
The electronic version of this file/report should have the file name:

Type of document . Site Number . Year-Month . File *Year-Year* or Report name . pdf

_____ . _____ . File _____ . pdf

example: *letter . Year-Month . File Year-Year . pdf*

Report HW, 915122 . 1987-08 -17 . RESULTS-OF-HANDLING-SCORE-OF-INV . pdf

example: *report . Site Number . Year-Month . Report Name . pdf*

Project Site numbers will be proceeded by the following:

Municipal Brownfields - B

Superfund - HW

Spills - SP

ERP - E

VCP - V

BCP - C



SECURITY CONSULTANTS

REPORT FOR: Saperston & Day, P.C., Mr. Peter J. Burke

Attorney at Law

NAME New Buffalo Industrial Park FILE NO. 4-052

ADDRESS Buffalo, New York DATE August 17, 1987

RESULTS OF HANDLING/SCOPE OF INVESTIGATION

Mr. Peter J. Burke, Attorney, Saperston and Day, Buffalo, New York retained SINCO, Inc. to conduct an investigation to determine the origin of a purple/blue sludge found at the site of the New Buffalo Industrial Park (NBIP). This material had been analyzed by the Buffalo Sewer Authority in May, 1987, and from this analysis it was strongly suggested that the material contained FE4 [FE(CN6)3, Ferric Ferrocyanide formerly called Prussian Blue.

Our investigation revealed the NBIP site had been used as a dumping site for many, many years. Neighbors and other individuals described dumping procedures during the 1950's, 1960's, and 1970's. Interviews of every logical source were conducted and there was no direct information developed that would show without any doubt how the purple/blue sludge was deposited on the NBIP site. Many people would admit to dumping construction material for fill, but no purple/blue sludge.

Three of the strongest possibilities developed were:

- National Analine/Buffalo Color Corporation residue from their processes in producing dyes. Efforts were unsuccessful in establishing that purple/blue sludge was hauled from National Analine/Buffalo Color, or any other location handling sludge from those companies, to the NBIP site. Buffalo Color provided an analysis of the sludge generated at their plant as far back as 1939 called methyl violet copper which has a very high copper content not present in the NBIP sample according to Buffalo Color chemist.

REPORT FOR: Saperston & Day, P.C., Mr. Peter J. Burke

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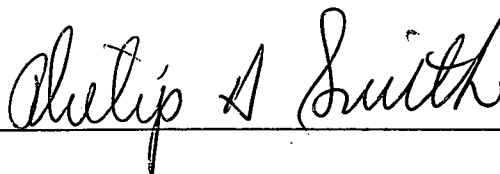
RESULTS OF HANDLING/SCOPE OF INVESTIGATION

- Information was developed that the NBIP site had been known as the "Chevy Dump" due to waste being dumped there by Chevrolet trucks. Inquiries at the Saginaw and River Road plants of Chevrolet revealed no information of a purple/blue sludge being generated or disposed of at the NBIP site. Records are not available to research back to the 1950's or 1960's.
- According to the Merck Index and other sources, Prussian Blue is or was used extensively in the processing of synthetic natural gas. Donner Hanna Coke Company produced and sold large quantities of synthetic gas to the old Iroquois Gas Company. Iroquois Gas had a processing plant on Baraga Street, Buffalo which is close to the NBIP site. This processing plant used wood/iron chips in large quantities to process out the "rotten egg odor". A by-product of this processing could be known as Ferro-Ferric and would contain cyanide. National Fuel Gas researched records of Iroquois gas, the predecessor corporation of National Fuel Gas. No records were required or kept prior to 1976, but it was agreed there is a possibility the by-products of synthetic gas manufactured by Iroquois Gas could have reached the NBIP site.

It appears at this point, the best possibility of the origin of the purple/blue sludge would be the by-product of synthetic gas production.

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REPORT PREPARED BY:



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GOVERNMENT OFFICIALS AND CONSULTANTS

James Groebe, Investigator
Bureau of Environmental Conservation

James L. Kruska, Legal Investigator
Industrial Waste Section, Buffalo Sewer Authority

Cameron O'Connor
New York State Health Department

Justal Wallia, Chemist
Department of Environmental Conservation

Dr. Raymond Kampff
Goldberg-Zoino Associates of New York

NATIONAL ANALINE/BUFFALO COLOR CORPORATION

David E. Sauer, Manager
Environmental Affairs, Buffalo Color Corporation

Mrs. Bernard Arwitz, widow of former operator of
Bern Metals

Gerald Arwitz, brother of former operator of
Bern Metals.

Royal Lynch, former employee
Bern Metals

James E. Riley, former employee
Bern Metals

James Wagner, former employee
Bern Metals

Chuck Tobin, former employee
National Aniline Corporation

FORMER OWNERS OF PROPERTY AND BUSINESSES AT NBIP SITE
AND NEIGHBORS OF NBIP SITE

George Panepinto, Panepinto Equipment
former owner of Standard Paving at NBIP site

Michael Marasco
former owner of Standard Paving at NBIP site

Abe Revzin
former owner of A & R Waste at NBIP site

Meyer Hyman, Max Hyman
owners of Hyman Drum and Barrel Company
878 Dingens Street, Buffalo, New York

Chester Maliszewski
former operator
Mali Fuel at NBIP site

Al Kolodziej
resident, 69 Dingens Street, Buffalo, New York

Gerald Kolodziej
former resident, 69 Dingens Street, Buffalo, N.Y.

Statement regarding Stanley Cyprus

William Kish
resident, 135 Dingens Street, Buffalo, New York

John Ranne
son of former operator of Ranne Trucking

CHEVROLET PLANTS INFORMATION

Austin Saccia
Saginaw Division, GMC

Thomas Shanks, Industrial Hygienist
Chevrolet River Road Plant

William Prenevau, Supervisor of Safety
Chevrolet River Road Plant

IROQUOIS GAS COMPANY

Edwin J. Hartman
Donner Hanna Coke Company

James Ferrel, Chief Chemist
Donner Hanna Coke Company

Ralph D. Young, Trucking Contractor

Curtis Lee, Attorney
National Fuel Gas

SOURCE MATERIAL

- Buffalo Sewer Authority letter, dated May 12, 1987, containing chemical analysis of purple solid found at NBIP
- Map of area of NBIP
- Department of Planning and Environment memo, dated March 8, 1985, Involvement Chronological Summary
- Department of Environmental and Planning Division of Environmental Control memo, dated October 1, 1985 DEC Inactive Hazardous Waste Site Registry Update - site 915122, New Buffalo Avenue and South Ogden Street
- Buffalo Police Department report of investigation by Michael T. Donohue, Police Officer, Robbery Squad, dated April 27, 1987
- Buffalo Urban Renewal Agency (BURA) letter, dated April 16, 1987 to John Spagnoli, DEC regarding connection between NBIP and 22 Bender Street, Buffalo, New York
- BURA letter, dated April 13, 1967, setting forth a partial list of Potentially Liable Parties for purple sludge at NBIP

GOVERNMENT OFFICIALS AND CONSULTANTS

JAMES GROEBE, Investigator for the Bureau of Environmental Conservation Investigation, 600 Delaware Avenue, Buffalo, New York, 847-4663, was interviewed and furnished the following information:

It is noted that while Mr. James Groebe was being interviewed the following people also attended the meeting:

Mr. John Tygert, Department of Environmental Conservation (DEC)

Mr. Lawrence Clare, (DEC)

Mr. Cameron O'Connor, Department of Health, New York State

Mr. Groebe stated that he did the criminal investigation regarding N.B.I.P. and feels that there is no criminal charges at this time. His investigation is at a halt as the matter appears to be civil. This is also due to the fact that at the time of dumping at N.B.I.P. it was not illegal.

Mr. Groebe also stated that he does not feel that Bern Metal did any dumping at N.B.I.P. and that there is not any connection. He stated that Mr. Arwitz, the owner of Bern Metal was a shrewd business man and would not buy anything that he could not use or resell. He also said that two employees from National Analine being Dave Sauer and Jim Gouch (phonetic) had advised that they did have barrels marked "cyanide". He said the barrels were triple rinsed and subsequently painted over and were used by Bern Metal and Buffalo Color followed the same procedure. He suggested that we speak to Dave Sauer from Buffalo Color.

JOHN TYGERT, (DEC), stated that the City of Buffalo regarding N.B.I.P. must exhaust all investigative possibilities in reference to the blue material: as to where it came from, when, and responsible parties, before Buffalo is eligible for 75% assistance from New York State in the cleanup of the material. He also stated that they, (D.E.C.), are looking into similar sites at 100 High View, West Seneca, A.B.C. Paving, which is across the creek from 100 High View, for chemical analysis and similarities.

CAMERON O'CONNOR, New York State Department of Health, stated that there was a company known as People's Gas somewhere in South Buffalo, the location unknown, which may have manufactured gas. He also mentioned Iroquois Gas and that they may have used Prussian Blue to strip sulphur from the gas. However, he does not state that Iroquois Gas, now National Fuel, had a fuel producing plant at N.B.I.P. He also feels that the blue sludge at 100 High View Terrace and at Bern Metal is dissimilar to the N.B.I.P. material.

It is also noted that a 1958 aerial photo was produced at the meeting. The photo is that of the N.B.I.P. There is a location marked #7 on the map showing a coke/coal fuel plant on the N.B.I.P. site. No further information as to owners, or what they did produce.

DATE June 1, 1987 **INTERVIEWER** Fred J. Lavelle

PLACE 600 Delaware Avenue, Buffalo, New York

Mr. Cameron O'Connor suggested we check old records regarding this location to determine if they manufactured natural gas.

Mr. Cameron O'Connor also mentioned A & R Waste at N.B.I.P. that they also have a blue sludge on location. He stated that this is a different material and should not be confused with the cyanide material. A & R Waste is primarily starch type material, non hazardous and from National Envelope.

DOCUMENTS SUBMITTED:

All copies of James Groebe's investigation of this matter.

A chemical analysis of the material from 100 High View Terrace, West Seneca, by Mr. Lawrence Clare, D.E.C.

DATE June 1, 1987 **INTERVIEWER** Fred J. Lavelle

PLACE 600 Delaware Avenue, Buffalo, New York



New York State Department of Environmental Conservation

MEMORANDUM

TO: Mr. Peter Buechi
FROM: Mr. Jim Groebe
SUBJECT: BERN METAL/NEW BUFFALO INDUSTRIAL PARK

DATE: May 15, 1987

In the course of my investigation of the purple sludge found at N.B.I.P. and any possible involvement by Bern Metal, I have come up with the following information.

Bern Metal, formerly located at 22 Bender Street, Buffalo and 328 Howard Street, Buffalo, has been out of business since 1981 and the former owner, George Bernard Aruitz, is deceased. His widow (Bette Aruitz, 51 Chapelwoods West, Williamsville, N.Y.) did not have anything to do with the business. Neither of his two children ever worked at the business and both live out of state.

Bern Metal handled a purple sludge-like material at their facility for at least twenty years. This purple material was picked up from Allied Chemical/Buffalo Color and sold to various reclaimers in the U.S. and abroad.

According to county records (see attached statement from Anthony Voell), this sludge was tested several times and found to be copper sulfate sludge in each instance. There was no indication of cyanide being detected at Bern in any of their files.

I managed to locate three former Bern employees and have the name and address of a fourth who I have not been able to find. The employees are James F. Riley who was a truck driver for 1½ years, Lonnie F. Lindner, a purchasing agent for 6 years and Royal Lynch, a yard man for 18 years. As you can see by their attached statements, they all remember the purple sludge but insist it was copper sulfate, not cyanide, and furthermore, none of them confirm any dumping at N.B.I.P. of any kind.

Part of the confusion may arise from the fact that drums used for the copper sulfate sludge shipped to Bern from Buffalo Color formerly contained sodium cyanide.

According to Otto Tertinek's 1981 investigation (see attached statement), officials at Buffalo Color indicated that all cyanide drums were triple rinsed and the labels painted over prior to being filled with copper sulfate sludge and shipped to Bern Metal.

Mr. Peter Buechi
May 15, 1987
Page 2

I have been working in conjunction with Buffalo Police Detective Michael Donahue and am enclosing copies of the statements he has obtained so far. He has been interviewing former tenants of N.B.I.P. but as you can see by the attached statements, there is no conclusive evidence of who is responsible for the cyanide contamination at that site.

At this point, Detective Donahue and myself are continuing our investigation and if anything significant is uncovered, I will advise you immediately.

JG:cf
Attachments

cc: Mr. J. Spagnoli
Capt. G. Bobseine

May 8, 1987

INTERVIEW WITH TONY VOELL

On 5/7/87, I spoke with Anthony Voell of Erie County Department of Environment and Planning relative to the County's involvement with Bern Metal. After checking the County's files, Mr. Voell stated County personnel had been out to Bern Metal on several occasions between 1978 and 1983 relative to complaints of materials leaking out of Bern property which turned the ground blue. On one complaint in 1981, the material was leaking from a railroad car behind the business and turning the ground blue. According to County files, all samples taken confirmed that the material was copper sulfate. There was no indication in the files of cyanide being detected but there were quantities of chromium, iron and zinc found in the copper sulfate sludge.

INTERVIEW WITH INVESTIGATOR TERTINEK

On 5/7/87, I spoke with Investigator Otto Tertinek, BECI, relative to his investigation of Bern Metal in May of 1981. Specifically, I asked about his notes showing drums labeled Sodium Cyanide on Bern property. According to Otto Tertinek, on 5/20/81 he interviewed Dave Sauer and James Gouck, Environmental Service Managers of Buffalo Color Corp., 340 Elk St., 827-4527, who stated that Sodium Cyanide drums used by them are triple rinsed as required by law and then filled with copper sulfate sludge which is picked up by Bern. The sodium cyanide labels are painted over before the drums are filled and picked up by Bern. According to them, Bern picked up approximately 2000 drums from Buffalo Color in 1981. These drums contained Sodium Cyanide originally but when they went to Bern, they contained only copper sulfate sludge.

Contacted Dave Seaver, Bflo Cdr, he
states that Seaver no longer removes
their copper sulfate.
To the best of his knowledge, Seaver
is now filling for tank supply.

2/10 - R. W. Womack informed me that
the samples have been disposed
of w/o analysis.

1-17-83

Called: Sauer - CTD +
Chaffer haul all the
Copper sulfate sludge.
About 2 drums per month.
Also ship 1/2 state - have
1000 drums on hand +
Midanda Copper, took
them away (from out west)

SUPPORTING DEPOSITION FOR SIMPLIFIED INFORMATION

City _____ Court, City _____ of Buffalo _____
County of Erie _____, New York.

THE PEOPLE OF THE STATE OF NEW YORK

vs.

James F. Riley

D.O.B. 04/22/28

ss.:

SUPPORTING DEPOSITION
FOR
SIMPLIFIED INFORMATION

I, C. Tortinek, a Police officer of the State of New York,
to wit, a Conservation Officer of the New York State Department of Environmental Conservation attached to Region 9
stationed at Buffalo, New York, as and for a Supporting Deposition in connection with a Simplified
Information filed with this Court against the above named Defendant, do hereby make the following allegations of fact:

A. OF MY OWN KNOWLEDGE

Defendant did, on July 23, 1981 at about 1:00 o'clock in the afternoon, commit the
offense of failure to display the permit number in a prominent position on each side
and the rear of the vehicle used for activities covered by Part 364, Title 6, New
York codes, Rules and Regulations; to wit: defendant did engage in the transportation
of 72 drums of "copper sludge" from Buffalo Color Corporation to the lands of Bern
Metal, Bender Street, Buffalo, NY without displaying the permit number in a prominent
position on each side of the vehicle and the rear of the vehicle while engaged in
activities covered by Part 364 of Title 6 of the New York Codes, Rules and Regulations;
all contrary to the provisions of statute in such case made and provided for.

B. ON INFORMATION AND BELIEF

NOTICE

(Penal Law, Section 210.45)

IT IS A CRIME, PUNISHABLE AS A CLASS A MISDEMEANOR UNDER THE LAWS OF THE STATE OF NEW YORK, FOR A
PERSON, IN AND BY A WRITTEN INSTRUMENT, TO KNOWINGLY MAKE A FALSE STATEMENT, OR TO MAKE A STATE-
MENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE.

Subscribed and sworn to before me

this _____ day of _____, 19 _____

(Title) _____

OR

Affirmed under penalty of perjury

this 23 day of July, 19 81

Deponent

Deponent

SUPPORTING DEPOSITION FOR SIMPLIFIED INFORMATION

City _____ Court, _____ City _____ of _____ Buffalo _____
County of _____ Erie _____, New York.

THE PEOPLE OF THE STATE OF NEW YORK

vs.

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ss.:

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vehicle while engaged in activities covered by Part 364, Title 6, New York Codes,
Rules and Regulations; to wit: defendant did engage in the transportation of 72
drums of "copper sludge" from Buffalo Color Corporation to the lands of Bern Metal,
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OR

Affirmed under penalty of perjury

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O. Tertinek
Deponent

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF LAW ENFORCEMENT

SUPPORTING DEPOSITION FOR SIMPLIFIED INFORMATION

City _____ Court, City _____ of Buffalo _____

County of Erie _____, New York.

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D.C.B. 04/22/28

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81-45

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City _____ Court, _____ City _____ of _____ Buffalo
County of _____ Erie _____, New York.

