed at the site, including foundry sands with phenolic binders, are not listed hazardous wastes. Additionally, sampling of the waste materials reveals that they do not meet the criteria for characteristic hazardous wastes. The placement of these lagoon sludges, foundry sands and slags therefore does not constitute hazardous waste disposal. Significant threat has not been fully evaluated, however based on surface water and sediment sampling completed to date, significant threat does not appear to be indicated. The chemicals found do not represent a health threat due to the low levels and commercial setting where the potential for human exposure to site contamination is minimal. This site should be referred to the Division of Solid Waste for their review in conjunction with the Dresser Industries site (#915064).</i></p>				
12. SITE IMPACT DATA				
a. Nearest Surface Water: Distance <u>50</u> ft.		Direction	Classification <u>C</u>	
b. Nearest Groundwater: Depth <u>2</u> ft.		Flow Direction <u>south</u>	<input type="checkbox"/> Sole Source <input type="checkbox"/> Primary <input type="checkbox"/> Principal	
c. Nearest Water Supply: Distance <u>>3</u> mi.		Direction	Active <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
d. Nearest Building: Distance <u>0</u> ft.		Direction <u>on-site</u>	Use <u>restaurant</u>	
e. In State Economic Development Zone?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	i. Controlled Site Access? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
f. Crops or livestock on site?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	j. Exposed hazardous waste? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
g. Documented fish or wildlife mortality?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	k. HRS Score <u>4.2</u>	
h. Impact on special status fish or wildlife resource?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	l. For Class 2: Priority Category <u>N/A</u>	
13. SITE OWNER'S NAME		14. ADDRESS		15. TELEPHONE NUMBER
1) Leo Piotrowski 2) 4827 Broadway, Inc.		1) 126 Lexington Green, West Seneca, NY 14224 2) West Seneca, NY 14224		716-674-4222
16. PREPARER		17. APPROVED		
 Signature Date <u>11/18/94</u>		 Signature Date <u>11/23/94</u>		
Elaine M. Zuk, Asst. Eng. Geologist, DHWR, BHSC		Asst. Dir.		
Name, Title, Organization		Name, Title, Organization		



Langdon Marsh
Commissioner

MEMORANDUM

TO: Robert Marino - Site Control Section, Albany
FROM: Martin Doster - Region 9, Buffalo
SUBJECT: Stock's Pond Site #915082
Depew (V), Erie County
DATE: November 22, 1994

Martin Doster
#

FOIL
Releasable
Non-Releasable

The Region has reviewed the December 1993 proposal to reclassify this site from Class 2a to D-1. After review the Region concurs with the decision. This decision is based upon the fact that there is no documentation that hazardous waste was disposed at this site. Sampling of soil, waste, sediment and surface water did not indicate concentrations of contaminants indicative of hazardous waste.

However, the available data does reflect the fact that contamination does exist in the waste and in the surface water - Cayuga Creek. Therefore, it is appropriate to copy the site information to the Divisions of Solid Waste and Water for their review of the information.

Please note the error as noted in the November 1993 report prepared by BHSC. If there are any questions on this site please contact Mr. David Locey at (716) 851-7220.

stock

cc: Mr. Peter Buechi/Mr. Martin Doster/Mr. David Locey entire package
Ms. Patricia Nelson memo only
Mr. Mark Hans - DSW entire package
Mr. Robert Speed - DOW entire package
Mr. Al Wakeman - DOH memo only
Mr. Cameron O'Connor - DOH memo only

FOIL
Releasable
Non-Releasable

New York State Department of Environmental Conservation
270 Michigan Avenue, Buffalo, New York 14203-2999



**Langdon Marsh
Commissioner**

M E M O R A N D U M

TO: Martin Doster *md*
FROM: David Locey
SUBJECT: Stocks Pond - Site #915082 - Reclassification

DATE: November 17, 1994

A site reclassification package was received on December 13, 1993 from the Bureau of Hazardous Site Control. The recommendation was made to delist; reclassifying the site from 2a to D1. The justification for delisting the site was based primarily on the results of the EP Toxicity analyses of the foundry sand wastes found at the site; none of the samples exhibited this hazardous characteristic. The foundry sands have not been listed as hazardous waste. Since no evidence of hazardous waste was found, I concur with the proposal to delist the site.

The reclassification package includes a brief PSA report (November 1993), which was prepared in-house. The November report focuses on the results of the 1992 site sampling conducted by our office. Samples were collected of the sediment and surface water from the adjacent Cayuga Creek, and what appeared to be foundry sands along the creek embankment. The samples were analyzed for full TCL volatiles, semivolatiles, PCBs/pesticides, metals and cyanide. The foundry sand samples were also analyzed for EP Toxicity metals.

The foundry sands contained high (> 1000 ppm) concentrations of aluminum, calcium, iron, magnesium, and manganese. None of the samples, however, exceeded the EP Toxicity thresholds for metals. Surface water samples from the creek contained aluminum, iron and zinc at levels in excess of the class C water quality standards. However, the higher concentrations of aluminum and iron were actually found in the water upstream of the disposal site. The concentrations of antimony, cadmium, copper, lead and zinc in the creek sediments were above the NYSDEC "lowest effect" levels (NYSDEC Division of Fish & Wildlife, 1993 excerpt attached), however, the concentrations upstream and downstream of the disposal site were generally comparable. There were no TCL volatiles or semivolatiles detected in the surface water of the creek. The total concentration of TCL semivolatile compounds found in the creek sediments ranged from approximately 3 to 21 ppm, with approximately 12 ppm found in the upstream location.