THE PEOPLE OF THE STATE OF NEW YORK

vs.

James F. Riley

D.O.B. 04/22/23

ss.:

SUPPORTING DEPOSITION

FOR

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to wit, a Conservation Officer of the New York State Department of Environmental Conservation attached to Region 9, stationed at Buffalo, New York, as and for a Supporting Deposition in connection with a Simplified Information filed with this Court against the above named Defendant, do hereby make the following allegations of fact:

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this _____ day of _____, 19 _____

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Affirmed under penalty of perjury

this 23 day of July, 19 81

Deponent

- BERN

Niagara Landfill Inc

4825 River Rd, Tona 875-0455

- Bern Metal

- batteries on site for this year
as of 6-9-81 taken to
Niagara Landfill

- Bern Metal 854-8201

- Don contacted 6-12-81
and informed them to
send a letter to DEC
Attn: B. Wozniak to
amend their permit
GA 130

Aug. 27

7/23/81 - 1:00 PM

72 Drums Copper Sludge from
Bflo Color Corp.

to Bern Metal Inc
328 Howard St
Bflo NY

Bern Metal Co Inc
328 Howard St
Bflo 14206

Trailer
Tenn. 401-397
Ryder rental

validated 2/17/81
exp. 1/31/82

YR. MAKE

type: TRC 1969 White Tractor

Reg. # 9881TT

Tractor Brown in color
VIN W36086

James F. Riley
37 Roanoke Pky.
Bflo 14210

824-0704

RO9431 43115 232967-28
DOB 4/22/28

ISS. Apr 11/79

INVESTIGATIVE REPORT

COMPLAINT NUMBER: 81-45

DATE: 7/23/81

INVESTIGATOR: OT

NATURE OF COMPLAINT: TRUCK UNLOADING @ BERN METAL

DEFENDANT: JAMES RILEY EMP. B1 BERN METAL

SYNOPSIS:

Received a complaint from R. Wozniak that a truck was at Bern Metal unloading drums. Upon arriving at the scene (Bender St.), a tractor w/ flat bed trailer was in the rear of the salvage yard unloading drums. The driver stated the drums were full and that he picked them up @ B'falo Color Corp. The driver could not produce a valid permit to haul "copper sludge" nor were there any numbers displayed on the vehicle in accordance w/ 364 Title 6.

The invoice ~~from~~ shown to the investigator showed "72 Drums Copper Sludge" from "Buffalo Color Corp" to "Bern Metal Inc, 328 Howard St, Buffalo, N.Y." The invoice was dated "7/23/81".

The operator of the vehicle received 2 summonses, #68573, 68574, for hauling w/o a permit and fail display permit numbers.

INVESTIGATIVE REPORT

COMPLAINT NUMBER: 81-45-

DATE: 05-22-81

INVESTIGATOR: V. TERTINEK

NATURE OF COMPLAINT: BERN METAL DUMPING BLUE-PURPLE
LIQUID ON GROUND

DEFENDANT: BERN METAL 324 HOWARD ST BUFFALO

SYNOPSIS:

05-20-81 WENT TO BUFFALO COLOR CORP, 340 ELK, 827-4527 AND SPOKE WITH DAVE SAUER AND JAMES A. GOUCK, MANAGER ENVIRONMENTAL SERVICES. THEY STATED THAT BERN HAULS ABOUT COPPER SULPHATE SLUDGE (TURQUOISE COLOR) IN 30 GALLON DRUMS. THESE DRUMS ARE EMPTY SODIUM CYANIDE CONTAINERS WHICH HAVE BEEN TRIPLE RINSED AND THE LABELS BLOCKED OUT (PAINTED OVER). IN 1980, BERN MADE THREE PICKUPS OF 600 DRUMS EACH. ON 01/26/81, HE HAULED APPROX. 400 DRUMS, 30 GALS; EACH DRUM CONTAINING APPROX. 300 LBS SLUDGE. IN APRIL 1981 HE PICKED UP APPROX. 600 DRUMS OF THE SAME SUBSTANCE.

05-21-81 MET w/ MR. BERN WHO WAS QUITE UPSET. HE STATED THAT WHENEVER HE HAULS THIS MATERIAL (COPPER SULPHATE) HE IS THE SUBJECT OF NUMEROUS INVESTIGATIONS. ERIE COUNTY D.E.P. INSPECTED BERN METAL AND, IN A LETTER OF 10-26-78, REPORTED THE FINDINGS OF AN ANALYSIS TO BE COPPER SULPHATE, WITH LARGE QUANTITIES OF CHROMIUM, IRON AND ZINC.

BERN METAL HAS A PERMIT, 9A130, TO HAUL METHYL VIOLET TO THE NIAGARA LANDFILL, RIVER RD, TONAWANDA. AFTER CHECKING w/ FRANK MURPHY OF ALBANY, HE STATED THE SHIPPING OF MATERIAL TO CANADA IS A MINOR VIOLATION OF THE PERMIT AND COULD BE RECTIFIED BY BERN'S LISTING OF THE CANADA LOCATION AS AN

CR# 81-45

Complainant's Name	Date/Time	Action Taken:
CONCEALMAN BAKOS	5/7/81 4:45P	Report <input checked="" type="checkbox"/>
Complainant's Address & Phone No.		Photos <input checked="" type="checkbox"/>
LOVEJOY DISTRICT 855-5151		Arrest <input checked="" type="checkbox"/>
Location of Complaint		Chemical Sample <input checked="" type="checkbox"/>
BERNS METALS 1023 CLINTON ST.		Deposition <input type="checkbox"/>
Nature of Complaint: BURNING		Field Sketch <input type="checkbox"/>
		Other <input type="checkbox"/>

BARRELS BEING DUMPED BEHIND BERNS - LIQUID HAS
A STRONG STENCH AND BLuish-PURPLE STAIN.

Narrative: According to complainant, a Mrs. MYSZKA
1023 CLINTON ST (SPEAKS LITTLE ENGLISH) HAS SEEN TRUCKS
COMING IN BEHIND BERNS METALS, THEY DUMP A NUMBER
OF BARRELS AND THEN LEAVE. ON TUESDAY, 88 BARRELS
WERE TAKEN IN BY A VEHICLE W/ A BLUE LICENSE PLATE,
REGISTRATION # T32144. THIS HAS HAPPENED ~~USUALLY~~
TWICE A WEEK IN THE PAST - USUALLY ON TUESDAY,
BUT OFTEN AT NIGHT. A FRED JABLONSKI, 214 METCALF ST,
852-6628, ACTED AS INTERPRETER FOR MRS MYSZKA.
JABLONSKI ALSO WENT TO THE AREA AND OBTAINED
TWO SAMPLES THAT WERE SUBMITTED FOR ANALYSIS.

IN WALKING AROUND THE FENCED PERIMETER OF BERNS,
THIS INVESTIGATOR NOTICED A PURPLISH COLOR ON THE
GROUND BY THE S.W. CORNER. ALSO, A NUMBER OF
EMPTY DRUMS (ABOUT 200) WERE SEEN IN THE YARD.
THESE HAD "SODIUM CYANIDE" LABELS ON THEM.

APPROX. 20 PALLETS OF 4 DRUMS EACH RESEMBLING
THE CYANIDE DRUMS WERE ALSO SEEN. THESE APPEARED FULL.

Results/Closed By:

7/23/81 - 2 summonses issued

Arrest ☒Unfounded ☒Civil Action ☐

~~Other~~ voluntary compliance - to amend
their
current
permit

Investigating Officer

O. TERTINGER

Unit #

964

COMPLAINT NUMBER: 81-45

DATE: 7/23/81

INVESTIGATOR: OT

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DEFENDANT: JAMES RILEY EMP. B1 BERN METAL

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DEFENDANT: BERN METAL 324 HOWARD ST BUFFALO

SYNOPSIS:

05-20-81 WENT TO BUFFALO COLOR CORP, 340 ELK, 827-4527 AND SPOKE WITH DAVE SAUER AND JAMES A. GOUCK, MANAGER. ENVIRONMENTAL SERVICES. THEY STATED THAT BERN HAULS AWAY COPPER SULPHATE SLUDGE (TURQUOISE COLOR) IN 30 GALLON DRUMS. THESE DRUMS ARE EMPTY SODIUM CYANIDE CONTAINERS WHICH HAVE BEEN TRIPLE RINSED AND THE LABELS BLOCKED OUT (PAINTED OVER). IN 1980, BERN'S MADE THREE PICKUPS OF 600 DRUMS EACH. ON 01/28/81, HE HAULED APPROX. 400 DRUMS, 30 GAL; EACH DRUM CONTAINING APPROX 300 LBS. SLUDGE. IN APRIL 1981 HE PICKED UP APPROX. 600 DRUMS OF THE SAME SUBSTANCE.

05-21-81 MET W/ MR. BERN WHO WAS QUITE UPSET. HE STATED THAT WHENEVER HE HAULS THIS MATERIAL (COPPER SULPHATE) HE IS THE SUBJECT OF NUMEROUS INVESTIGATIONS. ERIE COUNTY D.E.P. INSPECTED BERN METAL AND, IN A LETTER OF 10-26-78, REPORTED THE FINDINGS OF AN ANALYSIS TO BE COPPER SULPHATE, WITH LARGE QUANTITIES OF CHROMIUM, IRON AND ZINC.

BERN METAL HAS A PERMIT, 9A130, TO HAUL METHYL VIOLET TO THE NIAGARA LANDFILL, RIVER RD, TONAWANDA. AFTER CHECKING W/ FRANK MURPHY OF ALBANY, HE STATED THE SHIPPING OF MATERIAL TO CANADA IS A MINOR VIOLATION OF THE PERMIT AND COULD BE RECTIFIED BY BERN'S LISTING OF THE CANADA LOCATION AS AN ALTERNATE SITE.

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

CASE NAME BERN METAL

CASE #

LOCATION

INVESTIGATOR TETTER

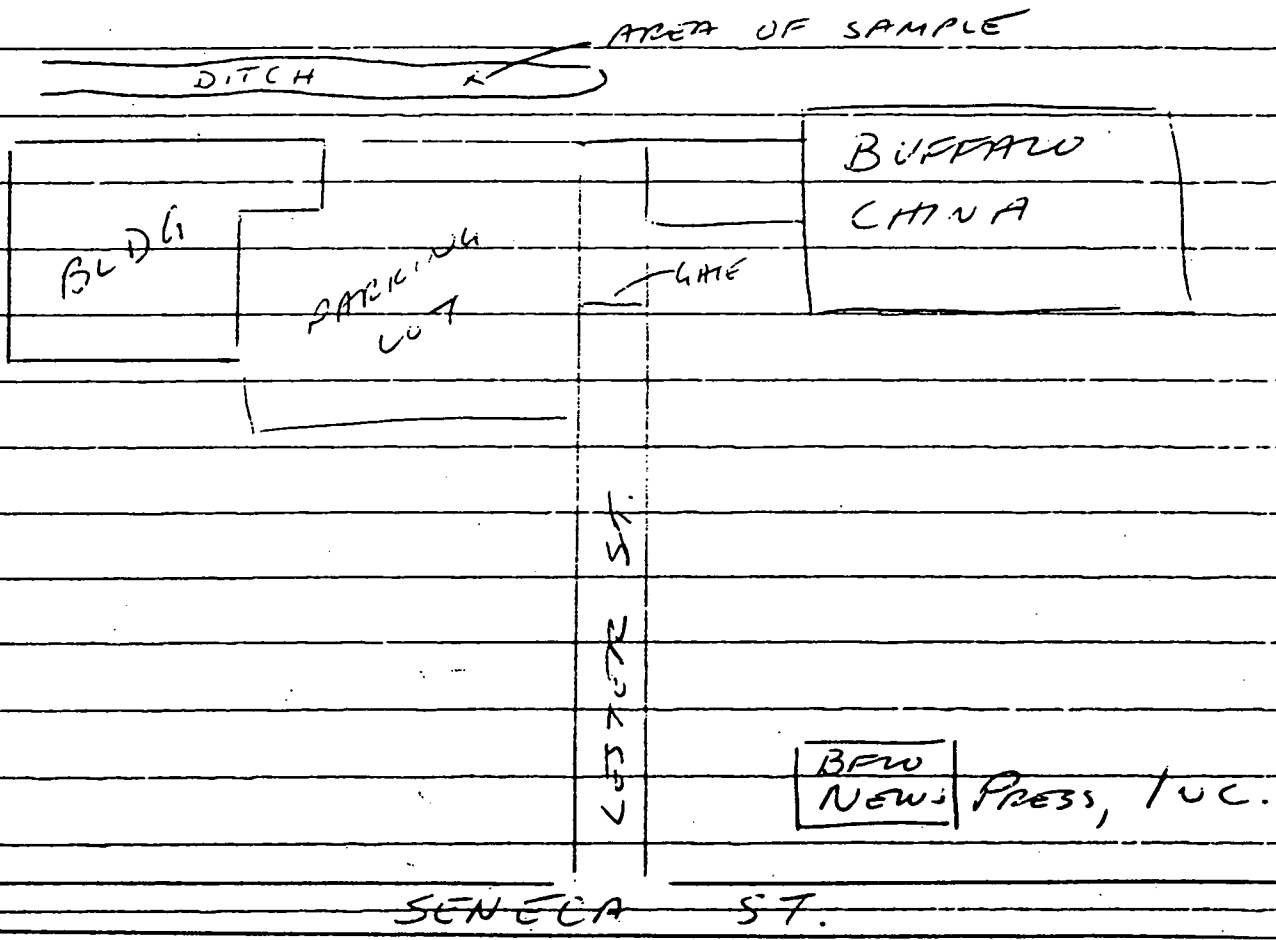
DATE

OFFICE BUFFALO

12-13-82

TIME ACTIVITY

1630 AFTER MEETING w/ EDMONSKI, JABLONSKI
12-14-82 AND I WENT TO THE FOOT OF LESTER ST
(NORTH OFF SENECA). HE SHOWED THE
DRAINAGE DITCH AND AREA WHERE HE FOUND
BLUE/PURPLE LIQUID.



NOTE: THIS AREA IS IN ADDITION TO
THE BERN METAL & BENGART-MEMEC
SITES.

DATE SIGNATURE

[Handwritten Signature]

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

DU-000-02

CASE NAME BERN METAL CASE #
LOCATION CLINTON & BENDER ST., BFLC
INVESTIGATOR TERTINEK DATE
OFFICE BUFFALO 12-13-82

TIME	ACTIVITY
2030	CONTACTED FRED JABLONSKI, 852-6628, 216 METCALFE ST, BUFFALO. HE STATED THAT COUNCILMAN NORM BAKUS REFERRED HIM TO ME. JABLONSKI HAS SAMPLES OF PURPLE/ ^{BLUE} LIQUID THAT CAME FROM THE AREA SOUTH OF BERN METAL AND NORTH OF THE SWITCH TOWER BEHIND THE JUNKYARD. THE SAMPLES WERE OBTAINED ON FRIDAY, 12-10-82. THIS BLUE SLUDGE IS ALSO IN THE SEWERS ALONG METCALFE.
12-14-82 1530	MET w/ MR. JABLONSKI @ HIS RESIDENCE. HE GAVE ME VARIOUS SACS OF MATERIAL THAT HE CLAIMS CAME FROM THE AREA AROUND BERN METAL. HE WAS INFORMED THAT THESE SAMPLES WERE USELESS BECAUSE THEY WERE "GRAB" SAMPLES DONE BY HIM w/o ANY CONTROL MEASURES. HE ALSO STATED THAT THE SEWER AUTHORITY FOUND BLUE SLUDGE IN A MANHOLE IN FRONT OF 166 METCALFE ABOUT 2 MONTHS AGO. (ACCORDING TO KATHERINE KLAORE 153 METCALFE, DONNITARS) 855-0368
12-15-82	MET w/ BOB WOZNIAK. BERN DOES NOT HAVE A 364 PERMIT (EXP. JAN. 82). HE WILL DISPOSE OF THE SAMPLES.
DATE	SIGNATURE <u>[Signature]</u>

BU-038-82

41-15-30(9/82)

N.Y.S.D.E.C.

B.E.C.I. COMPLAINT REPORT

REFERRED FROM

NAME FRED JABLONSKI

TEL. 852-6628

ADDRESS 216 METCALFE BPO

COMPLAINT:

BERN METAL DUMPING BLUE-PURPLE
LIQUID BEHIND JUNKYARD.

REFERRED TO:

DATE: 12-13-82

INVESTIGATOR

TERTINE

DIVISION OF LAW ENFORCEMENT
BUREAU OF ENVIRONMENTAL CONSERVATION INVESTIGATIONS

A (B) WP

Date: 3-15-83

CASE NO. BU-038-82

CASE NAME BERN METAL

COMPANY'S NAMES, ADDRESSES, OWNERS:

- BERN METAL
CLINTON ST, BRU

INDIVIDUAL'S NAMES, ADDRESSES, DOB'S: (other persons involved)

FRED JABLONSKI
METCALFE ST
BRU

OTHER AGENCIES INVOLVED:

ALLEGATIONS:

PURPLE/BLUE MATERIAL IN DITCHES & SEWERS

EVIDENCE SEIZED AND/OR SAMPLES TAKEN:

DISPOSITION:

BERN IS GOING O/O BUSINESS - BANKRUPT

BUFF. SEWER AUTHORITY FOUND NO SIGN OF
MATERIAL IN SEWER

SYNOPSIS:

JAMES L. KRUSZKA, a Legal Investigator for the Industrial Waste Section, Buffalo Sewer Authority, 883-1820, was interviewed and furnished the following information:

Mr. Kruszka advised that National Fuel Gas, Inc., formerly Iroquois Gas, used a material, a blue clay type soil for landfill in various locations. He stated that this information is available from a Mr. George Montz, "Town Engineer", for the Town of West Seneca.