It had been reported that the waste foundry sands disposed at the site might contain

remaining traces of phenolic binders. The first few samples collected from the site in 1981, found up to 9 ppm of phenolics in the soil and 20 ppb of phenol in water ponded to the east of the site. However, there were no phenols detected in the foundry sands, sediments or surface water sampled in 1992.

In summary, the waste disposed here is neither a listed or characteristic hazardous waste. The site has been covered by an asphalt parking lot, with some foundry sands and demolition debris exposed at the creek embankment. The metals and semivolatile contaminants found in the adjacent creek cannot be conclusively attributed to the site or the foundry sands found there. While I agree that the site should be delisted, I am not sure I see the need for further action by the Division of Solid Waste.

cc: File



Department of Environmental Conservation

Division of Fish and Wildlife
Division of Marine Resources

Technical Guidance for Screening Contaminated Sediments

November 1993



New York State Department of Environmental Conservation
MARIO M. CUOMO, *Governor* THOMAS C. JORLING, *Commissioner*

Table 2. Sediment Criteria for Metals. Two levels of risk have been established for metals contamination in sediments. These are the Lowest Effect Level and the Severe Effect Level. The Lowest Effect Level for each metal is the lowest of either the Persaud et al. (1992) Lowest Effect Level or the Long and Morgan (1990) Effect Range-Low. Similarly, the Severe Effect Level for each metal is the lowest of either the Persaud et al. (1992) Severe Effect Level or the Long and Morgan (1990) Effect Range-Moderate. A sediment is considered contaminated if either criterion is exceeded. If both criteria are exceeded, the sediment is considered to be severely impacted. If only the Lowest Effect Level criterion is exceeded, the impact is considered moderate. The units are $\mu\text{g/g}$, or ppm, except for iron, which is listed as a percentage. An "L" following a criterion means that it was taken from Long and Morgan (1990); a "P" following a criterion indicates that it is from Persaud et al. (1992). Complete tables from both sources can be found in appendix 2.

Metal	Lowest Effect Level $\mu\text{g/g}$ (ppm)	Severe Effect Level $\mu\text{g/g}$ (ppm)
Antimony	2.0 (L)	25.0 (L)
Arsenic	6.0 (P)	33.0 (P)
Cadmium	0.6 (P)	9.0 (L)
Chromium	26.0 (P)	110.0 (P)
Copper	16.0 (P)	110.0 (P)
Iron (%)	2.0% (P)	4.0% (P)
Lead	31.0 (P)	110.0 (L)
Manganese	460.0 (P)	1100.0 (L)
Mercury	0.15 (L)	1.3 (L)
Nickel	16.0 (P)	50.0 (L)
Silver	1.0 (L)	2.2 (L)
Zinc	120.0 (P/L)	270.0 (L)



STATE OF NEW YORK DEPARTMENT OF HEALTH

Center for Environmental Health

2 University Place

Albany, New York 12203-3399

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

Paula Wilson
Executive Deputy Commissioner

OFFICE OF PUBLIC HEALTH

Lloyd F. Novick, M.D., M.P.H.
Director

Diana Jones Ritter
Executive Deputy Director

William N. Stasiuk, P.E., Ph.D.
Center Director

January 20, 1994

Mr. Earl Barcomb, P.E., Director
Bureau of Hazardous Site Control
NYS Department of Environmental Conservation
50 Wolf Road, Room 218
Albany, NY 12233

RE: Registry Site Classification
Decision Stock's Pond Site
Depew, Erie County
Site ID # 915082

Dear Mr. Barcomb:

My staff have reviewed the December 9, 1993 Registry Site Classification Decision for Stock's Pond Site located in Depew, New York. The site is located adjacent to Cayaga Creek on Transit Road in a commercial area of Depew. The community in the vicinity is served by public water. No disposal of hazardous waste at the site has been documented. With this information, I concur with the proposal to reclassify this site from 2a to D-1 with referral to Division of Solid Waste for review in conjunction with the Dresser Industries site (ID #915064).

I recommend the following wording be included as the public health statement for the delisting notice in the Environmental News Bulletin: *"The chemicals found do not represent a health threat due to the low levels and commercial setting where the potential for human exposure to site contamination is minimal."*

If there are any questions, please contact Mr. Allison C. Wakeman at 458-6310.

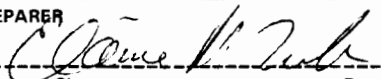
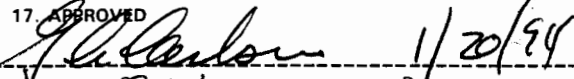
Sincerely,

G. Anders Carlson, Ph.D.
Director
Bureau of Environmental Exposure
Investigation

lmw/94018PRO0257

cc: Dr. Kim
Mr. Wakeman/Mr. Rivara
Mr. Tuers
Dr. Smith-Blackwell/Mr. O'Connor
Mr. Marino
Mr. Koceila - ECHD