Mr. Kruszka also stated that it has never been proven that Iroquois Gas landfill was responsible for cyanide backing out into the sewers after a rainfall in West Seneca. He also stated that there are several sites in West Seneca with this blue type material.

In regard to Bern Metal, 22 Bender Street, Buffalo, New York, Mr. Kruszka stated that he went to Bern Metal after a complaint was received. He was accompanied by two Field Representatives from the Buffalo Sewer Authority. He does not remember any of the truckers or employees or descriptions of the trucks at the time, except a Mr. Lindner of Bern Metal. He also stated that two appearance tickets were issued at the time to Bern Metal employees by the Department of Environmental Conservation (D.E.C.) Investigators. He does not have any further information as to the Bern Metal location. Mr. Kruszka also said that the Field Representatives did not talk to anyone at the Bern Metal site. He also said that there is no notation in their daily log as to the incident. Mr. Kruszka suggested that we contact the D.E.C. Investigators for further information.

It is Mr. Kruszka's personal opinion that the material at N.B.I.P. may be from Iroquois Gas. This opinion was based upon a letter Michael McKeating wrote to Goldberg-Zoino Associates.

DOCUMENTS RETURNED TO SINCO:

A letter from Mr. McKeating stating that Mr. Cameron O'Connor said National Fuel and Iroquois Gas had a fuel producing facility at N.B.I.P.

A soil analysis from the Buffalo Sewer Authority of N.B.I.P.

END OF INTERVIEW

DATE May 29, 1987 INTERVIEWER Fred J. Lavelle
PLACE Buffalo Sewer Authority, West Ferry Street
Buffalo, New York

CAMERON O'CONNOR, presently employed by the New York State Health Department located at 584 Delaware Avenue, Buffalo, New York, telephone number 847-4365. Mr. O'Connor was interviewed and furnished the following information:

Mr. O'Connor advised that before he went to work at the New York State Health Department he was employed by the Erie County Department of Environment and Planning as an Environmental Quality Technician. During his employment there, he did a site profile on both Bern Metal Company, Inc., 22 Bender Street, Buffalo, New York and also the New Buffalo Industrial Park, located in Buffalo between Dingens Street, Bailey Avenue, and William Street.

Mr. O'Connor also stated that there was a material on the Bern Metal property. He described it as a dark blue/dark purple in color substance, known as copper sulfate. This substance did not have a granular consistency. They did test the substance, but they did not test it for cyanide at the time of the report. He also stated that this material should be tested for cyanide to compare it with the material found at the New Buffalo Industrial Park (N.B.I.P.).

Mr. O'Connor also advised that the material at N.B.I.P. is more blue and granular in consistency and it does contain cyanide. He said Buffalo City Consultants have tested this material from N.B.I.P.

Mr. O'Connor stated that the City of Buffalo Sewage Authority found the material at N.B.I.P. after testing could be a Prussian blue, and it does contain Potassium Ferricyanide. He said this material is used for stripping sulphur from soft coal to produce manufactured natural gas. He also stated that this material is an inorganic cyanide.

Mr. O'Connor also stated that National Analine, now known as Buffalo Color, did produce a dye blue in color that was an organic cyanide.

Mr. O'Connor also mentioned two other locations that have a similar material. The first, the Alltift Realty Land Fill, located at Tift near Hopkins Road, in Buffalo. He said this material is blue in color and is exposed at that location. He said this material has not been tested. He also said that this location was used solely by Allied Chemical. He said the material is similar in color to N.B.I.P., but is more granular than copper sulfate. The second location is 100 High View Terrace, West Seneca, New York. He said this material has been tested and is a Prussian blue, but it is dissimilar to the material at the N.B.I.P.

DATE June 29, 1987 INTERVIEWER Fred J. Lavelle

PLACE 584 Delaware Avenue, Buffalo, New York

Mr. O'Connor stated that he does not have any knowledge as to where the material at N.B.I.P. came from, nor does he have any knowledge regarding trucking aspects. He feels that the material at N.B.I.P. is dissimilar from both Bern Metal and also 100 High View Terrace, West Seneca.

END OF INTERVIEW

DATE June 29, 1987 INTERVIEWER Fred J. Lavelle

PLACE 584 Delaware Avenue, Buffalo, New York

JUSTAL WALLIA, employed by the Department of Environmental Conservation, 600 Delaware Avenue, Buffalo, New York, telephone number 847-4585, was interviewed and furnished the following information:

Justal Wallia advised that he is a Chemist for the Department of Environmental Conservation (D.E.C.). His purpose is to see that the New Buffalo Industrial Park site (N.B.I.P.) is cleaned up, nothing further as far as enforcement.

As far as the site at N.B.I.P., Mr. Wallia suggested that Goldberg & Zions be contacted. They did engineering and field reports at that site. He suggested that we contact Dr. Ray Kampff, an Engineering Consultant at 685-2300.

Mr. Wallia also advised that samples at N.B.I.P. are still being done to determine whether or not the site is hazardous. He said preliminary tests show that the site may be hazardous.

Mr. Wallia said he does not have any idea who was dumping at N.B.I.P. He has strictly an environmental concern at N.B.I.P. regarding the effects on health and the area. He also suggested that we go to Erie County and others for further information.

END OF INTERVIEW

DATE May 29, 1987 INTERVIEWER Fred J. Lavelle

PLACE 600 Delaware Avenue, Buffalo, New York

DR. RAYMOND KAMPPF, Geologist, Goldberg-Zoino Associates of New York P.C., 364 Nagel Drive, Cheektowaga, New York, 685-2300 was interviewed and furnished the following information:

Dr. Kampff stated that Goldberg-Zoino did do a land study of the New Buffalo Industrial Park (N.B.I.P.), and in 1984 published an investigative report on the property at N.B.I.P. He said the blue sludge at N.B.I.P. was first seen in 1983 when test pits were made for sewer placement. He said the location of the blue material was close to a large pile of crushed stone to the rear of the property once owned by George Panepinto, and also near the property of Standard Paving. He stated that there was an access road near a pond and the stone pile. He described the sludge as a purple soil, purple in color with a very low PH, acidic. He said this soil would cause a problem for piping. He said the depths varied from two feet of cover to four feet of cover. He also said that in 1983 the levels of cyanide were not too high, but tests done again in 1985 showed them to be higher in level.

Dr. Kampff also mentioned another site at N.B.I.P., being A & R Waste. He said the material there looked similar, but was closer to the surface and on the surface.

Dr. Kampff also stated that he feels the material at N.B.I.P. is a dye, iron based cyanide. He said that a Prussian Blue is a more granular, sandy type and is used in a process to act as a filter. He also feels that the responsible party may be Buffalo Color/National Analine.

Also spoke to Dr. Kampff regarding the possibility of a natural gas producing facility at N.B.I.P. He didn't have any knowledge on this matter. He did know that area #7 on the 1958 aerial map showed on old location at N.B.I.P. as a field location, but he didn't know what type. He suggested that we research this at the County Hall and Buffalo City Hall. He also stated that he doesn't feel that the material is a Prussian Blue, at N.B.I.P. He said the material is too fibrous, like old ground-up magazines in the material.

Dr. Kampff also stated that he knew that Bern Metal did get copper sulfate from National Analine when National Analine sold out to Buffalo Color. He also said when the business changed hands, Bern Metal may also have hauled out a material similar to N.B.I.P. and was supposed to dump it in Niagara Falls, New York, possibly at CECOS or at S.C.A., the new chemical waste management. He feels that a rough estimate on the time the material was dumped at N.B.I.P. would be in the late 1950's to mid-early 1960's. At that point, tenants began to move in, in the surrounding area.

DATE June 8, 1987 INTERVIEWER Fred J. Lavelle

PLACE 364 Nagel Drive, Cheektowaga, New York

Dr. Kampff also made reference to information from Mike McKeating, stating that there was a life-long resident in the 1960's who saw dumping at the N.B.I.P. site, and reported same. He did not have her name, but said an attempt in 1983 was made to interview her but, she refused. He said he would try and locate her name for us. It is possible that this is the same lady (Mrs. Burke) as referred to in Officer Mike Donohue's report from the Buffalo Police Department.

Dr. Kampff also said that at this point, all testimony done by Goldberg-Zoino at N.B.I.P. shows the material as non-hazardous, but it has not been tested for organic or inorganic cyanide to his knowledge. He also advised that if the material is a Prussian Blue, it did not come from National Analine.

Dr. Kampff also advised that there is approximately 10,000 cubic yards of this blue sludge at N.B.I.P. There are two pits of the material, one containing 7,000 yards and the other 3,000 yards, behind Panepinto's property.

Dr. Kampff also feels that the pits holding the material had to be dug to contain this amount. Also, he feels that the trucks dumping the material had to use Panepinto's property to gain access to the dumping site. He also noted that it took many truck loads to dump this much material, as an average dump truck holds 8-10 cubic yards. He said unless the area roads had changed dramatically over the years to make access for the trucks to dump at that location, he still feels that they came in through Panepinto's property, rather than another route.

Dr. Kampff made several final comments: That if the material is a Prussian Blue it may have come from Iroquois Gas or a similar operation, and that it did not come from National Analine. He also suggested that 10,000 yards of sludge is a great deal of waste, and wonders if natural gas producing would create that much of a by-product. He stated that National Analine did not have a use for Prussian Blue.

END OF INTERVIEW

DATE June 8, 1987 INTERVIEWER Fred J. Lavelle

PLACE 364 Nagel Drive, Cheektowaga, New York



OF NEW YORK P.C.

GOLDBERG • ZOINO ASSOCIATES OF NEW YORK, P.C.
GEOTECHNICAL-GEOHYDROLOGICAL CONSULTANTS

DONALD T. GOLDBERG
WILLIAM S. ZOINO
JOSEPH D. GUERTIN, JR.
JOHN E. AYRES
MATTHEW J. BARVENIK
WILLIAM R. BELOFF
NICHOLAS A. CAMPAGNA, JR.
MATTHEW A. DIPILATO
CARL EIDAM
LAWRENCE FELDMAN
JOSEPH P. HEHR
ROBERT A. KELLER
ROSS T. MCGILLIVRAY
MICHAEL A. POWERS
JAMES H. REYNOLDS
PAUL M. SANBORN
RICHARD M. SIMON
STEVEN J. TRETTEL
CONSULTANTS
WALTER E. JAWORSKI, JR.
STANLEY M. BEMBEN
IRVING G. REINIG II
GENERAL MANAGER

February 16, 1987
File: R5726

Buffalo Urban Renewal Agency
920 City Hall
Buffalo, New York 14202

Attention: Ms. Rosanne Frandina

Re: New Buffalo Industrial Park
Analytical Test Results

Gentlemen:

Goldberg-Zoino Associates of New York, P.C. (GZA) has received Recra Environmental, Inc.'s (REI's) report of test results for the samples collected on January 21, 1987 from the drainage easement at the New Buffalo Industrial Park (NBIP) site. A summary of the analytical results and the REI report are attached.

Results

NBIP-01217-1A (black, fibrous material with intermixed oil)-PCBs were not detectable (<2 ppm), and the sample pH was 8.1.

NBIP-01217-2A (black, fibrous material with intermixed oil and water) - Some purgeable aromatic compounds were detected at concentrations in the low ppm range (0.0049 to 0.1200). The EP Toxicity test (metals fraction) show only arsenic and barium to be present at detectable concentrations (0.0090 and 0.1700 ppm, respectively). However, the reported values are well below the USEPA maximum contaminant levels (MCL) of 5.0 and 100.0 ppm, respectively. The pH of the sample was 5.8.

Of the total cyanide present (2520 ppm), the fraction amenable to chlorination (i.e. treatment) was 99.6 percent (2510 ppm). The reactivity test showed that the sample evolved a gas at pH 2.

NBIP-01217-3 (purple fibrous sludge) - Sulfide was not detected (<50 ppm); the reactivity test was negative (i.e. no visible reaction); and the pH was 5.5. Of the total cyanide present (3040 ppm), the fraction amenable to chlorination (i.e. treatment) was 99.7 percent (3030 ppm), while the total available cyanide (i.e. dissociable) was not detectable (<5 ppm).

Summary

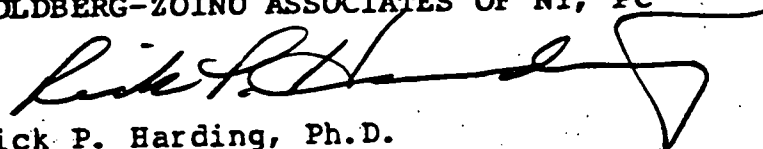
Test results indicate that, of the total cyanide present, the fraction amenable to chlorination (treatment) is greater than 99 percent, and dissociable cyanide was not detected. Since sulfide and dissociable cyanide were not detected, the probability that the gas evolved from the sample at pH 2 is hydrogen sulfide or cyanide is unlikely. However, gas emanating from the material at pH 2 is being further evaluated.


Analytical test results to date, including those from previous GZA studies, do not indicate an acutely hazardous situation in the area of the drainage easement. However, it is GZA's opinion that the nature and extent of the purple sludge waste material along the drainage easement should be better defined prior to continuing with utility construction. GZA's proposal for this work has been submitted under separate cover.

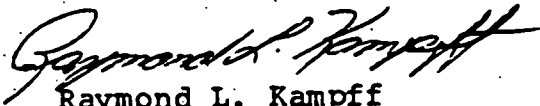
We are hopeful that this letter report is suitable for your purposes. If you are in need of any additional information, please feel free to contact GZA.

Very truly yours,

GOLDBERG-ZOINO ASSOCIATES OF NY, PC


Rick P. Harding, Ph.D.
Director of Environmental Services


Irvine G. Reinig II, P.E.
Associate and General Manager


Raymond L. Kampff
Project Reviewer

RPH:kf
Enclosures

SUMMARY OF ANALYTICAL TEST RESULTS

Project: New Buffalo Industrial Park
Buffalo, New York

Sampling Date: January 21, 1987

Analytical Laboratory: Recra Environmental, Inc.

SAMPLE IDENTIFICATION

<u>Sample I.D.</u>	<u>Location</u>	<u>Description</u>
NBIP-01217-1A	Drainage Easement Sta. 5+50, south wall at 6.5 feet	Black, fibrous material with intermixed oil
NBIP-01217-2A	Drainage Easement Sta. 5+50, north wall at 5 feet	Black, fibrous material with intermixed oil and water, sample collected below NBIP-01217-3
NBIP-01217-3	Drainage Easement Sta. 5+50, north wall at 3 feet	"Purple Fibrous Sludge"

ANALYTICAL PARAMETERS AND RESULTS

NBIP-01217-1A: Analyzed for Polychlorinated Biphenyls (PCB) and
pH by GZA

PCB - not detected (detection limit 2 ppm)
pH - 8.1 standard units (SU)

NBIP-01217-2A: EPA Method 8020 (Purgeable Aromatics); reactivity;
EP Toxicity Test (metal fraction); total cyanide;
cyanide (amenable to chlorination); pH by GZA

EPA 8020

Benzene	0.0420 parts per million (ppm)
Toluene	0.0049 ppm
Ethylbenzene	0.0090 ppm
Chlorobenzene	0.0055 ppm
1,4-Dichlorobenzene	0.0410 ppm
1,3-Dichlorobenzene	<0.0200 ppm
1,2-dichlorobenzene	0.1200 ppm

EP Toxicity Test (metal fraction)

Arsenic 0.0090 ppm
Barium 0.1700 ppm
Cadmium <0.0050 ppm
Chromium <0.0050 ppm
Lead <0.0400 ppm
Mercury <0.0005 ppm
Selenium <0.0050 ppm
Silver <0.0050 ppm

Total Cyanide 2520 ppm
Cyanide (amenable to chlorination) 2510 ppm
pH 5.8 SU

Reactivity: evolved gas at pH 2

NBIP-01217-3: Reactivity; total sulfide; total cyanides; cyanide
(amenable to chlorination); total available
cyanide; pH by GZA

Reactivity: no visible reaction
Total Available Sulfide <50 ppm
Total Cyanide 3040 ppm
Cyanide (amenable to chlorination) 3030 ppm
Total Available Cyanide <5 ppm
pH 5.5 SU

ANALYTICAL RESULTS

Prepared For

Goldberg-Zoino Associates
364 Nagel Drive
Buffalo, New York 14225

Prepared By

Recra Environmental, Inc.
10 Hazelwood Drive, Suite 106
Amherst, New York 14150

COMMENTS

Comments pertain to data on one or all pages of this report.

Analyses were performed in accordance with U.S. EPA methodologies.

Values reported as "less than" (<) indicate the working detection limit for the particular sample and/or parameter.

Results of the analysis of specific organic compounds are based upon the matching of retention times, between samples and standards, on a single gas chromatographic column.