REGISTRY SITE CLASSIFICATION DECISION

1. SITE NAME Stock's Pond		2. SITE NUMBER 915082	3. TOWN/CITY/VILLAGE Village of Depew	4. COUNTY Erie
5. REGION 9	6. CLASSIFICATION CURRENT 2a PROPOSED D1 MODIFY			
7. LOCATION OF SITE (Attach U.S.G.S. Topographic Map showing site location)				
a. Quadrangle - Lancaster, NY				
b. Site Latitude 42° 54' 04" Site Longitude 78° 42' 14"				
c. Tax Map Numbers - 104.78-1-3.21 and 104.78-1-3.22				
d. Site Street Address - Broadway and Transit Road, Depew, NY 14043				
8. BRIEFLY DESCRIBE THE SITE (Attach site plan showing disposal/sampling locations)				
<p>The site is located at the southeast corner of Broadway and Transit Road in the Village of Depew, Erie County, New York. The site is located approximately 50 feet north of Cayuga Creek. The area surrounding the site is residential and commercial. The site was originally a quarry, then was later used as an ice pond. From 1967 through 1978 approximately 71,831 cubic yards of material was dumped at this site from nearby Dresser Industries; including lagoon sludge, foundry sand and slag. Later, minor amounts of construction and demolition debris were also dumped at the site.</p> <p>These wastes were sampled and found not to exceed levels defining characteristic hazardous wastes.</p>				
a. Area 2.5 acres b. EPA ID Number NYD980535306				
c. Completed (x)Phase I ()Phase II (x) PSA ()RI/FS ()PA/SI ()Other				
9. Hazardous Waste Disposed (Include EPA Hazardous Waste Numbers)				
Hazardous waste disposal has not been documented.				
10. ANALYTICAL DATA AVAILABLE				
a. ()Air ()Groundwater (x)Surface Water (x)Sediment (x)Soil (x)Waste (x)Leachate (x)EPTox ()TCLP				
b. Contravention of Standards or Guidance Values				
None related to hazardous waste disposal.				
11. JUSTIFICATION FOR CLASSIFICATION DECISION				
<p><i>The wastes disposed at the site, including foundry sands with phenolic binders, are not listed hazardous wastes. Additionally, sampling of the waste materials reveals that they do not meet the criteria for characteristic hazardous wastes. The placement of these lagoon sludges, foundry sands and slags therefore does not constitute hazardous waste disposal. Significant threat has not been fully evaluated, however based on surface water and sediment sampling completed to date, significant threat does not appear to be indicated. This site should be referred to the Division of Solid Waste for their review in conjunction with the Dresser Industries site (#915064).</i></p>				
12. SITE IMPACT DATA				
a. Nearest Surface Water: Distance 50 ft.		Direction south	Classification C	
b. Nearest Groundwater: Depth 2 ft.		Flow Direction south	()Sole Source ()Primary ()Principal	
c. Nearest Water Supply: Distance >3 mi.		Direction	Active (x)Yes ()No	
d. Nearest Building: Distance 0 ft.		Direction on-site	Use restaurant	
e. In State Economic Development Zone		()Y (x)N	i. Controlled Site Access? ()Y (x)N	
f. Crops or livestock on site?		()Y (x)N	j. Exposed hazardous waste? ()Y (x)N	
g. Documented fish or wildlife mortality?		()Y (x)N	k. HRS Score 4.2	
h. Impact on special status fish or wildlife resource?		()Y (x)N	l. For Class 2: Priority Category N/A	
13. SITE OWNER'S NAME		14. ADDRESS		15. TELEPHONE NUMBER
1) Leo Piotrowski 2) 4827 Broadway, Inc.		1) 126 Lexington Green, West Seneca, NY 14224 2) West Seneca, NY 14224		
16. PREPARER		17. APPROVED		
 Signature Date Nov 30, 1993		 Signature Date 11/20/94		
Elaine M. Zuk, Asst. Eng. Geologist, DHWR, BHSC		G.A. Carlson, Director, BEEI		
Name, Title, Organization		Name, Title, Organization		

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 DIVISION OF HAZARDOUS WASTE REMEDIATION
 INACTIVE HAZARDOUS WASTE DISPOSAL REPORT

CLASSIFICATION CODE: *2a D1* REGION: 9 SITE CODE: 915082
 EPA ID: NYD980535306

NAME OF SITE : Stocks Pond
 STREET ADDRESS: South East Corner of Broadway & Transit Road
 TOWN/CITY: Depew COUNTY: Erie ZIP:

SITE TYPE: Open Dump- X Structure- Lagoon- Landfill- Treatment Pond-
 ESTIMATED SIZE: 2.5 Acres

SITE OWNER/OPERATOR INFORMATION:

CURRENT OWNER NAME....: Leo Piotrowski - *Multiple site owners*
 CURRENT OWNER ADDRESS.: 126 Lexington Green, West Seneca, NY
 OWNER(S) DURING USE...: Frank Stock
 OPERATOR DURING USE...: Dresser Industries
 OPERATOR ADDRESS.....: 2 Main St., Depew, NY
 PERIOD ASSOCIATED WITH HAZARDOUS WASTE: From Unknown To 1977

SITE DESCRIPTION:

In the late 1800's this site was used as a quarry. After it had been mined, the quarry filled with water. Ice was harvested from the resulting pond by the Stock Family, between 1910 and 1937. Foundry sand, slag and lagoon sludge (bentonite) generated by Dresser Industries was used to backfill the pond between 1967 and 1977. In 1986 the site was developed, a parking lot and a restaurant were constructed over the disposal area. Soil and surface water samples were collected by the DEC in 1981 for the analyses of inorganics, total recoverable phenolics (TRP) and a halogenated organics scan. Metals detected in the soil above 10 ppm included Chromium (15 ppm), copper (25 ppm), lead (140 ppm), nickel (17 ppm), and zinc (150 ppm). Traces (9 ppm) of TRP were also found in the soil. Leachate flowing from the Cayuga Creek embankment was found to contain chromium (36 ppb), lead (100 ppb), zinc (351 ppb), TRP (20 ppb) and halogenated organics (170 ppb as lindane). In January 1991, the New York State Department of Transportation collected subsurface soil samples along the Transit Road Right of Way, as part of its plans to widen the Transit-Broadway intersection. Several volatile organics were found in trace amounts (0.4 to 55 ppb), polyaromatic hydrocarbons were also found in concentrations as high as 2800 ppb. Lead and chromium were found at elevated concentrations (287 and 288 ppm) respectively, but TCLP metals analysis found that none of the thresholds were exceeded. A January 1991 Preliminary Site Assessment Report found insufficient data to confirm or deny hazardous waste disposal. The report recommended further investigation. In August 1992 the DEC sampled water and sediment from Cayuga Creek adjacent to the site and foundry sands from the embankment. The analysis of the foundry sand sampled did not exceeded the thresholds defining a hazardous waste.

HAZARDOUS WASTE DISPOSED: Confirmed	Suspected-
TYPE	QUANTITY (units)

brick, bentonite clay,	
sand w/phenolic binders	30,107 cu. yd.
sludge sand	34,107 cu. yd.
slag	7,313 cu. yd.

ANALYTICAL DATA AVAILABLE:

Air- Surface Water-X Groundwater- Soil-X Sediment-X

CONTRAVENTION OF STANDARDS:

Groundwater- Drinking Water- Surface Water- Air-

LEGAL ACTION:

TYPE...: None State- Federal-
STATUS: Negotiation in Progress- Order Signed-

REMEDIAL ACTION:

Proposed- Under design- In Progress- Completed-
NATURE OF ACTION: None

GEOTECHNICAL INFORMATION:

SOIL TYPE: Not known
GROUNDWATER DEPTH: Not known

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

The foundry sand did not exhibit the EP Toxicity characteristic of a hazardous waste. Surface water and soil at the site have shown some evidence of phenol contamination. There is no data concerning groundwater quality at or near the site.

ASSESSMENT OF HEALTH PROBLEMS:

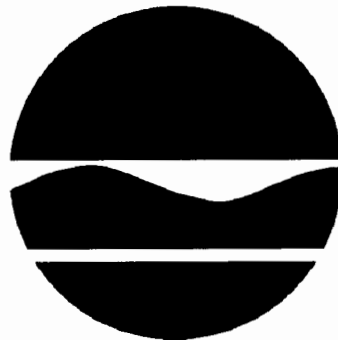
Limited monitoring data exist to define the extent of environmental contamination at this site but the contaminants of concern are phenolics and heavy metals. Low levels of these compounds have been detected in surface water and soil samples collected by DEC in 1981. Residences are located within 200 feet to the east of the fill area and Cayuga Creek is approximately 50 feet to the south. The area is served by a public drinking water supply. Arby's restaurant was constructed on site in 1986 with a paved parking lot to cover the fill area. Current site conditions and the extent of environmental contamination need to be assessed. Potential impacts from runoff to the Cayuga Creek and surficial soils are areas which should be targeted for further investigation. These data are required to determine if there are pathways for human exposure at this site.

ENGINEERING INVESTIGATIONS AT INACTIVE HAZARDOUS WASTE SITES

Preliminary Site Assessment Report

Stock's Pond - Site No. 915082
Depew - Erie County

DATE: November 1993



Prepared for:

New York State
Department of Environmental Conservation

50 Wolf Road, Albany, New York 12233-7010
Thomas C. Jorling, *Commissioner*

Prepared by:

Division of Hazardous Waste Remediation
Bureau of Hazardous Site Control
Eastern Investigation Section

Introduction

The following information is excerpted from E.C. Jordan Co.'s June 1992 Draft Site Work Plan and is also presented in E.C. Jordan's January 1991, "Task 1: Data Records Search and Assessment, Preliminary Site Assessment, Stock's Pond, Final Report." Both were prepared for the New York State Department of Environmental Conservation (NYSDEC).

Site Description

The Stock's Pond site is located at the southeast corner of Broadway and Transit Road in the Village of Depew, Erie County, New York. (Figure 1) The site is approximately 2.5 acres in size and is located fifty feet north of Cayuga Creek. (Figure 2) The area surrounding the site is residential and commercial.

The site was originally used as a quarry in the late 1800's. Ice was cut from the resulting pond beginning around 1910 until 1937. The pond was later filled in with foundry sand, slag, and lagoon sludge hauled from Dresser Industries between 1967 and 1978. Records indicate that from 1967 through 1978, approximately 71,831 cubic yards of material was dumped at the site. This included approximately 34,411 cubic yards of lagoon sludge, 30,107 cubic yards of sand and 7,313 cubic yards of slag. In the late 1970's, there were reports of building contractors illegally dumping broken concrete and clay on site. The Stock family leveled the area and constructed a clay berm to prevent access to and limit illegal dumping at the site.

The Stock family sold the property to Leo Piotrowski in 1985. In 1986 the site was developed; a parking lot and Arby's restaurant were constructed over the disposal area. Evidence of the former pond and berms no longer exists because most of the site is now paved with asphalt.

Previous Investigations

Surface water and soil samples were collected at two locations by the New York State Department of Environmental Conservation Region 9 Office in December of 1981. (Figure 3) Samples were analyzed for heavy metals, phenolics, and halogenated organics. The first sample was obtained from a ponded area adjacent to the site to the east. Analytical results indicated the presence of lead (140 ppm), zinc (150 ppm) and phenolics (0.9 ppm) in the soil and phenol (0.02 ppm) in the ponded water. The second sample, obtained from a leachate breakout in the southwestern portion of the fill area, indicated the presence of lead (0.10 ppm) and zinc (0.351 ppm) in the water sample, and lead (32 ppm), zinc (110 ppm) and phenolics (8.4 ppm) in the soil sample.

A Phase I report was completed by Recra Environmental in February 1986. No additional sampling was conducted during this investigation.