SOIL MATRIX
METHOD 8080 - POLYCHLORINATED BIPHENYLS

COMPOUND (Units of Measure = $\mu\text{g/g}$)	SAMPLE IDENTIFICATION	
	01217-1A	
PCB-1016	—	<2
PCB-1221		<2
PCB-1232		<2
PCB-1242		<2
PCB-1248		<2
PCB-1254		<2
PCB-1260		<2
Extraction Date	1/22/87	
Analysis Date	1/24-25/87	



I.D. #87-073

SOIL MATRIX
METHOD 8020 PURGEABLE AROMATICS

COMPOUND (Units of Measure = $\mu\text{g/g}$)	SAMPLE IDENTIFICATION
	01217-2A
Benzene	0.042
Chlorobenzene	0.0055
1,2-Dichlorobenzene	0.12
1,3-Dichlorobenzene	<0.02
1,4-Dichlorobenzene	0.041
Ethylbenzene	0.0090
Toluene	0.0049
Analysis Date	1/22/87
Surrogate Compound	
Level Added = 30 $\mu\text{g/l}$	
(% Recovery)	
a,a,a-trifluorotoluene	106



I.D. #87-073

SOIL MATRIX

PARAMETER	UNITS OF MEASURE	DATE OF ANALYSIS	SAMPLE IDENTIFICATION	
			01217-3	01217-2A
Total Cyanide	µg/g	1/23/87	3,040	2,520
Cyanide Amenable to Chlorination	µg/g	1/23/87	3,030	2,510



I.D. #87-073

EP TOXICITY TEST EXTRACT - METALS

PARAMETER (Units of Measure = mg/l)	ANALYSIS DATE	EPA MAX. CONC.	SAMPLE IDENTIFICATION
			01217-2A
Total Arsenic	1/27/87	5.0	0.009
Total Barium	1/26/87	100.0	0.17
Total Cadmium	1/26/87	1.0	<0.005
Total Chromium	1/26/87	5.0	<0.005
Total Lead	1/26/87	5.0	<0.04
Total Mercury	1/26/87	0.2	<0.0005
Total Selenium	1/26/87	1.0	<0.005
Total Silver	1/26/87	5.0	<0.005

X Standard Addition
 Non-Standard Addition



I.D. #87-073

SAMPLE - IDENTIFICATION	PARAMETER	UNITS OF MEASURE	ANALYSIS DATE	RESULTS
01217-2A	Gas Evolution	-	1/27/87	Evolved gas at pH of 2
01217-3	Gas Evolution	-	1/27/87	No visible Reaction
01217-3	Total Avail- able Sulfide	mg/kg	1/22/87	<50
01217-3	Total Avail- able Cyanide	mg/kg	1/30/87	<5



I.D. #87-073

QUALITY CONTROL INFORMATION - PRECISION
SOIL MATRIX
METHOD 8002 PURGEABLE AROMATICS

SAMPLE IDENTIFICATION 01217-2A

COMPOUND (Units of Measure = $\mu\text{g/g}$)	VALUE 1	VALUE 2	MEAN	STANDARD DEVIATION
Benzene	0.054	0.030	0.042	0.017
Chlorobenzene	0.0060	0.0050	0.0055	0.00071
1,2-Dichlorobenzene	0.13	0.10	0.12	0.021
1,3-Dichlorobenzene	<0.02	<0.02	<0.02	-
1,4-Dichlorobenzene	0.044	0.037	0.041	0.0049
Ethylbenzene	0.0097	0.0083	0.0090	0.00099
Toluene	0.0052	0.0046	0.0049	0.00042
Analysis Date	1/22/87	1/22/87		
Surrogate Compound				
Level Added = 30 $\mu\text{g/l}$				
(% Recovery)				
a,a,a-trifluorotoluene	103	109	106	4.2



I.D. #87-073

QUALITY CONTROL INFORMATION - ACCURACY
EP TOXICITY TEST EXTRACT - METALSSAMPLE IDENTIFICATION 01217-2A

PARAMETER	ANALYSIS DATE	µg OF SPIKE	% RECOVERY
Total Arsenic	1/27/87	25 50	104 100
Total Barium	1/26/87	2,500 5,000	102 103
Total Cadmium	1/26/87	250 500	97 101
Total Chromium	1/26/87	250 500	106 105
Total Lead	1/26/87	25 50	101 100
Total Mercury	1/26/87	0.2 0.4	94 112
Total Selenium	1/26/87	25 50	84 102
Total Silver	1/26/87	250 500	90 92



I.D. #87-073

RECRA ENVIRONMENTAL, INC.

NATIONAL ANALINE/BUFFALO COLOR CORPORATION

DAVID E. SAUER, Manager, Environmental Affairs, Buffalo Color Corporation, 100 Lee Street, Buffalo, telephone 827-4525 was interviewed and furnished the following information:

Mr. Sauer reviewed the chemical analysis done by the Buffalo Sewer Authority on the purple sludge at the New Buffalo Industrial Park (NBIP). He commented it was high in iron, low in copper, and contained cyanide.

He made two observations:

1. The sludge from National Analine/Buffalo Color would be very high in copper, in fact it was considered a copper sludge.
2. The amount of cyanide in the Buffalo color sludge would contain little if any cyanide. The cyanide used at National Analine/Buffalo Color was consumed in the process and none was left over in the sludge.

Bern Metal hauled sludge, usually purple or blue in color from the Lee Street plant. They would take it to their location on Bern Street and dump it on the ground. Bern became careless with the handling of the sludge and Buffalo Color terminated their services in 1981. (May 5, 1981 was the last shipment handled by Bern Metal). Buffalo Color then shipped direct to the Canadian Company Bern had been supplying. This sludge was very high in metal content, copper, iron, etc.

Mr. Sauer provided an analysis of the methyl violet copper sludge that was obtained by Bern Metal and large amounts of this sludge was disposed of by National Analine/Buffalo Color. Records, according to Mr. Sauer, go back to 1971 to show the sludge hauled then is the same as that analyzed in 1981 and 1982. The methyl violet process being used now is the same process generating the same sludges as those used as far back as 1939.

Mr. Sauer also stated after reviewing analysis of the material at NBIP that it could very well have the chemical composition of Prussian blue with the high iron content. He referred to the Merck Index and Prussian blue is listed as being used in the processing of manufacturing synthetic gas.

END OF INTERVIEW

DATE July 10, 1987 INTERVIEWER Philip D. Smith
PLACE Buffalo, New York

MEMORANDUM

DATE: October 11, -1982

TO: K.H. Ferber

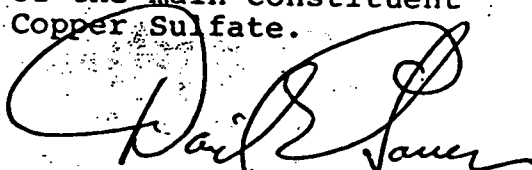
SUBJECT: COMPOSITION OF METHYL VIOLET COPPER SALT

1. Reference RC-38.
2. Attached is the analysis report on a sample of Methyl Violet sludge.
3. Assuming that the excess copper is present as chlorides, the analysis is as follows:

3.1	Cu ₂ S	11.09%
3.2	CuS	13.21%
3.3	Cu ₂ SO ₄	1.42%
3.4	CuSO ₄	1.22%
3.5	CuCl	6.93%
3.6	CuCl ₂	5.70%
3.7	Organics as MV	5.54%
3.8	Water	48.30%
3.9	NaCl by earlier analysis	5.30%
3.10	Net unaccounted for	1.29%

100.00%

4. This confirms the hypothesis that the two oxidation states of copper are present in a roughly 2/1 ratio $2\text{Cu (+2)}/\text{Cu (+1)} = 2 \text{ (7.60)}/12.80 = 1.1875$.
5. It also confirms the identity of the main constituent as Copper Sulfide rather than Copper Sulfate.
6. This is a closure for RC-38.


David E. Sauer

DES:dt

cc: A. J. tenBraak
T. J. Wlodarczak
D. T. Donahue
J. A. Gouck

4.3.5.19

TERMINI ASSOCIATES

ENVIRONMENTAL CONSULTANTS

1965 Sheridan Drive/Buffalo, New York 14223/716-877-3155

CHEMICAL ANALYSIS OF
METHYL VIOLET COPPER SALT SLUDGE

Prepared For :

Henry R. Borkowski
Quality Control Department

BUFFALO COLOR CORPORATION

October 1, 1982

TERMINI ASSOCIATES

Rock Termini

C. R. Termini
President

Project Code: BC-101-055

October 1, 1982

TECHNICAL REPORT

1.0 TITLE

Chemical Analysis of Methyl Violet Copper Salt Sludge

2.0 PURPOSE

Determine the percent composition of various chemical species in a sample of Methyl Violet Copper Salt Sludge.

3.0 SAMPLE

A grab sample of Methyl Violet Copper Salt Sludge was collected from the batch process area by Buffalo Color personnel on September 15, 1982. The sample was received at our facility on the same day from Mr. Henry R. Borkowski, Buffalo Color Corporation, 340 Elk Street, Buffalo, New York, on Order Release Number R-49.

3.1 IDENTITY

The following Log Number was assigned:

<u>Identity</u>	<u>Log Number</u>
Methyl Violet Copper Salt Sludge	512

4.0 RESULTS

The analytical results of the percent composition study are presented in Table I.

5.0 METHODOLOGY

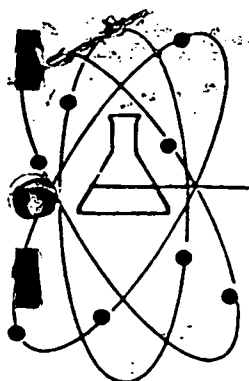
The above sample was analyzed in accordance with "Standard Methods for the Examination of Water and Wastewater", 15th edition, APHA, 1980.

Methyl Violet

October 1, 1982

TABLE I
Percent Composition of
Methyl Violet Copper Salt Sludge

<u>Parameter</u>	<u>Methyl Violet Sludge</u>
Log Number	512
Total Sulfur, %	5.33
Sulfide, %	4.88
Copper (+1), %	12.80
Copper (+2), %	7.60
Total Organic Carbon, %	4.06
Water, %	48.3



ACTS TESTING LABS, INC.

3900 Broadway • Buffalo, N. Y. 14227 • (716) 684-3300

TECHNICAL REPORT

February 6, 1981

Mr. James Gouck
BUFFALO COLOR CORPORATION

OBJECT:

Examination of a copper sludge sample received December 1, 1980 for the Hazardous Waste Characteristics of Corrosivity, Ignitability, and Reactivity.

RESULTS:

A) Corrosivity

pH of free liquid - 4.09

NACE Corrosion Test - Not Applicable
See Discussion

B) Ignitability

Pensky-Martens: GT 150°F

C) Reactivity

Reactivity with water: None

Reactivity on standing: None

Sulfide: 39.9 ug/g

Cyanide 8.0 ug/g

*(Sulfide liberated
on acid treatment)*

DISCUSSION:

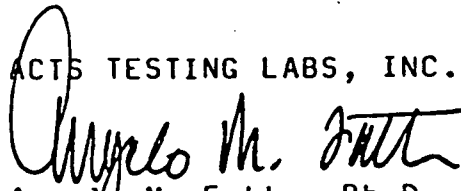
The above tests reveal that the sample is not Ignitable and most probably not Corrosive. The specified corrosivity tests are not applicable to this sample due to the fact that it is not a liquid, however, the small amount of free liquid present does have a pH value which is not corrosive.

Mr. James Gouck
BUFFALO COLOR CORPORATION

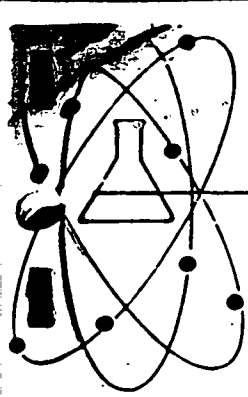
February 6, 1981
Page Two

The Reactivity of the sample cannot be judged in the laboratory. The found levels of cyanide and sulfide will give rise to 8.3 milligrams of hydrogen cyanide and 39.9 milligrams of hydrogen sulfide per kilogram of sludge. The final storage mass as well as ventilation will determine whether these levels will "generate" toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.

ACTS TESTING LABS, INC.


Angelo M. Fatta, Ph.D.
Technical Director

maf



ACTS TESTING LABS, INC.

3900 Broadway • Buffalo, N. Y. 14227 • (716) 684-3300

TECHNICAL REPORT

January 6, 1981

Mr. James Gouck
BUFFALO COLOR CORPORATION

OBJECT:

EP Toxicity Test of one sample of Copper Sludge (A-177) received
December 1, 1980.

RESULTS:

<u>Parameter</u>	<u>Result</u>	<u>EPA Limit</u>
Arsenic	0.0073	5.0
Barium	LT 0.1	100.0
Cadmium	LT 0.01	1.0
Chromium	LT 0.01	5.0
Lead	LT 0.01	5.0
Mercury	LT 0.002	0.2
Selenium	LT 0.005	1.0
Silver	0.18	5.0
Endrin	LT 0.00001	0.02
Lindane	LT 0.00001	0.4
Methoxychlor	LT 0.00001	10.0
Toxaphene	0.00006	0.5
2,4,-D	LT 0.00004	10.0
2,4,5-TP	LT 0.00004	1.0

All results are reported as milligrams per liter.

LT = Less Than

ACTS TESTING LABS, INC.

Mr. James Gouck
BUFFALO COLOR CORPORATION

January 6, 1981
Page Two

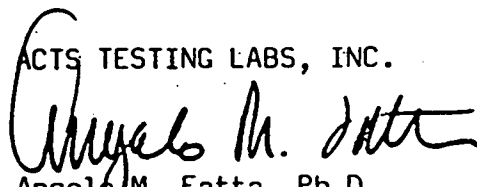
EXPERIMENTAL:

The above sample was analyzed according to the requirements of Title 40, CFR, Part 261. Each parameter was determined using the method of standard additions. The standard additions charts are attached to this report.

DISCUSSION:

The above sample received on December 1, 1980, does not exhibit the Hazardous Waste Characteristic of EP Toxicity.

ACTS TESTING LABS, INC.


Angelo M. Fatta, Ph.D.
Technical Director

maf

MRS. BERNARD ARWITZ, 51 Chapel Woods West, Williamsville,
New York, 688-2767.

I called the widow of the owner of Bern Metal in an attempt
to arrange an appointment to talk to her.

She was very defensive, verging on hostile. Said she knew
nothing whatsoever about her husband's business, refused to be
interviewed and scoffed at the idea that her daughter was ever a
bookkeeper in Bern Metal. She said neither her daughter or son were
ever active in Bern Metal.

She denied being related to Harry Fox of H. Fox and Company
and again scoffed at that suggestion.

She refused to give me her son's or daughter's name or
address, saying both of them are out of town. Couldn't or wouldn't
give me any leads.

END OF TELEPHONE CONVERSATION

DATE July 1, 1987 INTERVIEWER David A. Denler

PLACE Telephone Conversation

GERALD ARWITZ, 100 Claremont Avenue, Town of Tonawanda, New York, 14150, telephone number 833-4961 was interviewed and furnished the following information:

Gerald is the brother of "Red" Bernard Arwitz, but insists he knows nothing whatsoever about his brother's business, Bern Metal. He said he was only at the place of business twice in his whole life.

He said neither Bernard's son or daughter ever worked at or for Bern Metal.

He said the widow was Bernard's second wife and was only married to him nine years when he died.

Gerald feels she probably really doesn't know anything about Bern Metal.

He also confirmed that the son and daughter both live out of town. He was unable to provide any leads.

END OF INTERVIEW

DATE July 1, 1987 INTERVIEWER David A. Denler

PLACE 100 Claremont Avenue, Town of Tonawanda, New York

ROYAL LYNCH, 37 Reed Street, Buffalo, New York was interviewed and furnished the following information:

Mr. Lynch does know where the New Buffalo Industrial Park is located; "between Bailey and Ogden", he volunteered. He never dumped anything there. He does not know of anyone who did. All the other drivers at Bern were older and have now died. His route was to pick up "copper sludge" from National Analine "used for making blue jeans", and take it to Bern metal yard on Howard Street. There he would dump it on the ground in the yard. He said it was of the consistency of shoe polish and could be shoveled up or picked up by a mechanical shovel. It would lay on the ground there until someone bought it. It would then be hauled off to an unknown destination.

END OF INTERVIEW

DATE June 3, 1987 INTERVIEWER David A. Denler

PLACE Buffalo, New York

JAMES F. RILEY, 37 Roanoke Parkway, Buffalo, New York, 824-0704 was interviewed and furnished the following information:

Mr. Riley drove a truck for Bern Metal for only a year or so, about 1981-1982. It was "off the books". Riley was an independent trucker and needed work. Bern did him a favor. He was the only driver for Bern's Clinton Street yard during that period.

He would pick up drums of purple sludge from National Analine on South Park Avenue and take it to Bern Metal's Clinton Street yard by flatbed truck.

At the Clinton Street yard, Riley witnessed the drums being dumped into gondola railroad cars. He doesn't know what their destination was.

He is aware of exactly where the New Buffalo Industrial Park site is. I verified that. He never dumped there, nor does he know of anyone who did.

He is sure Bern did no dumping there while he worked there.