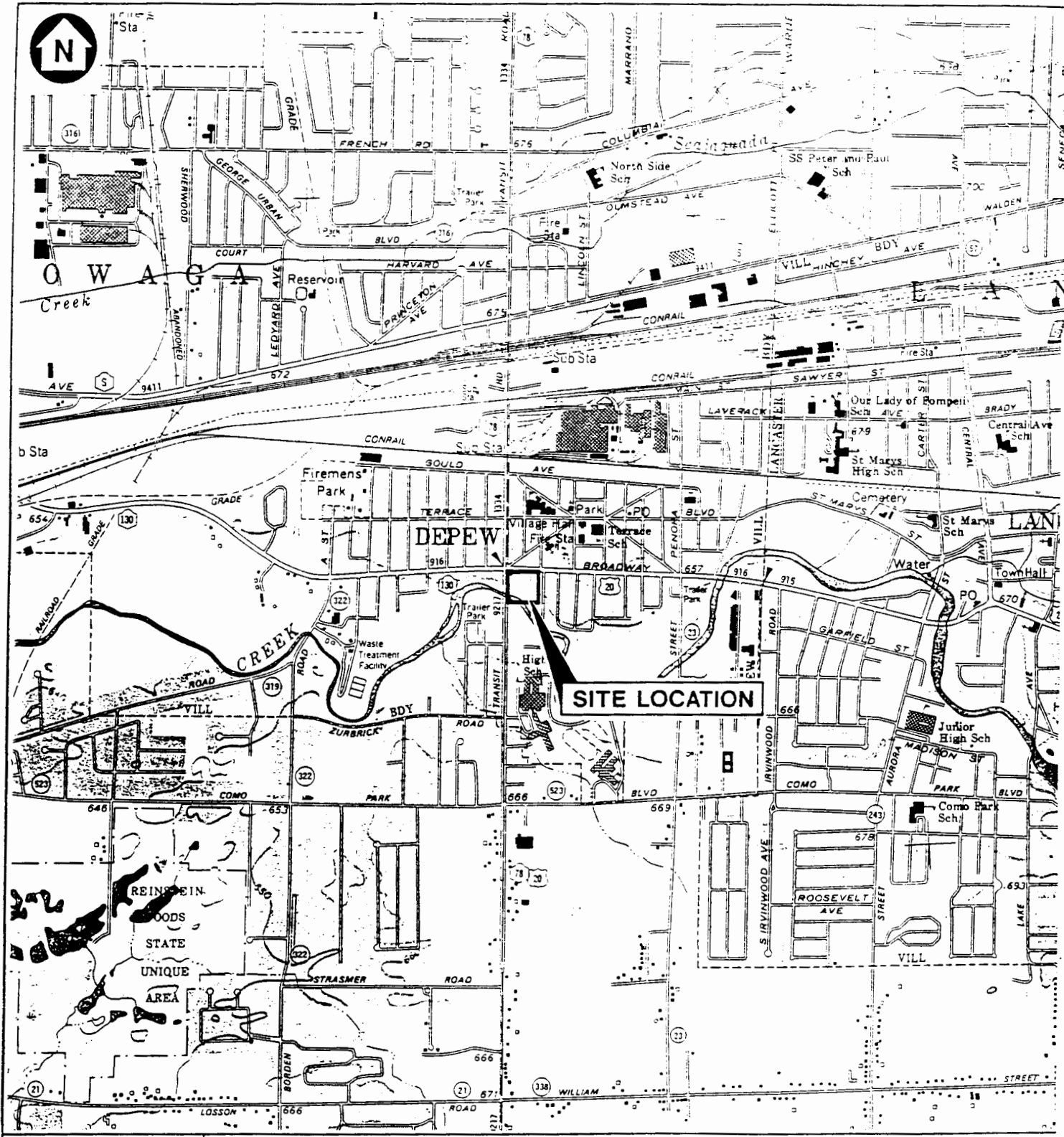
Additional Sampling

On August 6, 1992, Central Office and Regional Office staff sampled water, sediment and foundry sand waste at the site. (Figure 4) The samples were analyzed for full TCL (Target Compound List) volatiles, semivolatiles, PCBs/pesticides, metals and cyanide. Foundry sand samples were also analyzed for EP Toxicity Metals. The results of this sampling effort are shown on Tables 1 through 3.

Conclusions

The wastes disposed at the site, including foundry sands with phenolic binders, are not listed hazardous wastes. Additionally, sampling of the waste materials reveals that they do not meet criteria for characteristic hazardous wastes. The placement of lagoon sludges, foundry sands and slag at this site therefore does not constitute hazardous waste disposal. Significant threat has not been fully evaluated, however based on all of the sampling completed to date, significant threat does not appear to be indicated.

FIGURES



SOURCE: N.Y.S. DEPARTMENT OF TRANSPORTATION, LANCASTER QUADRANGLE DATED 1988, 7.5 MINUTE SERIES

SITE NO: 915082
 LOCATION: VILLAGE OF DEPEU
 ERIE COUNTY

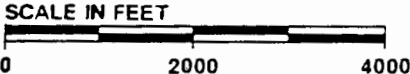
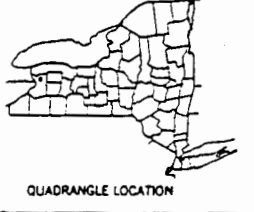


FIGURE 1
SITE LOCATION MAP
STOCK'S POND
PRELIMINARY SITE ASSESSMENT
NEW YORK STATE DEC

ECJORDANCO



BROADWAY

ARBY'S SIGN

KIRBY STORE

ARBY'S

TAYLOR RENTAL

ROAD

TRANSIT

BACKYARDS OF PRIVATE RESIDENCES

GRASSED AREA BORDERING PARKING LOT

FOUNDRY SANDS

EDGE OF WOODED AREA - TOP OF CREEK BANK

END OF CULVERT

BASE OF FILL, BOTTOM OF CREEK BANK

BRIDGE

CAYUGA CREEK

CREEK

LEGEND



EDGE OF PARKING LOT

SITE BOUNDARY



APPROXIMATE LOCATION OF POND



CATCH BASIN



MANHOLE

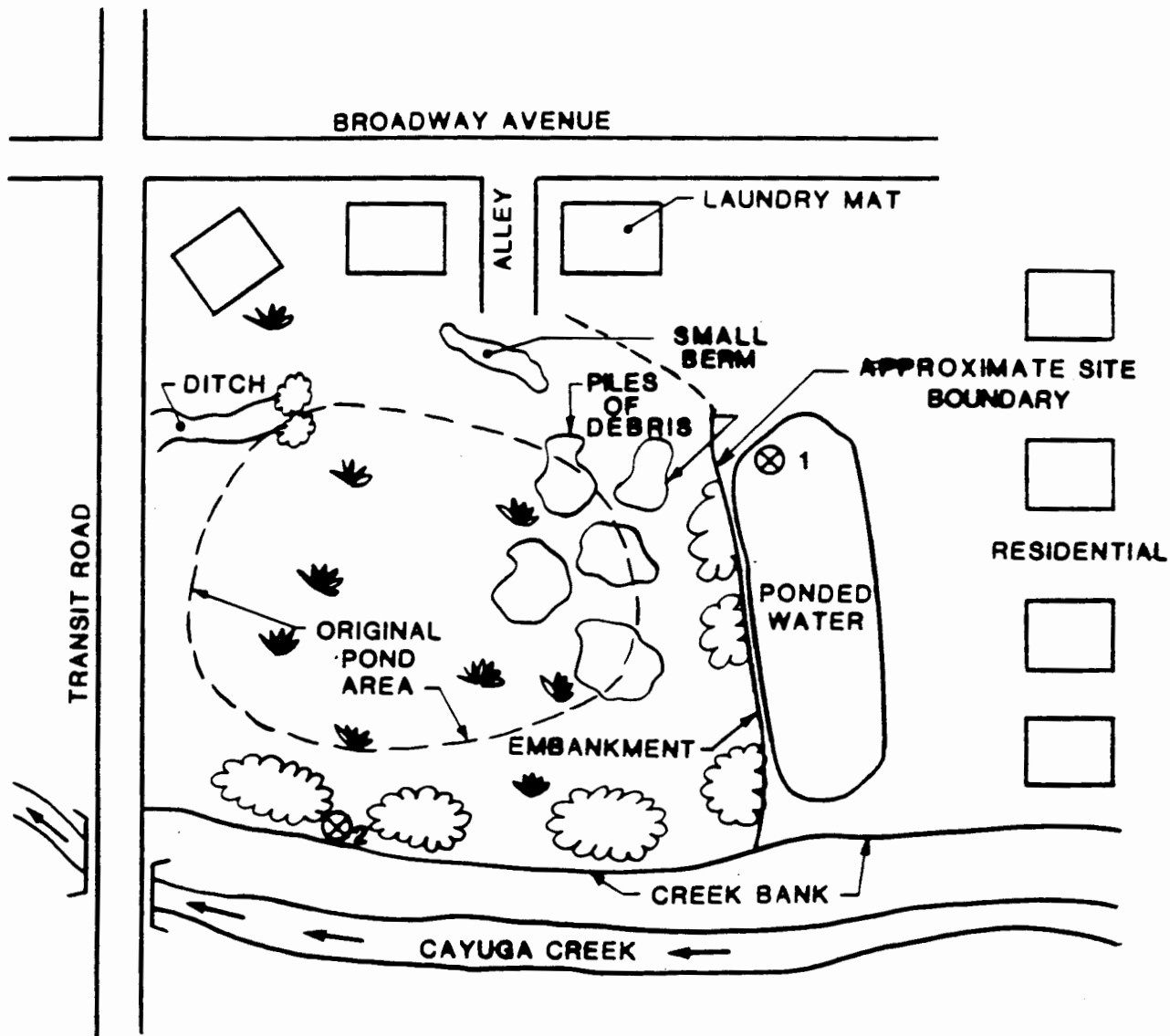
SITE NO.: 915082

LOCATION: VILLAGE OF DEPEW, ERIE, NEW YORK

NOT TO SCALE

FIGURE 2
SITE PLAN
STOCK'S POND
PRELIMINARY SITE ASSESSMENT
NEW YORK STATE DEC

EC.JORDANCO



NOTE:

SITE MODIFIED SINCE INITIAL FIELD INSPECTION ON 12/11/86. SURFACE CONDITIONS PRESENTED ARE NO LONGER VALID DUE TO CONSTRUCTION OF RESTAURANT ON SITE AS OF 5/86.

LEGEND

- ⊗₁ WATER AND SOIL SAMPLE COLLECTED BY N.Y.S.D.E.C. 12/9/81
- ⊗₂ WATER AND SOIL SAMPLE COLLECTED FROM LEACHATE BREAKOUT BY N.Y.S.D.E.C. 12/9/81



Scale: NTS		
	By	Date
Dwn.	MJS	12/85
Ckd.		
Ap'vd.		
Rev.		