END OF INTERVIEW

DATE June 7, 1987 INTERVIEWER David A. Denler

PLACE Buffalo, New York

JAMES WAGNER, 249 Cambridge Avenue, Buffalo, New York, 14215 -
was interviewed and furnished the following information:

Mr. Wagner worked for Bern Metal from 1970 until about 1982, always at the 22 Bender Street plant. He loaded trucks, but the only materials he handled were scrap metal and stainless steel. No chemicals, no liquids, no sludge. He never even heard of the property bounded by Bailey, Dingens, South Ogden and William, and knows of no dumping done there.

He could give me no leads of any workers who did handle chemicals as they were not handled at the Bender Street site. He never worked for any companies in Buffalo that handled waste.

END OF INTERVIEW

DATE June 3, 1987 INTERVIEWER David A. Denler
PLACE Buffalo, New York

CHUCK TOBIN, 41 Stephenson Street, Buffalo, New York, 823-9379 was interviewed and furnished the following information:

Mr. Tobin stated that he worked at the National Analine plant for approximately 22 years. Near the later years of his employment there, he was Supervisor in charge of the loading docks.

Mr. Tobin advised that during his employment there, he knew of no chemical going directly from National Analine to the New Buffalo Industrial Park (N.B.I.P.). He did however, go into detail about sludge materials being transported to Bern Metal at 22 Bender Street, Buffalo, the owner being Bernard "Red" Arwitz. He said Bern Metal did have a contract with National Analine to take out certain by-products and dispose of them.

Mr. Tobin described the by-products as lead sludge and copper sludge, which did come from buildings #54, 55, and 56 at National Analine, but not positive on this. He also stated that he wasn't sure of what they were a by-product of. He did say that National Analine did use cyanides. He also said the materials were bluish in color and did smell.

Mr. Tobin further stated in 1978 or so, he went to Bern Metal because there were complaints from the Department of Environmental Conservation (D.E.C.). The complaint being that the blue sludge product from National Analine was mixing with rain water and running into the streets. Due to this fact, Bern Metal had to change their hauling containers to contain the material. Originally the materials were filled into 4 x 4 x 6' high waxed boxes, which were then changed to 55 gallon drums. Bern Metal would come in and take out 200 - 400 drums in a month. This is also when production was downhill. Prior to that, he believes Bern Metal took out more than that in a month. Bern Metal would then obtain enough of the material and ship it to Canada, via railroad car.

Mr. Tobin said he didn't know where Bern Metal shipped the material to in Canada, nor the rail carrier who transported it. Mr. Tobin also said that he didn't know any of the dump truck drivers by name. He really didn't have contact with them.

Mr. Tobin also stated that recently he and John Ranne had been asked to look at the blue sludge at N.B.I.P. and also at Bern Metal. He stated he did this at both locations and is sure by sight, color, and smell the chemicals at both Bern Metal and N.B.I.P. are the same material that National Analine produced. Also, the same material that Bern Metal was contracted to remove from National Analine. He stated that even though he is not a chemist, the two materials are one and the same from his experience.

DATE June 25, 1987 INTERVIEWER Fred J. Lavelle

PLACE Hanks Tavern, 1117 Seneca Street, Buffalo, New York

TOBIN INTERVIEW

- Page 2 -

Mr. Tobin also stated that the material at Bern Metal did run off with water into the area, causing a discoloration of the surrounding soil. It is his opinion that when Bern Metal ran into trouble with the D.E.C., Bern Metal then began to dump the material at the N.B.I.P. He also said that due to the run off of the material, it could contaminate a great deal of the ground at the N.B.I.P.

Mr. Tobin also stated that John Ranne, Sr. did have a contract to take scrap metal out of National Aniline. This would be scrap metal only, no sludge type materials were in his contracts. He also stated that John Ranne, Jr. also took out scrap metal but never sludge type material. Mr. Tobin said that John Ranne, Jr. doesn't know anything about the blue sludge.

END OF INTERVIEW

DATE June 25, 1987 INTERVIEWER Fred J. Lavelle

PLACE Hanks Tavern, 1117 Seneca Street, Buffalo, New York

FORMER OWNERS OF PROPERTY AND BUSINESSES AT NBIP
SITE AND NEIGHBORS OF NBIP SITE

GEORGE PANEPINTO, Panepinto Equipment, Inc., 51 Perry Street, Buffalo, New York was interviewed at his office and furnished the following information:

Mr. Panepinto advised he had purchased the Standard Paving Company in 1977 and it was then he acquired the property at the site of the New Buffalo Industrial Park (N.B.I.P.).

He stated that when he purchased the property at N.B.I.P. there were mounds of purple sludge all around the area adjacent to his property. They had been there for many years, according to Mr. Panepinto, and there were trees and long grass growing out of the sludge. After he sold the property, it is his contention that the sludge mounds were bulldozed into the pond to fill the pond and other low areas.

Mr. Panepinto stated it was his opinion the purple sludge at N.B.I.P. came from the National Analine plant in South Buffalo. He supported his opinion by the fact that he was hired in 1964 or 1965 to dig trenches at the Downing Dump, Tift and Hopkins Streets in Buffalo. The trenches were 12' to 20' deep and purple sludge from National Analine was brought to the Downing dump site by trucks and dumped in the trenches. He did not do any work at N.B.I.P. at that time. He remembers two trucking concerns that trucked purple sludge from National Analine to the Downing Dump:

JOHN RANNE - recently deceased

DUMP TRUCK SERVICES, INC. - could not recall
principals

It is his opinion that whomever dumped the sludge at N.B.I.P. did it for a number of reasons. First, it is reasonable to assume he said, the material came from National Analine because N.B.I.P. was close to the plant.

Second, having worked in the various plants the scrap haulers would take precious metals, nickel, zinc, brass and add them to the sludge. They would then take the sludge to a location where it was dumped into a trench, or was burned and they would re-cover the metals. Plus, they had to pay to dump at Downing Dump. He mentioned that an individual like ABE REVZIN would be the ideal person to have some association with dumping of the sludge. His property was located right near the entrance to the N.B.I.P., and he could have cooperated or had the sludge hauled in for himself.

Mr. Panepinto advised that scrap haulers used scrap buckets in those days which were similar to dumpsters of today.

DATE June 23, 1987 INTERVIEWER Philip D. Smith

PLACE 51 Perry Street, Buffalo, New York

GEORGE PANEPINTO INTERVIEW

- Page 2 -

He made available for viewing, a book of photographs showing the conditions on the Standard Paving property prior to the city taking ownership. He pointed out areas that he said were the mounds of purple sludge; they were located to the east and south of his former property.

Mr. Panepinto advised he would be happy to assist in any way he could to help track the source of the purple sludge.

END OF INTERVIEW

DATE June 23, 1987 INTERVIEWER Philip D. Smith

PLACE 51 Perry Street, Buffalo, New York

I interviewed MR. MICHAEL MARASCO at his home at 408 Frankhauser Road, Williamsville, New York. He is nearly 90 and nearly blind, but alert enough to be reliable. He is weak on dates.

Mr. Marasco furnished the following information: he ran a dump truck business on the West side of Buffalo for years, hauling dirt, gravel, asphalt, and paving materials; nothing else. He made frequent trips down through the years to the N.B.I.P. property to dump asphalt, dirt, etc. and pick up curb stone and road building materials from Standard Paving Company. Standard Paving was owned by James Driscoll. Later Mr. Marasco formed a partnership with:

- 1.) TINO BRACCO (address unknown, but George Panepinto can probably locate him)
- 2.) ROCKY GUZZO - who lives somewhere off the Lake Shore

The three men purchased Standard Paving from James Driscoll and operated it out of the Bailey Avenue (western) end of the N.B.I.P. site. The three men ran the business for several years, he cannot recall how long or what years, and then sold the property to George Panepinto. Mr. Marasco was not very active in Standard Paving as he continued to operate his West side dump truck business.

He knew the property further in was a city dump and recalls the pond being on the property, but he never saw or heard of any chemical dumping or purple sludge. He assumes that this would have been dumped at night if it was dumped at all. He never saw any barrels being dumped and never dumped any barrels himself. He was not familiar with his neighbors and did not know the truckers who frequented the place.

END OF INTERVIEW

DATE June 25, 1987 INTERVIEWER David A. Denler

PLACE Williamsville, New York

MR. ABE REVZIN, age 77, of 155 Denrose, Amherst, New York, telephone 691-6847 was interviewed and furnished the following information:

In 1956, Mr. Revzin bought 25 acres of property at the western end of the NBIP property. He bought it from the city of Buffalo. He operated his business, A & R Waste, there. He bought scrap paper and processed and bailed it there for sale to paper recycling companies. He also used his trucks to haul coal ashes from bailers of local plants which he dumped at the NBIP site. By about 1960, most of the plants were converted to oil fired bailers so the ash hauling business diminished to nothing.

In 1960, he sold 24 of his 25 acres to Tops Markets to build their headquarters and parking lots, etc. He kept one acre for his own business; the sorting and bailing of waste paper, most of which came from Niagara Envelope.

In 1940 to 1943, he also bought scrap metal and sold it for profit, but none of this was ever taken to NBIP property. He remembers buying nickel, copper, and lead from National Analine Company and reselling it to Harry Fox and Company, metal dealers who were originally on Lower Terrace. Fox was later to move his operation to Howard Street where Red Arwitz, his son-in-law, took over and operated as Bern Metal.

While he owned the NBIP property, Mr. Revzin claims he never saw any chemicals or steel drums dumped. He said he was "busy making a living" and did not see what went on off his property. On his property he never gave anyone permission to dump. Only coal ashes and waste paper went onto his own property by permission, however, often when he would come in the morning he would find his chain across the road cut and there would be 50 - 60 dump truck loads of dirt dumped on his property. Never saw chemicals, steel drums, or purple sludge. He insisted he could not give me any leads or furnish any other information.

END OF INTERVIEW

DATE June 29, 1987 INTERVIEWER David A. Denler

PLACE 155 Denrose, Amherst, New York

I interviewed MEYER HYMAN and his brother MAX HYMAN, Owners of Hyman Drum and Barrel Company, 878 S. Division Street, Buffalo, New York.

Both men were cooperative. They said that from about 1972 to 1984 they rented storage space at the western end of the New Buffalo Industrial Park property, nearest Bailey Avenue. First they rented from Standard Paving Company, later from George Panepinto. They stored empty barrels at the site. The barrels had previously contained tomato or cooking oil products. They would go to the N.B.I.P. site two or three times a week at most, usually for an hour or so to pick up or leave behind the barrels.

Sometimes they would see trucks come by and continue on to the eastern side of the property. They would dump things in and near the water on the property. When I zeroed in on this part, their memories got bad. Could not remember a single name of any of the truckers or companies. Did not remember the style of trucks either, but they did not think that they were flat beds. They also could not remember if they saw any drums on the truck.

I then asked Meyer Hyman to speculate or give me his hunch where the purple sludge came from. He feels quite sure it came from National Analine Company because it was common knowledge that they had a lot of waste products from their blue dye manufacturing process and N.B.I.P. site was a convenient location for them. However, this is just hearsay and speculation. He has no first hand or reliable information to back up this speculation.

END OF INTERVIEW

DATE June 24, 1987 INTERVIEWER David A. Denler

PLACE Buffalo, New York

CHESTER MALISZEWSKI, 43 Moorgate Court, Town of Amherst, New York, 688-2210 was interviewed and furnished the following information:

Mr. Maliszewski stated that he is presently 65 years of age. He was born and raised at 136 Dingens Street, Buffalo, New York. At that same location, 136 Dingens Street, his parents owned and operated Mali's Fuel, until 1966 at which time the location burned to the ground. They dealt mainly in coal, coke and candy. They did not manufacture any product at that location. Both of his parents are deceased.

Mr. Maliszewski also stated that he did work with his father at Mali's Fuel from the late 30's to the date that it burned down. He also stated that the property at 136 Dingens Street, Buffalo was filled in years ago by the City of Buffalo Garbage Department. This property was about eleven acres in all, very small frontage, but expands to the rear. Mr. Maliszewski also stated that the rear of the property was blocked off by railroad tracks making it inaccessible to the adjoining properties, which are now known as the New Buffalo Industrial Park (N.B.I.P.).

Mr. Maliszewski also advised that Mali's Fuel was never responsible for any dumping on the N.B.I.P., as they never had any by-products. He did say that a tremendous amount of dumping was done by the Chevrolet Plant on the N.B.I.P. property. Mr. Maliszewski was shown a map of the N.B.I.P. property. He did point out the area where Chevy was dumping materials. This location is in the same area of the N.B.I.P. property where the blue sludge is located and circled on the map. Mr. Maliszewski also stated that dump trucks from Chevy were there regularly dumping materials on the property to the rear of George Panepinto, which is numbered three on the map. The map referred to is Exhibit D, N.B.I.P., James D. Griffin, Mayor. This same property is also to the rear of 136 Dingens Street, Buffalo, New York. The site of the old Mali's Fuel. The parcel number on the map is not clear enough to indicate in this report, but is the same location where the blue sludge is located.

Mr. Maliszewski further stated that he didn't know exactly what was being dumped by the Chevrolet Plant, but he believes it may have been oil sludge, metal filings, and other materials unknown to him. He stated this dumping was on a regular basis from about 1965 back as far as he can remember.

Mr. Maliszewski stated the dump trucks entered the area from the Bailey Avenue side through a common driveway next to Englehampt Sheet Metal and he believed by Abe Revzin's property. He also stated that the dump truck drivers burned a great deal of the material that they dropped off.

DATE June 25, 1987 INTERVIEWER Fred J. Lavelle

PLACE 43 Moorgate Court, Amherst, New York

Mr. Maliszewski also advised that the property where the material was dumped was then owned by a doctor, name unknown. The doctor had a property manager, also name unknown who allowed the dumping. Mr. Maliszewski said that it is his opinion that the property manager was paid an undetermined amount of money for each dump load, but this is strictly speculation. This activity continued until the area become populated with tenants and then ceased.

Mr. Maliszewski also stated that almost all of the dumping for Chevrolet was done by a "Hank Kramer Hauling". Mr. Maliszewski being 95% sure of this fact. He stated that Hank Kramer did have the contract with Chevy and was from somewhere in the Kensington area in Buffalo. He also stated that Hank Kramer is now deceased, but suggested that he may have relatives in the area. He also said that Hank Kramer would have been able to advise us on the most of the dumping there.

Mr. Maliszewski was asked about other dumping in that area, namely National Analine, Allied Chemical, Donner Hanner Coke, and Iroquois Gas. He stated he doesn't have any knowledge of these people dumping in the area.

Mr. Maliszewski also advised that during the period of dumping in the area, no one really cared or checked into it, mainly due to the fact that the property was large, open, vacant land.

END OF INTERVIEW

DATE June 25, 1987 INTERVIEWER Fred J. Lavelle

PLACE 43 Moorgate Court, Amherst, New York

AL KOLODZIEJ, 69 Dingens Street, Buffalo, New York was interviewed and furnished the following information:

Mr. Kolodziej at first was un-cooperative, and denied living at 69 Dingens Street. However, he did decide to speak and stated that he has been a resident at 69 Dingens Street for 28 years. He said he is not familiar with any dumping at the New Buffalo Industrial Park site, (N.B.I.P.). He said he has never smelled anything peculiar from that location in the air. He was of little help. He did state that he had a brother-in-law that worked for National Analine as a crane operator for many years. He said that if National Analine was doing any dumping at N.B.I.P. his brother would have known about it and told him about it, as the N.B.I.P. is across the street.

Mr. Kolodziej suggested we speak to Mr. W. Kish at 135 Dingens Street and also Mr. Cypus, 71 Dingens, as they both are long time residents. He stated that Mr. Kish knows everything that is going on in the area.

END OF INTERVIEW

DATE June 10, 1987 INTERVIEWER Fred Lavelle

PLACE 69 Dingens Street, Buffalo, New York

MR. AL KOLODZIEJ, 69 Dingens Street was interviewed and furnished the following information:

Stanley Cyprus is 68 or 69 years old, is of sound mind, and would be a wealth of information. He no longer stays at 71 Dingens since his brother died recently. Stanley stays with a relative on Harlem Road somewhere. He recently had some teeth pulled at the Buffalo VA Hospital, and they should have his address. His last appointment was about 2 weeks ago. He feels Stanley Cyprus would be well worth finding, as he would know more about the NBIP land than anyone they can recall.

Al Kolodziej spoke up again and said "the railroad used to dump there too". Railroad tracks ran through the property and he thinks chemicals were dumped there from railroad cars. After discussion with his son, he stated it was the Lehigh Valley Railroad that used the dump sight. They seemed to know fewer details about the railroad dumping, but were quite sure about Chevy.

He concluded by saying that if we find Stanley Cyprus he could take me over to the property and show me the spots where chemicals were dumped.

END OF INTERVIEW

DATE June 15, 1987 INTERVIEWER David A. Denler
PLACE Buffalo, New York

GERALD KOLODZIEJ, 344 Aurora Avenue, West Seneca, New York, 825-1673, was interviewed and furnished the following information:

Mr. Kolodziej said that when he was a youngster he used to play in the area known now as NBIP. He said the area was an "open dump and many people used to dump there. I even saw black people dumping there." He said it was known in the neighborhood as the "Chevy Dump", because Chevrolet Delavan plant used to dump there. He remembers seeing the name "General Motors" on the trucks sometimes. It was generally understood in the neighborhood that the trucks came from Chevy Delavan. The drivers would bring 55 gallon drums. Sometimes they would uncap them and spill out the contents. Often paint and lacquer, he thought. Other times they would roll the sealed drums off the truck and roll them right into the pond on the property. The kids would be fishing for perch while this was happening. All this took place about 1953 or 1954.