**STOCK'S POND
DEPEW, NEW YORK
N.Y.S. SUPERFUND
PHASE I**

SITE MAP

Project No. 5C280408

A

FIGURE 3



BROADWAY

ARBY'S SIGN

KIRBY STORE

ARBY'S

TAYLOR RENTAL

ROAD

TRANSIT

BACKYARDS OF PRIVATE RESIDENCES

GRASSED AREA BORDERING PARKING LOT

FOUNDRY SANDS

EDGE OF WOODED AREA - TOP OF CREEK BANK

END OF CULVERT

WT-3

SW/SD-3

WT-2

WT-1

BASE OF FILL, BOTTOM OF CREEK BANK

BRIDGE

CAYUGA CREEK

CREEK

NOT TO SCALE

SW/SD-1

LEGEND



EDGE OF PARKING LOT

SITE BOUNDARY



APPROXIMATE LOCATION OF POND



CATCH BASIN



MANHOLE



PROPOSED SURFACE WATER/ SEDIMENT SAMPLE - TASK 3



PROPOSED WASTE SAMPLE - TASK 3

SITE NO. 915082

LOCATION: VILLAGE OF DEPEW, ERIE, NEW YORK

FIGURE 4
EXPLORATION LOCATIONS
STOCK'S POND
PRELIMINARY SITE ASSESSMENT
NEW YORK STATE DEC

EC.JORDANCO

TABLES

TABLE 1

SURFACE WATER SAMPLES
Date Sampled - August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	SW-1 A563-1A	SW-2 A563-2A	SW-3 A563-3A	STANDARD OR GUIDANCE VALUE
VOLATILES (ug/l)				
TCL Volatiles	ND	ND	ND	N/A
SEMIVOLATILES (ug/l)				
TCL Semivolatiles	ND	ND	ND	N/A
TIC's (Number found)	8	8	9	N/A

TABLE 1 (CONTINUED)

SURFACE WATER SAMPLES
Date Sampled - August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	SW-1 A563-1A	SW-2 A563-2A	SW-3 A563-3A	STANDARD OR GUIDANCE VALUE
METALS (ug/l)				
Aluminum	1120	316	159 B	100
Calcium	46600	46000	46000	N/A
Chromium	ND	10.0	ND	208*
Copper	ND	18.0 B	18.0 B	16.2*
Iron	1400	840	459	300
Lead	4.0	ND	5.0	5.2*
Magnesium	7110	7000	6890	N/A
Manganese	75.3	73.0	45.3	N/A
Potassium	744 B	814 B	789 B	N/A
Sodium	13200	15000	14600	N/A
Zinc	27.9	14.9	32.6	30

* Based on a calculated hardness of 145 ppm

TABLE 2

SEDIMENT SAMPLES - Date Sampled August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	SD-1/A563-1B	SD-2/A563-2B	SD-3/A563-3B
VOLATILES (ug/kg)			
Acetone	130	ND	20
2-Butanone	35	ND	ND
Toluene	21	ND	ND
SEMIVOLATILES (ug/kg)			
Naphthalene	20 J	15 J	24 J
2-Methylnaphthalene	ND	ND	31 J
Acenaphthylene	ND	ND	25 J
Acenaphthene	71 J	26 J	150 J
Dibenzofuran	29 J	ND	88 J
Diethylphthalate	34 BJ	25 BJ	27 BJ
Fluorene	110	38 J	200 J
Phenanthrene	880	260 J	1700
Anthracene	200 J	46 J	380 J
Carbazole	110 J	38 J	250 J
Di-n-Butylphthalate	ND	72 J	120 J
Fluoranthene	1500	430 J	2400
Pyrene	1500	380 J	4100 E
Butylbenzylphthalate	51 J	37 J	87 J
Benzo (a) Anthracene	640	190 J	1300
Chrysene	680	220 J	1500
Bis (2-Ethylhexyl) Phthalate	3400 B	180 BJ	2100 B
Benzo (b) Fluoranthene	910	280 J	2400
Benzo (k) Fluoranthene	540	150 J	1100
Benzo (a) Pyrene	500 J	170 J	1500
Indeno (1,2,3-cd) Pyrene	360 J	110 J	800
Dibenz (a,h) Anthracene	ND	ND	140 J
Benzo (g,h,i) Perylene	250 J	90 J	540
TIC's (No. Found)	19	20	20

TABLE 2 (CONTINUED)

SEDIMENT SAMPLES

Date Sampled - August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	SD-1 A563-1B	SD-2 A563-2B	SD-3 A563-3B
PESTICIDES/PCBs (ug/kg)			
Dieldrin	13 P	ND	2.7 JP
4,4'-DDE	4.2 J	1.8 J	ND
Endosulfan II	0.63 JP	0.56 JP	ND
4,4'-DDD	4.4 JP	3.9 JP	ND
4,4'-DDT	3.8 JP	ND	ND
Endrin aldehyde	ND	1.4 JP	ND
alpha-Chlordane	2.1 JP	2.5 J	1.1 JP
gamma-Chlordane	1.2 JP	1.4 JP	ND

TABLE 2 (CONTINUED)

SEDIMENT SAMPLES

Date Sampled - August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	SD-1 A563-1B	SD-2 A563-2B	SD-3 A563-3B
METALS (mg/kg)			
Aluminum	3930	3910	3450
Antimony	ND	ND	22.5
Arsenic	2.6 B	2.4	3.1
Barium	34.6 B	31.2 B	25.9 B
Cadmium	0.76 B	0.53 B	0.56 B
Calcium	20700	11300	85600
Chromium	10.4	14.5	11.7
Copper	25.0	24.6	19.4
Iron	11200	11000	10400
Lead	56.0	75.0	36.7
Magnesium	4450	3820	7540
Manganese	198	255	287
Nickel	11.8 B	11.4	12.9
Potassium	486 B	676 B	588 B
Sodium	451 B	348 B	432 B
Vanadium	7.7 B	10.3 B	5.9 B
Zinc	144	59.8	68.4

TABLE 3

FOUNDRY SAND WASTE SAMPLES - Date Sampled August 6, 1992
STOCK'S POND SITE NO. 915082

PARAMETER	WT-1 A563-04	WT-2 A563-05	WT-3 A563-06
VOLATILES (ug/kg)			
TCL Volatiles	ND	ND	ND
SEMIVOLATILES (ug/kg)			
Naphthalene	48 J	220 J	26 J
2-Methylnaphthalene	58 J	170 J	56 J
Acenaphthylene	14 J	78 J	ND
Acenaphthene	35 J	450	8 J
Diethylphthalate	22 BJ	18 BJ	18 BJ
Fluorene	ND	490	ND
Phenanthrene	470	3000 E	180 J
Anthracene	100 J	910	24 J
Carbazole	54 J	650	14 J
Di-n-Butylphthalate	48 J	ND	ND
Fluoranthene	690	3400 E	260 J
Pyrene	710	6400 E	250 J
Burylbenzylphthalate	ND	ND	13 J
Benzo (a) Anthracene	390	2800	140 J
Chrysene	410	2200	180 J
Bis (2-Ethylhexyl) Phthalate	790 B	1700 B	310 J
Benzo (b) Fluoranthene	530	3900 E	230 J
Benzo (k) Fluoranthene	250 J	1300	90 J
Benzo (a) Pyrene	310 J	2100	130 J
Indeno (1,2,3-cd) Pyrene	150 J	1100	54 J
Dibenz (a,h) Anthracene	31 J	240 J	ND
Benzo (g,h,i) Perylene	80 J	640	39 J
TIC's (No. Found)	20	20	20

TABLE 3 (CONTINUED)

FOUNDRY SAND WASTE SAMPLES

Date Sampled - August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	WT-1 A563-04	WT-2 A563-05	WT-3 A563-06
PESTICIDES/PCBs (ug/kg)			
Endosulfan I	ND	1.7 JP	ND
4,4'-DDE	2.9 JP	ND	0.92 J
Endrin	ND	ND	2.3 JP
Endosulfan II	ND	ND	0.76 JP
4,4'-DDT	9.3 P	ND	3.3 J
Endrin aldehyde	7.8 P	ND	7.7 P
alpha-Chlordane	0.49 J	1.4 JP	0.48 JP

TABLE 3 (CONTINUED)

FOUNDRY SAND WASTE SAMPLES

Date Sampled - August 6, 1992

STOCK'S POND SITE NO. 915082

PARAMETER	WT-1 A563-04	WT-2 A563-05	WT-3 A563-06
METALS (mg/kg)			
Aluminum	3870	3000	3810
Arsenic	3.6	5.1	2.3
Barium	32.7 B	55.9	24.1 B
Cadmium	1.2 B	0.29 B	0.32 B
Calcium	12500	68200	17800
Chromium	143	1080	32.0
Copper	42.4	71.2	25.8
Iron	15700	50100	11000
Lead	100	138	73.6
Magnesium	2800	9080	2610
Manganese	1930	20100	886
Nickel	28.8	250	15.3
Potassium	908 B	410	766
Silver	0.09 B	0.13 B	ND
Sodium	364 B	285 B	370 B
Vanadium	17.5	151	14.4
Zinc	111	56.3	39.6
EP TOXIC METALS (mg/l)			
Barium (100 mg/l)	0.421	0.168 B	0.110 B
Chromium (5 mg/l)	0.044	ND	0.010
Lead (5 mg/l)	0.007	0.017	0.006

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233 - 7010

Tony / D. Farrar



Langdon Marsh
Commissioner

DEC 27 1994

This letter was sent to the people on the attached list.

Dear :

The New York State Department of Environmental Conservation (DEC) maintains a Registry of sites where hazardous waste disposal has occurred. Property located at the South East Corner of Broadway and Transit Road in the Village of Depew and County of Erie and designated as Tax Map Numbers 104.78-1-3.21 was listed in the Registry because there was some concern that hazardous waste was deposited there. The name and site I.D. number of this property is listed in the Registry as Stock's Pond, Site #915082. The DEC is proposing to delist this site from the Registry. The reason for proposing the removal of this site from the Registry is as follows:

- The wastes disposed at the site, including foundry sands with phenolic binders, are not hazardous wastes. Additionally, sampling of the waste materials reveals that they do not meet the criteria for hazardous wastes. The placement of these lagoon sludges, foundry sands and slags, therefore, does not constitute hazardous waste disposal. Significant threat has not been fully evaluated, however, based on surface water and sediment sampling completed to date, significant threat does not appear to be indicated. The chemicals found do not represent a health threat due to the low levels and commercial setting where the potential for human exposure to site contamination is minimal.

Public comments about delisting this site are being received before the decision to remove this site from the Registry is finalized. If you would like to provide us with your written comments, please send them to: Elaine Zuk, NYSDEC, Room 220, 50 Wolf Road, Albany, New York 12233-7010. The public comment period will end February 1, 1995. A summary of any comments we receive will be made available at our Region 9 Office, 270 Michigan Avenue, Buffalo, New York 14203-1299.

If we do not receive any new or additional information during this public comment period that changes our proposal, we will delist the identified site on or after March 1, 1995.

We are sending this letter to you and others who own property near the site listed above as well as the county and town clerks. We are notifying you about these activities at this site because we believe it is important to keep you informed.

If you have questions or need additional information, the Department of Environmental Conservation maintains a hazardous waste site toll-free number: **1(800)342-9296**. The Department of Health maintains a Health Liaison Program (HeLP) toll-free number: **1(800)458-1158 Ext. 402**.

If you currently are renting or leasing your property to someone else, please share this information with them. If you no longer own the property to which this letter was sent, please provide this information to the new owner and provide this office with the name and address of the new owner so that we can correct our records.

Sincerely,



Robert L. Marino
Chief, Site Control Section
Bureau of Hazardous Site Control
Division of Hazardous Waste Remediation

bcc: E. Zuk
R. Marino
R. Dana
A. Carlson
M. Doster
T. Reamon
E. Belmore
L. Ennist
D. Farrar

DF/srh