Sometimes the kids would build a fire and roll the drums into the fire and they would burn very brightly. Much of the dumped material was blue chemicals. In fact, he said, most of it was blue. Other people would dump copper, brass, and steel. Scavengers, such as Stanley Cyprus would then go in at night, haul out the metal and battery cases by hand and sell it. That's why Stanley would know so much. He could sneak in and out like a commando and not alert the security guard at the property.

END OF INTERVIEW

DATE June 15, 1987 INTERVIEWER David A. Denler

PLACE West Seneca, New York

MR. JOHN BIPP, 2020 Clinton Street, Buffalo, New York, a nephew of Stanley Cyprus, advised on July 13, 1987 that Mr. Cyprus was a patient at the Buffalo Psychiatric Center, 400 Forest Avenue, Buffalo, New York.

MRS. LEFTWICH, a hospital worker at the Psychiatric Center where Stanley Cyprus is a patient, advised Stanley is very depressed, uncooperative, and will not speak to anyone.

I interviewed MR. WILLIAM KISH at his home at 135 Dingens Street. He is 72 years old. He has lived here for 30 years. The previous 40 years of his life were spent on Shaley Street, nearby. He has no telephone. He told the following story:

The New Buffalo Industrial Park (NBIP) property was a City of Buffalo run dump for as far back as he can remember.

City of Buffalo wagons pulled by horses would bring coal ashes in there after picking the ashes up from curb sides of homes that heated with coal. Only ashes came here, garbage from city wagons went to the incinerator on South Ogden Street. Everyone knew it was a City of Buffalo dump. During the day, there was a single security guard. If a private person or company wanted to dump at the NBIP property, they bought a ticket downtown and presented the ticket to the watchman; then they could dump.

Chevrolet was one of the private firms who dumped there. Their materials were transported in by gondola/coal cars by railroad. Sometimes two or three railroad cars at a time would unload the Chevy materials. Chevy dumping consisted of wood, paper, nuts, bolts, and washers. No chemicals, no liquid of any kind, at least that Mr. Kish knew of. The railroad cars did not say Chevrolet or General Motors on them, but everyone knew they were from Chevy; it was common knowledge. Also, the material dumped was consistent with waste from auto production. He never saw paint or lacquer, or steel drums or liquid of any kind being dumped at NBIP, not by Chevy, not by anyone.

A bakery also used to dump excess cookies and stale products there. A foundry also dumped solid materials there, scrap metal, etc.

The city kept a bulldozer at the dump to scrape and level but no other heavy equipment was ever seen. There was also a winch to pull the horse drawn ash wagons up further than the horses could go, but no steam shovels or digging/trenching equipment. The bulldozer also scraped up clay which was apparently sold for making bricks nearby. There was also a father and son coal and coke business on the property for many years, thirty or so years ago. It was not an energy producing plant; no burning or processing took place. Coal and coke would come in by railroad cars and go out by truck load or bag. It was a redistribution site only. This business was located at 60 Dingens, where Tops headquarters is now. The father died and the son and daughter tried to run it alone. They finally went bankrupt.

DATE June 18, 1987 INTERVIEWER David A. Denler

PLACE Buffalo, New York

WILLIAM KISH INTERVIEW

- Page 2. -

All this took place by day with the sanction of the City of Buffalo and under the eye of the single watchman. At night, he would go home, and since there was no fence, anyone could have dumped after hours.

Mr. Kish is very suspicious of allegations that heavy digging equipment was ever used on the property. He's rather sure that didn't happen in the past 34 years when he lived at 135 Dingens. And even before that, he lived nearby and was around the neighborhood a lot. He never saw construction equipment.

He simply cannot corroborate allegations of liquids or chemicals, or drums or heavy construction equipment (other than the bulldozer and the winch).

END OF INTERVIEW

DATE June 18, 1987 INTERVIEWER David A. Denler

PLACE Buffalo, New York

JOHN M. RANNE, 69 Rainbow Terrace, Orchard Park, New York, 662-1373 was interviewed and furnished the following information:

Mr. Ranne stated his father, JOHN RANNE, had a trucking company and hauled material out of the National Analine plant. This included scrap steel, fly ash and also sludge boxes.

The sludge material was taken to the Downing Dump on Tift Street and he does not recall them ever hauling to the N.B.I.P. site.

He recalls Red Arwitz hauled a lot of sludge from National Analine, and he was supposed to have a customer in Canada. He does not know if Arwitz ever had such a customer.

He could not furnish any other information about the sludge at the N.B.I.P. site, or truckers that may have hauled to N.B.I.P.

END OF INTERVIEW

DATE June 30, 1987 INTERVIEWER Philip D. Smith

PLACE 69 Rainbow Terrace, Orchard Park, New York

CHEVROLET PLANTS INFORMATION

AUSTIN SACCIA, 1001 East Delavan Avenue, Buffalo, New York, telephone 891-7160, the Saginaw Division, General Motors Corporation, was interviewed and furnished the following information:

Mr. Saccia advised that he is presently the Supervisor in Charge of Safety at the Saginaw Division of General Motors at 1001 East Delavan Avenue, Buffalo, New York. This plant was formerly known as the Chevrolet, East Delavan Plant. He has been employed by General Motors since 1972.

He is aware of and has knowledge of the plant pertaining to disposal of waste materials, and agreed to be interviewed regarding this matter. He stated that at this plant "Saginaw" records are kept from three to five years on most matters, and then destroyed. Medical records are retained upwards of twenty years. In particular, records regarding contractors from the outside and their contracts are disposed of after this period.

Mr. Saccia further advised that at present, the Saginaw Plant has a contract with CECOS from Niagara Falls for waste material disposal. He does not have knowledge as to past contractors before his employment. He was asked as to whether or not the Saginaw Plant had a by-product, being Ferro Ferric Cyanide.

He stated that Saginaw is strictly a large machine shop and would not use or produce a Ferro Ferric Cyanide. They strictly machine parts for the front and rear end of new vehicles. They do not have any sort of melt down or heat treating processes. The materials they work on are brought in by truck from the Chevrolet River Road Plant, in Tonawanda, New York. Other materials are brought into Saginaw by train.

He also stated that he does not have knowledge as to whether or not the Chevrolet River Road Plant uses or produces a Ferro Ferric Cyanide. He was sure, however, that neither Saginaw nor the River Road Plant ever manufactured natural gas. He said they do buy the gas from National Fuel.

Mr. Saccia suggested that if we want further information on the River Road Plant to contact a Thomas Shanks. Mr. Shanks is the Supervisor in Charge of Industrial Hygiene and Safety.

END OF INTERVIEW

DATE July 10, 1987

INTERVIEWER Fred J. Lavelle

PLACE Saginaw Plant, 1001 E. Delavan Avenue, Buffalo, NY

THOMAS SHANKS, Industrial Hygienist, Chevrolet River Road Plant, Town of Tonawanda, New York, was interviewed and furnished the following information:

In attendance at the meeting with Mr. Shanks, was his Supervisor, WILLIAM PRENEVAU, the Supervisor of Safety at Chevrolet, River Road.

Mr. Shanks stated that he has been employed by General Motors (GM) since 1984. Mr. Prenevau has been with GM for the last eighteen years, of which many years were spent working in the Chevrolet River Road Foundry.

Both Thomas Shanks and William Prenevau were familiar with the operations at the Chevrolet River Road Plant, and also that of waste disposal. They were both interviewed regarding the possibility of the River Road Plant producing a by-product, being Ferro-Ferric Cyanide. Both stated that to their knowledge, Chevy River Road never had a coke processing plant. They never produced manufactured gas, and never had a by-product, being Ferro-Ferric Cyanide.

Mr. Prenevau did state that coke was used in the foundry as part of a heat treating process. The coke was entirely consumed in the process, which finally resulted in cast metals. The coke became part of the metal. The only by-product of this process would have been "slag".

Mr. Prenevau described the "slag" material as a white gravel. This by-product was removed from the plant by a Mr. Ronald Beck, Contractor. Mr. Beck used this material as a back fill for roads, etc. It was never dumped to their knowledge, as it was valuable.

Mr. Prenevau further stated that the Chevrolet foundry was built in 1954 and closed its doors about two years ago. The buildings are now partially torn down. The main Chevrolet Plant on River Road was built in 1937.

Mr. Prenevau also stated that the Chevrolet River Road plant now assembles engines; they are machined at that location. Again stating, that there would be no by-product other than metal shavings and oil. These materials are removed by a contractor in Niagara Falls.

In regard to records from the River Road Plant, Mr. Prenevau stated the following: pertaining to the foundry and past contractors, he suggested we contact a Mr. Anthony Gennaro, 759-2326, who would have the above information. It is Mr. Prenevau's belief that the records from the foundry were transferred to Saginaw,

DATE July 16, 1987 INTERVIEWER Fred J. Lavelle
PLACE Chevrolet Plant, River Road, Tonawanda, New York

Michigan. It was also unknown to William Prenevau just how long these records were maintained. He stated that the records dating back pre-1960 probably were destroyed.

William Prenevau also stated that if we wished further information on the foundry and its by-products, to contact the following persons: Don Storm, Supervisor of Safety, 879-5085 and Nick Alonge, the Plant Laboratory Director at 879-5080, the New Departure Hyatt, GMC.

Tom Shanks and William Prenevau were both asked about the New Buffalo Industrial Park (NBIP) and also given its location. They both stated that they have no knowledge of the Chevrolet River Road Plant ever doing any dumping there. They feel there would have been no reason to do so; stating that all of their waste would have gone to the Niagara Falls area.

END OF INTERVIEW

DATE July 16, 1987 INTERVIEWER Fred J. Lavelle
PLACE Chevrolet Plant, River Road, Tonawanda, New York

IROQUOIS GAS COMPANY

EDWIN J. HARTMAN, Donner Hanna Coke, Abby Street, P.O. Box A, South Park Station, Buffalo, New York 14220, telephone 824-3873, was interviewed and furnished the following information:

Edwin J. Hartman stated that he has been employed by Donner Hanna Coke, for the last 27 years, his title being Superintendent, however due to declining business, Donner Hanna Coke closed its doors in 1982 and is no longer processing coke. Mr. Hartman stated that at the present, he is still there to maintain the office and records, and he will also be phased out.

He advised that the main function of Donner Hanna Coke was to produce coke oven gas. This manufactured gas was sold to various buyers, including "Iroquois Gas" now known as "National Fuel". Iroquois Gas bought the manufactured gas up and until 1980, but did not renew the contract. This fuel was also sold to Republic Steel.

Mr. Hartman further advised that once the coke gas was produced, it was pumped into a 48" transmission line, with all of the impurities in the gas to Iroquois Gas. The coke gas was received by Iroquois in a five million cubic foot holder for pressure. This same coke gas was passed through purifying boxes that contained "wood chips". The purpose of the purifying box and wood chips was to remove the impurities contained in the manufactured gas. He stated that this system worked very similar to a filter in a cigarette. Periodically, these purifying boxes had to be cleaned out to remove the material, which required a steam shovel to do the job.

He further noted that Iroquois' five million cubic foot holder was located on Baraga Street, which is one street over from the Donner Hanna Coke plant. He also noted that Donner Hanna Coke also transmitted manufactured gas to the Iroquois Gas Plant located on Mineral Springs Road, West Seneca, New York where Iroquois Gas had another five million cubic foot holder, also containing the above described purifying boxes.

Mr. Hartman also produced and copied a schematic of the by-products of coke gas during the interview. This schematic clearly indicates the following by-products from coke to manufactured gas: Cyanide, Ferri-Cyanide, and Prussian blue. The materials listed here being part of the impurities in the manufactured gas, and would necessitate their removal from the gas.

DATE July 10, 1987

INTERVIEWER Fred J. Lavelle

PLACE Donner Hanna Coke, Abby Street, Buffalo, N.Y.

EDWIN HARTMAN INTERVIEW

- Page 2 -

He was also interviewed regarding the disposal of the gas impurities. He stated that what Donner Hanna Coke had left, they burned. He was unaware of what Iroquois Gas did with all of theirs, with one exception. He stated that pre-1960 Ralph D. Young Landscaping would buy the "wood chip" impurities and use them mixed with soil for landfill. He stated that Young Landscaping is from the West Seneca area, possibly near Lydecker Road. He suggested that we speak to Mr. Young.

Mr. Hartman further stated that at the time when Ralph Young was removing the wood chips and using it for landfill, the general feeling was that it was all right. He suggested that we speak to James Ferrel, who was the Chief Chemist for Donner Hanna Coke. Mr. Ferrel resides at 59 Kennedy Court, Lancaster, New York 14081, 684-4936.

He also stated that there are still a couple of gas manufacturing facilities in the area in operation: the Bethlehem Coke Plant on Fuhrman Boulevard and the Tonawanda Coke Plant on River Road. He also stated that the Chevrolet Plant on River Road had a coke plant.

Mr. Hartman stated the Donner Hanna Coke is owned by the parent company, the second largest steel manufacturer, known as LTV Steel, and also the Hanna Furnace Corporation on Fuhrman Boulevard. He also noted that Donner Hanna Coke, Iroquois Gas at Baraga Street, and Iroquois Gas on Mineral Spring Road are all in an extremely close proximity to the New Buffalo Industrial Park on Dingens near Bailey.

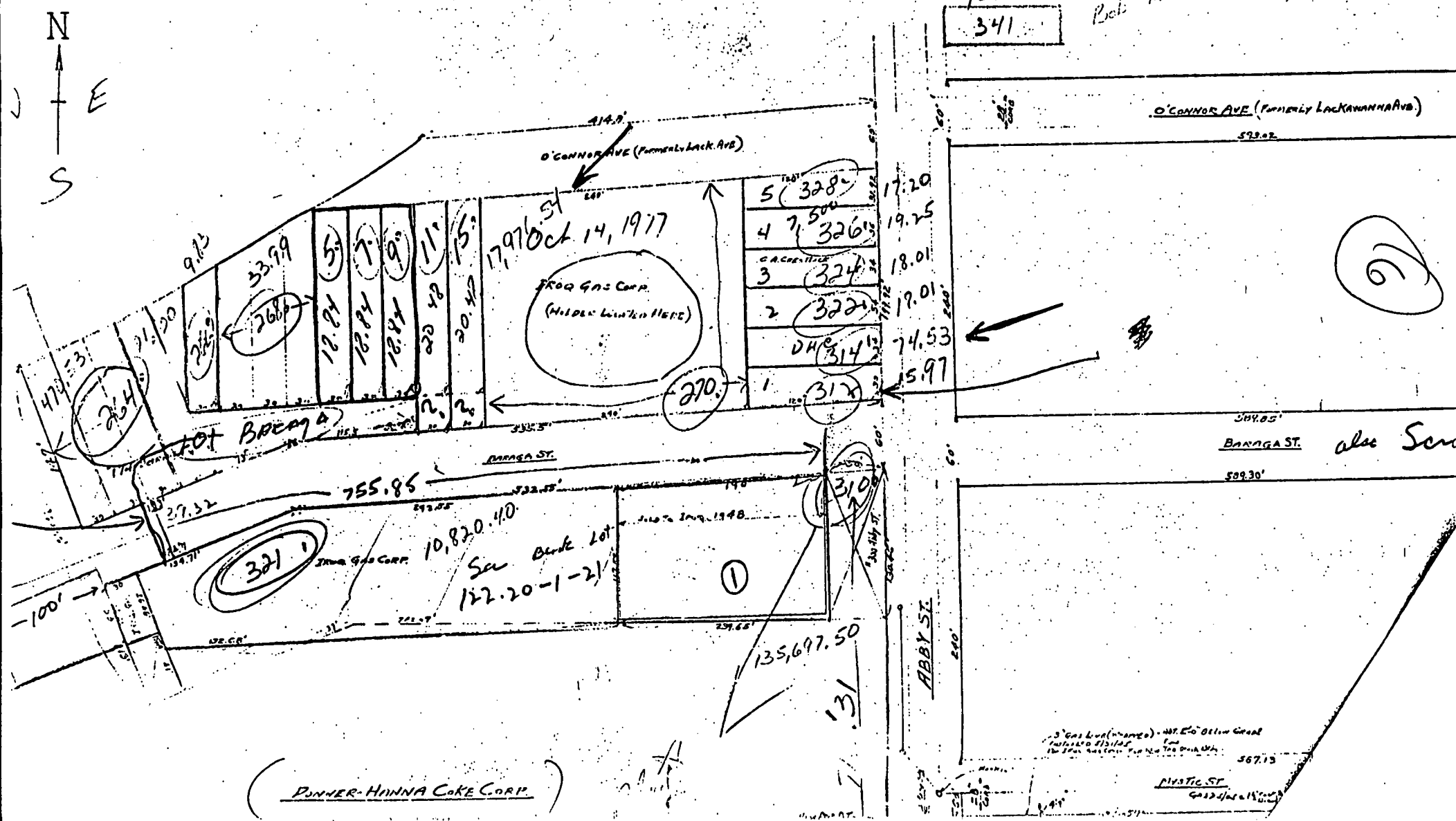
END OF INTERVIEW

DATE July 10, 1987

INTERVIEWER Fred J. Lavelle

PLACE Donner Hanna Coke, Abby Street, Buffalo, N.Y.

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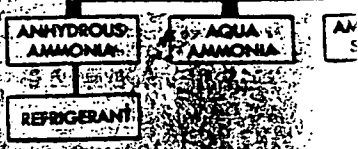
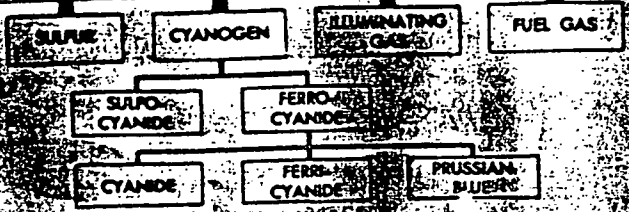
BIEL'S

PRODUCTS DERIVED FROM COAL

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COAL

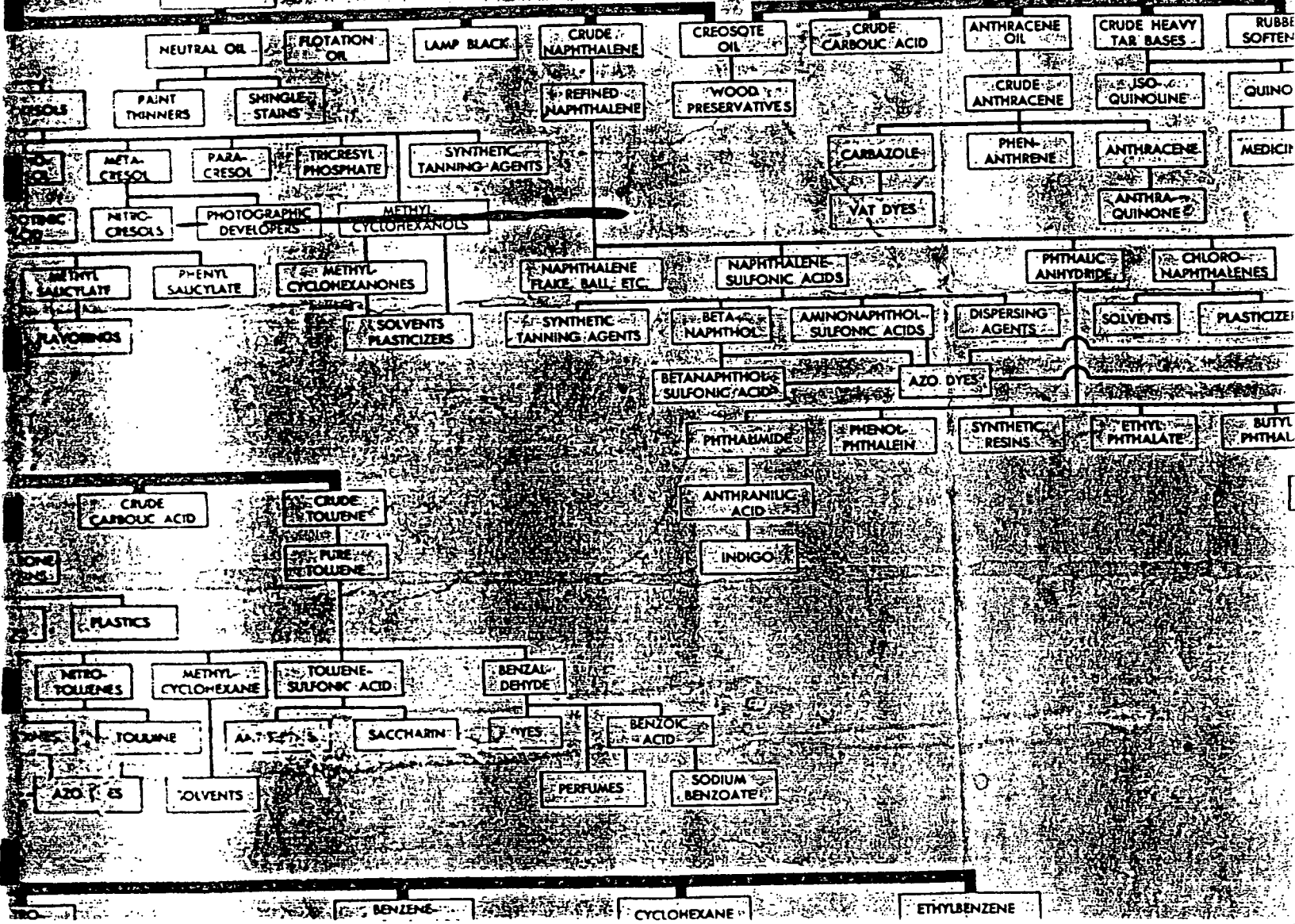
GAS



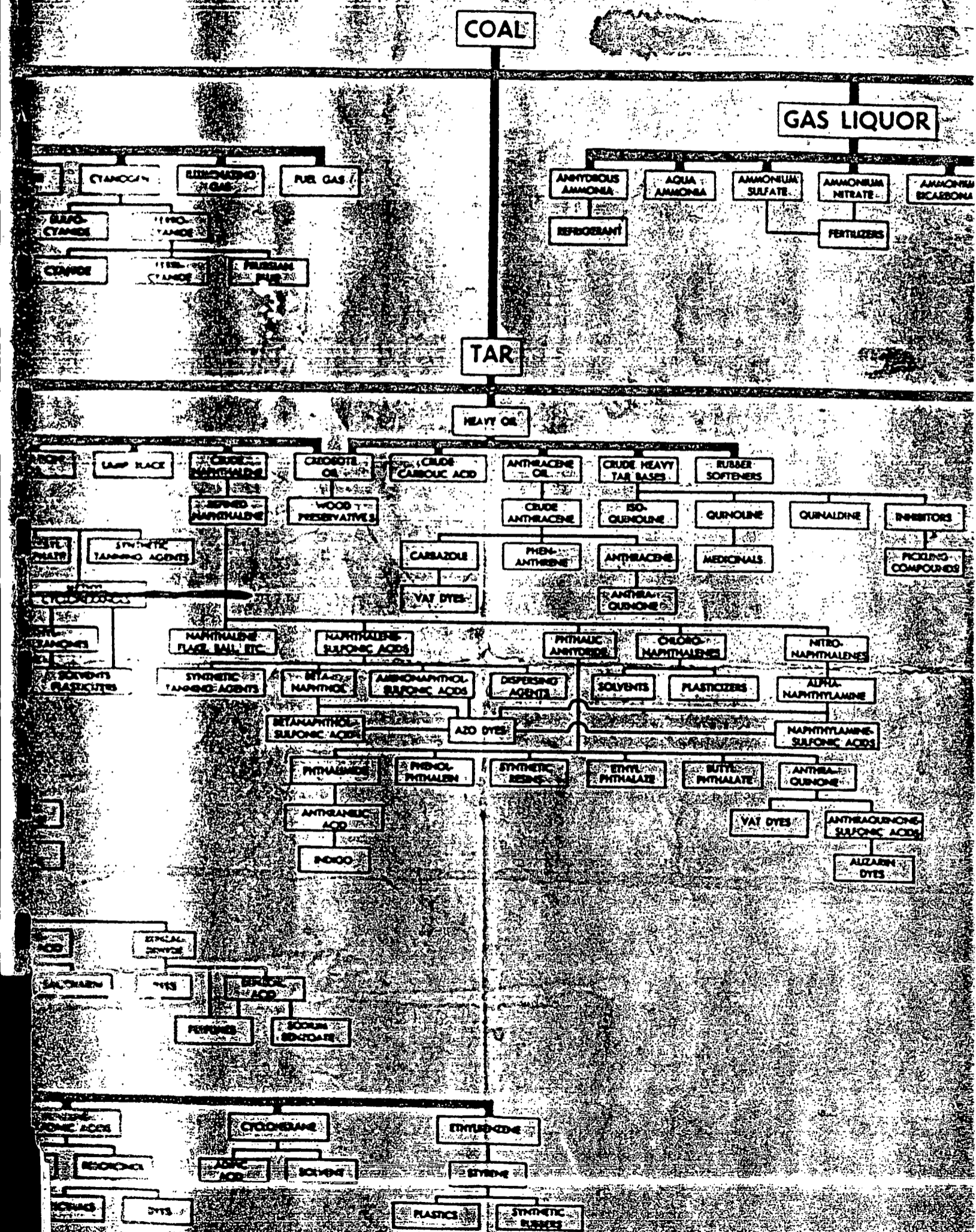
TAR

MIDDLE OIL

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PRODUCTS DERIVED FROM COAL



PREPARED BY
THE BARRETT I
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QUOR

COKE

AMMONIUM BICARBONATE
AMMONIUM CARBONATE
AMMONIUM CHLORIDE

METALLURGICAL COKES
GRAPHITE
DOMESTIC COKES
COKE BREEZE BRICKETS
LUBRICANTS
CRUCIBLES
ELECTRODES

REFINED TAR

PITCH

PAINTS
TARRED FELTS
PIPE COATINGS
SUB-FLOORINGS
SIDEWALK COMPOSITIONS
BUILT-UP ROOFINGS
INSULATION
WATER-PROOFINGS

RUBBER SOFTENERS

SOFT PITCH

ROAD TARS
WATER-PROOFINGS

COLD-SURFACE TREATING TAR
HOT-SURFACE TREATING TAR
PENETRATION MACADAM BINDERS
TAR-CONCRETE BINDERS
COLD-PATCH BINDERS
PAVING-BLOCK FILLERS

MEDIUM PITCH

RUBBER COMPOUNDING COMPOSITIONS
PIPE ENAMELS
INSULATION
BRICKETS
PAINTS
ROOFINGS
WATER-PROOFINGS

HARD PITCH

BATTERY COMPOUNDS
CORE COMPOUNDS
ELECTRODE CARBONS
TARGETS
POWDERED FUELS
PITCH COKES
METALLURGICAL COKES
ELECTRODES

PREPARED BY

RETT DIVISION

AL & DYE CORPORATION

RECTOR STREET

NEW YORK, N. Y.



JAMES FERREL, Chief Chemist, Donner Hanna Coke, Abby Street, Buffalo, New York, was interviewed and furnished the following information:

Mr. Ferrel advised that he was employed at Donner Hanna Coke from 1959 until the plant closed several years ago. He was particularly familiar with the process of coke to manufactured natural gas. He was willing to be interviewed. He also stated that his predecessor is now deceased.

Mr. Ferrel did not go into detail regarding the actual process of coke into manufactured gas. He did explain the procedure necessary to purify the gas after it was manufactured. He stated that the gas contained many impurities from its original rough form. These impurities contained a sulphur that had to be stripped away, "H₂S". The sulphur in the gas created a rotten egg odor which had to be removed before the customer received it.

The process needed to remove the H₂S was called purifying boxes. Mr. Ferrel stated that one of Donner Hanna Coke's large accounts was the Iroquois Gas Corporation, which had a plant on Baraga Street; Baraga Street being one block away from Donner Hanna Coke. At the Baraga Street location, Iroquois Gas had four purifying boxes to remove the odors and unwanted chemicals.

He described the purifying boxes as follows: About 20' x 20' x 10' high, four of them in all, in a series with each other. The boxes contained "wood chips" that were impregnated with iron. The raw gas was pushed through the purifying boxes, with the wood chips removing all of the impurities.

Mr. Ferrel listed the boxes as 1 - 2 - 3 - 4, stating that as the boxes became loaded with the unwanted chemicals, they were cleaned out and replaced with the wood/iron chips, and again put into service. They were cleaned in a sequence, 1-3, 2-4 and so on.

He stated that the by-products were left in the wood chips and dug out with a large steam shovel and removed from the property of Iroquois Gas. He did not know where the by-product was taken to.

Mr. Ferrel described the unwanted by-product wood/iron chips as follows: +2 iron, +3 iron and cyanide. He did say that it could be known as a Ferro-Ferric and would contain cyanide.

He further stated that prior to 1960 a great deal of the wood/iron chips would have been created, in fact, approximately 10 times more of this product. This is due primarily because prior to 1960, there was no other process known to remove the sulfur and

DATE July 15, 1987 INTERVIEWER Fred J. Lavelle

PLACE 59 Kennedy Court, Lancaster, New York, 684-4936

JAMES FERREL INTERVIEW

- Page 2 -

chemicals from the gas. In 1960 a new sulfur removing process was installed at Donner Hanna Coke, practically eliminating the purifying boxes.

The material at the New Buffalo Industrial Park was described to Mr. Ferrel, being that it is a Ferro-Ferric Cyanide, bluish/purple in color and has a fibrous texture. Mr. Ferrel said he feels by description and chemical content that the sludge at the NBIP may have come from the purifying boxes used by Iroquois Gas. Further stating, that even to date the wood chips if dug out may ignite; that there still may be gas in them. He stated the gas contained about 60% hydrogen and 25% - 30% methane; that there still may be a residual amount left in the chips.

James Ferrel continued to state that the wood/iron chips may turn to a bluish/purple color if conditions were right. He said the iron in the wood chips would turn the materials blue. He suggested that some of the material be tested, and if it ignites, it definitely is from the gas process, unless of course, they were burned after dumping.

He also stated the Baraga Street (Iroquois Gas) has been closed for the last ten years. He said Iroquois Gas literally gave it to Donner Hanna Coke and turned the keys over to them.

Mr. Ferrel also advised that Donner Hanna Coke also made a fertilizer known as ammonia sulfate which was blue in color, however, this product would not be dumped. He also said that when making manufactured gas, if the PH was not correct, the materials would turn blue. This problem would have to be corrected to continue on with the process. Again, he said this material would not be dumped, but it would be reused.

Finally, Mr. James Ferrel stated that Republic Steel, now closed also bought gas from Donner Hanna Coke. He did not have information on their use. He also indicated that Bethlehem Steel still manufactures gas on Fuhrman Boulevard.

END OF INTERVIEW

DATE July 15, 1987 INTERVIEWER Fred J. Lavelle
PLACE 59 Kennedy Court, Lancaster, New York, 684-4936

RALPH D. YOUNG, 21 Oakridge Drive, West Seneca, New York, telephone number 674-1213 was interviewed and furnished the following information:

Mr. Young stated that he was in the landscaping business from 1929-1962, at which time he retired. During that period of time, he had as many as twelve dump trucks picking up and delivering various materials.

Mr. Young advised that his business was primarily landscaping, however, during the off season he did hourly work for Hanna Furnace in the 1940's. They would take truck loads of slag and gravel from Hanna Furnace and dump it on Tift Street in Buffalo. This he did for seven to eight years. He stated that the materials were slag, iron, brownish in color. He was told to dump the materials at Tift and Fuhrman Boulevard, but did not know who owned the property.

He also stated that he did haul coke for Donner Hanna Coke to various businesses and homes. He denied hauling any other material from Donner Hanna Coke and the only employee there he could remember was a Donald Scully.

Mr. Young also said he hauled coke for Iroquois Gas out of Mineral Spring Road. He said he hauled two tons at a time with each truck. This again, he took and sold to area homes and businesses. He said Iroquois Gas had about twenty contractors hauling materials out including himself. He could not remember all their names, but did give several: Jack Reitter from South Buffalo, Lewis Witt from the Kensington area, and Mr. Krueger from Black Rock.

Mr. Young further stated that a Jerry Greenan, now deceased, was the dispatcher for Iroquois Gas and set up all the deliveries and pick ups. The only other person he could remember from Iroquois Gas was a William Becker from the South Buffalo area who drove a dump truck.

Mr. Young was questioned regarding 100 Hi-View Terrace in West Seneca, New York. He denied ever dumping or doing any landscaping in that area, however, he did know its location.

He was also questioned about the materials he hauled for Iroquois Gas. He again stated that he hauled only coke for customers from Iroquois. Mr. Young described the material as a greyish/silver in color, very light weight, but then he did say that he thought it was a by-product after Iroquois made manufactured gas from soft coal. He also commented that he did take materials out of Baraga Street, but not too often. Again, he said these materials were coke from Baraga Street to his knowledge. Baraga Street is owned by Iroquois Gas where they had a filtration plant and pumping station.

DATE July 20, 1987 INTERVIEWER Fred J. Lavelle

PLACE 21 Oakridge Drive, West Seneca, New York

Mr. Young was also questioned as to where he obtained his landscaping fill. He was very evasive and could not recall. He could not remember names, places, etc. He stated that he did get fill somewhere along the creek, however, during the interview it was found that his business was located on Seneca Creek which is now the location of A.B.C. Paving.

He stated that he is not familiar with the New Buffalo Industrial Park. He was given the location of the New Buffalo Industrial Park. Mr. Young stated that he nor his men ever dumped there. The wood chips from the gas filtering process were also described to him. He denied ever hauling them.

END OF INTERVIEW

Proof

I have compared this proof with the original(s) and have determined that it meets **kinko's**® quality standards.

Signature: _____

DATE July 20, 1987 INTERVIEWER Fred J. Lavelle

PLACE 21 Oakridge Drive, West Seneca, New York

CURTIS LEE, Attorney for National Fuel Gas' Legal Department, 15th floor, 10 Lafayette Square, was interviewed in his office and furnished the following information:

Mr. Lee had interviewed several older employees and researched the records of Iroquois Gas, the predecessor corporation of National Fuel Gas.

No record was found to indicate any dumping or involvement of Iroquois Gas at the NBIP site, nor was any record found of which private dumpers were used or where any waste materials were taken.

He is sure people were hired to remove waste materials, but no records were legally required or kept before 1976.

The Resource Conservation and Recovery Act of 1976 and the Superfund Act of 1980 made record keeping and careful disposal mandatory. National Fuel Gas has complied with all of these requirements since then.

I reviewed in part and without naming names, our findings from Donner Hanna Coke per reports of July 10, and July 15, 1987.

Mr. Lee agreed that it is possible the by-products of synthetic gas manufactured by Iroquois did in fact reach the NBIP site, but they have no record of this and do not feel liable for it.

END OF INTERVIEW

DATE July 23, 1987 INTERVIEWER David Denler
PLACE Buffalo, New York

SOURCE MATERIAL

BUFFALO SEWER AUTHORITY

1038 CITY HALL

BUFFALO, NEW YORK 14202

855-4664

GILLMAN J. LAEHY, P.E.
General Manager

EDWARD J. PAWLIK
Chairman

BRADLEY J. HURD
Vice Chairman

THEODORE V. MIKOLL
Assistant Vice Chairman

HENRY J. HAHN
Assistant Secretary

EUGENE E. McASHAN
Member

May 12, 1987

Michael P. McKeating
Director of Development
920 City Hall
Buffalo, N.Y. 14202-3376

Re: New Buffalo Industrial Park

Dear Mr. McKeating:

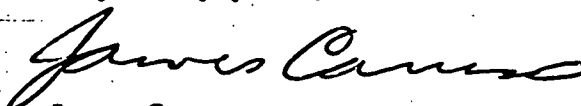
As per your request, the Buffalo Sewer Authority Industrial Waste Section procured a sample of the purple solid found at the above site from Goldberg-Zoino Associates. The Buffalo Sewer Authority lab analyzed the material and the results are attached for your perusal.

The report shows .4% cyanide and 1.4% iron was present in the sample. These percentages along with the blue color strongly suggests that the material contains $\text{Fe}_4[\text{Fe}(\text{CN}_6)]_3$ Ferric Ferrocyanide formerly called prussian blue. In addition the material contained a higher than normal amount of copper and lead salts.

I have attached literature data about prussian blue and other similar compounds. This data states that prussian blue was used in the paint industry as a dye. Also, the chemical does not appear to be hazardous under normal conditions.

If further assistance is required you may contact me at the above number.

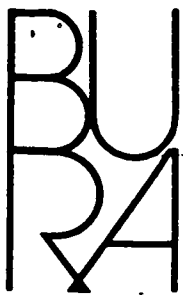
Very truly yours,



James Caruso
Associate Chemist

JC/em

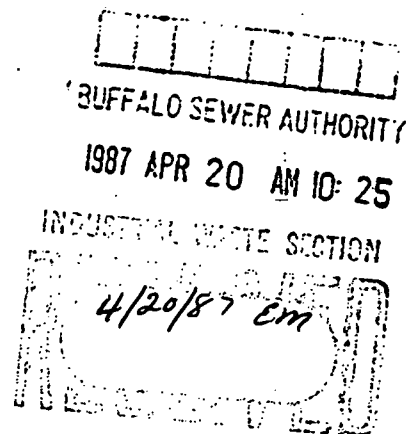
cc: New Bflo. Ind. Park



Buffalo Urban Renewal Agency
920 City Hall, Buffalo, New York 14202-3376
716-855-5035

James D. Griffin, Chairman

April 16, 1987



Tu-Don
Irvine G. Reinig, II, P.E.
General Manager
Goldberg-Zoino Associates
364 Nagel Drive
Cheektowaga, New York 14225

685-2300

Rich Harding

Re: Testing of Purple Sludge

Dear Mr. Reinig:---

Cameron O'Connor from the Erie County Department of Environment and Planning called me today. He noted that there used to be a fuel processing plant located on the NBIP site near the present location of the NFS food warehouse. It belonged to Iroquois Gas, which was the former name of National fuel Gas. He also noted that a chemist for the Buffalo Sewer Authority said in a memo that he thought the sludge material resembled a material called "prussin blue" which was a by-product of synthetic natural gas production, and which has been found in other landfills in the area and traced to National Fuel Gas.

In the light of the foregoing, Mr. O'Connor suggested that we test the sludge for ferric-ferro cyanide. He says this would help us determine if it is prussin blue, and if it is attributable to the National Fuel Gas Facility.

I have contacted Jerry Eagan of the Buffalo Sewer Authority, who said the Sewer Authority chemist could test it for us. I suggest Mr. Eagan immediately and arrange to take some purple sludge samples to the BSA lab for analysis.

Very truly yours,

Michael P. McKeating

MICHAEL P. McKEATING
Director of Development

cc: Mayor Griffin
F. Fadel
J. Eagan

SA
FC
SP

Yellows are mixtures of cadmium and zinc sulfides, the medium yellows are essentially cadmium sulfide, the orange and red hues are cadmium sulfo-selenides and the maroons are cadmium selenides. Although these pigments are available as the pure compounds, they are used mainly as lithopones containing 62 to 64% of barium sulfate. The yellow and orange series have high chroma. The reds and maroons possess chroma between the iron oxides and the organic toners. Notwithstanding the deficiency in chroma, the reds are useful for blending with organic reds in durable exterior finishes. They have good exterior color permanence when used in moderate proportion with other durable red and maroon pigments.

As a class the cadmium lithopone pigments have good hiding but poor tinting strength. The lightfastness is good in full tone; poor in tints. Desirable properties include low oil absorption, non-reactivity, non-bleeding, color fastness at baking temperatures, and resistance to mild alkalis. Limiting properties are sensitivity to acids and toxicity, which eliminates it for household paints and for coatings that may come in contact with foods.

VII. IRON BLUES

Iron blue is the class name of a group of complex ferri-ferrocyanides; known also as Prussian blue, Milori blue and Chinese blue. The latter terms formerly indicated different grades but they have been applied so carelessly that they have become almost meaningless and are passing out of use.

Iron blues are the potassium, sodium or ammonium coordination compounds (not salts) of ferri-ferrocyanide. There are two general types as to hue: (1) a red tone type with a dark plum masstone and a reddish blue undertone or tint off white and (2) a deep tone type that has a black masstone and a greenish blue tint off white. Both types appear almost black in masstone and are very seldom used in this way.

Until recent years there was no blue pigment with generally satisfactory paint making properties. While this situation was alleviated by the development about 30 years ago of the organic phthalocyanine blue, iron blue remains the largest volume blue pigment by a wide margin, in spite of its shortcomings.

Iron blues have poor hiding in mass color but this has small significance because they have good hiding in mixtures with other pigments and have high tinting strength. They have good resistance to baking temperatures. They have good lightfastness in exterior coatings provided they are a major part of the pigment. In some formulations, however, they may develop a reddish iridescence known as bronzing. The type of pigment with plum masstone is more likely to show this appearance. Light tints made with iron blues fade badly on weather exposure. In the presence of a reducing agent iron blue, a ferri-ferrocyanide, is subject to reduction to a ferro-ferrocyanide, which is white in color. Consequently, light iron blue tints made with an oxygen convertible binder may fade in the can because of the reducing action of the binder. Although color redevelops during drying of the paint, the original color is unlikely to be completely regained.

Iron blues have fair resistance to dilute acids but poor resistance to even weak alkalis. This means that they should not be used in water paints or in the same formula as calcium carbonate. While there are grades of iron blue in which the alkali resistance has been upgraded by substituting nickel for a minor part of the iron, the degree of improvement has practicable significance in only a few special situations.

Iron blues are relatively difficult to disperse, although this disadvantage has been reduced by modern improvements. Vehicle reactivity may be a problem and varies with the specific pigment and the vehicle. Although good stability may be achieved in most instances, in some cases there may be progressive bodying and flocculation.

VIII. ULTRAMARINE BLUE

Natural ultramarine, known to the ancient Egyptians, was made by pulverizing lapis lazuli, a semi-precious stone. Synthetic ultramarine was first made in the early 19th century and it is made in much the same way today. The process involves heating together china clay, sodium carbonate, silica, sulfur and a reducing agent, such as charcoal. The resulting frit is water ground, water classified, filtered, dried and micropulverized. By control of particle size and other variables a moderate range is achieved in masstone, undertone, hiding and tinting strength. At best, however, hiding and

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M A T E R I A L S A F E T Y D A T A S H E E T

CIBA-GEIGY CORPORATION
PLASTICS & ADDITIVES DIVISION
THREE SKYLINE DRIVE
HAWTHORNE, NEW YORK 10532

EMERGENCY PHONE NUMBERS:
SAFETY/HEALTH: (914) 347-4700
AFTER HOURS : (800) 334-9481

SECTION I-IDENTITY INFORMATION

IDENTITY (TRADE NAME): X-3434 HISPERSER IRON BLUE

FAMILY/CHEMICAL NAME:

IRON BLUE

C.I. PIGMENT BLUE 27

C.I. NO. 77510

PRODUCT TYPE:

INORGANIC PIGMENT

HAZARD STATEMENT :

* THIS MATERIAL SAFETY DATA SHEET (MSDS) HAS BEEN *
* PREPARED IN COMPLIANCE WITH THE FEDERAL OSHA HAZARD *
* COMMUNICATION STANDARD 29 CFR 1910.1200. *
* THIS PRODUCT IS NOT CONSIDERED TO BE A HAZARDOUS *
* CHEMICAL UNDER THAT STANDARD. *

SECTION II-HAZARDOUS INGREDIENTS

SPECIFIC CHEMICAL NAME:

PROPRIETARY EYE IRRITATING SURFACTANT.

CAS #: PROPRIETARY.

COMMON NAME: NOT AVAILABLE.

EXPOSURE LIMITS:

OSHA PEL: NOT ESTABLISHED.

ACGIH TLV: NOT ESTABLISHED.

CIBA-GEIGY INTERNAL: NOT ESTABLISHED.

CARCINOGENICITY:

THIS CHEMICAL IS NOT CONSIDERED TO BE CARCINOGENIC
BY NTP, IARC, OR OSHA.

NIOH RTECS NUMBER: NOT APPLICABLE.

X-3434 HISPERSER IRON BLUE

SECTION III-PHYSICAL DATA

APPEARANCE AND ODOR:
DARK BLUE GRANULES
FAINT ORGANIC ODOR
BOILING POINT:
NOT APPLICABLE.
MELTING POINT:
NOT AVAILABLE.
FREEZING POINT:
NOT APPLICABLE.
DECOMPOSITION TEMPERATURE:
NOT AVAILABLE.
EVAPORATION RATE:
NOT APPLICABLE.
PERCENT VOLATILE:
-0-
VAPOR DENSITY:
NOT APPLICABLE.
VAPOR PRESSURE:
NOT APPLICABLE.
SOLUBILITY IN WATER:
MODERATE.
PH:
NOT APPLICABLE.
SPECIFIC GRAVITY:
1.72
(H₂O = 1)

SECTION IV-FIRE AND EXPLOSION HAZARD DATA

FLAMMABLE LIMITS IN AIR-LOWER:
NOT APPLICABLE.
FLAMMABLE LIMITS IN AIR-UPPER:
NOT APPLICABLE.
AUTOIGNITION TEMPERATURE:
NOT AVAILABLE.
NFPA CODE:
NOT APPLICABLE.
EXTINGUISHING MEDIA:
WATER.
FIRE FIGHTING PROCEDURES-SPECIAL:
USE SELF-CONTAINED BREATHING APPARATUS.
UNUSUAL FIRE AND EXPLOSION HAZARDS:
TREAT AS A FLAMMABLE DUST IN THE FINELY DIVIDED AND
SUSPENDED STATE.

SECTION V-REACTIVITY DATA

STABILITY:
STABLE.
CONDITIONS TO AVOID:

X-3434 HISPERSE IRON BLUE

NONE KNOWN
INCOMPATIBILITY:
NO UNUSUAL HAZARDS.
HAZARDOUS DECOMPOSITION PRODUCTS:
AMMONIA, HYDROGEN CYANIDE AND OXIDES OF NITROGEN MAY BE
GENERATED UNDER FIRE CONDITIONS.
HAZARDOUS POLYMERIZATION:
WILL NOT OCCUR.

SECTION VI-HEALTH HAZARD DATA

PRIMARY ROUTES OF EXPOSURE:
INHALATION AND INGESTION.

ORAL LD50:
ESSENTIALLY SIMILAR COMPOUNDS HAVE BEEN TESTED IN RATS AND
HAVE BEEN FOUND TO HAVE AN ACUTE ORAL LD50 IN RATS OF GREAT-
ER THAN 5,000 MG/KG.

DERMAL LD50:

NOT AVAILABLE.

SKIN IRRITATION:

NOT EXPECTED.

EYE IRRITATION:

NOT AN IRRITANT.

SENSITIZATION:

NOT EXPECTED.

INHALATION LC50:

NOT AVAILABLE.

OVEREXPOSURE EFFECTS:

THIS PRODUCT IS NOT EXPECTED TO PRESENT ANY SPECIFIC
HAZARD TO HEALTH DURING HANDLING, BASED UPON CURRENT
KNOWLEDGE.

SECTION IV-FIRE AND EXPLOSION HAZARD DATA

OVEREXPOSURE-ACUTE:

NO KNOWN HAZARDS.

OVEREXPOSURE-CHRONIC:

NO KNOWN HAZARDS.

HAZARDOUS PROPERTIES:

SEE ABOVE.

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE:

NONE KNOWN.

EMERGENCY AND FIRST AID PROCEDURES-EYES:

EXTEND IMMEDIATELY WASH EYES WITH WATER FOR AT LEAST 15 MINUTES.

SEE A PHYSICIAN.

EMERGENCY AND FIRST AID PROCEDURES-SKIN:

WASH WITH SOAP AND WATER. REMOVE CONTAMINATED CLOTHING.

IF IRRITATION DEVELOPS, CONSULT A PHYSICIAN.

EMERGENCY AND FIRST AID PROCEDURES-INGESTION:

IF CONSCIOUS, GIVE LARGE QUANTITIES OF WATER.

INDUCE VOMITING. GET MEDICAL ATTENTION.

EMERGENCY AND FIRST AID PROCEDURES-INHALATION:

REMOVE TO FRESH AIR. CALL A PHYSICIAN.

EMERGENCY AND FIRST AID PROCEDURES-OTHER:

WASH CONTAMINATED CLOTHING PRIOR TO REUSE.

NOTES TO PHYSICIAN:

X-3434 HISPERSE IRON BLUE

NONE SPECIFIED.

SECTION VII-SPILL OR LEAK PROCEDURES

SPILL PROCEDURES:

VACUUM OR USE WET CLEAN-UP TECHNIQUES AND PLACE RECOVERED PRODUCT IN A CLOSABLE CONTAINER.

WASTE DISPOSAL METHODS:

DISPOSE IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL REGULATIONS.

EFFLUENT DATA-BOD:

NOT AVAILABLE.

EFFLUENT DATA-TOD:

NOT AVAILABLE.

FISH TOXICITY:

NOT AVAILABLE.

SECTION VIII-SPECIAL PROTECTION INFORMATION

VENTILATION:

USE ADEQUATE, LOCALIZED VENTILATION FOR ALL HANDLING OPERATIONS.

PROTECTIVE GLOVES:

USE OF RUBBER OR NEOPRENE GLOVES IS RECOMMENDED TO AVOID DIRECT SKIN CONTACT.

EYE PROTECTION:

WEAR SAFETY GLASSES OR GOGGLES TO PROTECT AGAINST DUST PARTICLES.

RESPIRATORY PROTECTION:

WEAR NIOSH APPROVED DUST RESPIRATOR FOR POTENTIALLY DUSTY HANDLING OPERATIONS.

OTHER PROTECTIVE EQUIPMENT:

NONE SPECIFIED.

SECTION IX-SPECIAL PRECAUTIONS

HANDLING, SHIPPING AND STORING PRECAUTIONS:

IN ACCORDANCE WITH GOOD INDUSTRIAL PRACTICE, HANDLE WITH CARE AND AVOID UNNECESSARY PERSONAL CONTACT.

KEEP CONTAINER CLOSED WHEN NOT IN USE.

USE WITH ADEQUATE, LOCALIZED VENTILATION.

FOR INDUSTRIAL USE ONLY.

PERSONAL HYGIENE:

WASH THOROUGHLY AFTER HANDLING AND BEFORE EATING, DRINKING, OR USING TOBACCO PRODUCTS.

SPECIAL TRAINING:

ALL EMPLOYEES INVOLVED WITH THE HANDLING OF THIS PRODUCT SHOULD RECEIVE TRAINING RELATIVE TO THE INFORMATION SUPPLIED IN THIS MATERIAL SAFETY DATA SHEET.

SECTION X- REGULATORY INFORMATION

DOT CLASS:

X-3434 HISPERS IRON BLUE

NOT REGULATED.
DOT NUMBER:
NONE.
RCRA STATUS:
NOT AVAILABLE.

ISSUE DATE: 09/19/85 REVISION: 05C
FOR FURTHER INFORMATION, PLEASE CONTACT: ALAN SCHENKEL

THE INFORMATION AND RECOMMENDATIONS CONTAINED HEREIN ARE
BASED UPON DATA BELIEVED TO BE CORRECT. HOWEVER, NO GUARANTEE
OR WARRANTY OF ANY KIND EXPRESSED OR IMPLIED IS MADE WITH
RESPECT TO THE INFORMATION CONTAINED HEREIN.

FREE ON THE MARKET

FOR SALE

FOR SALE

FOR SALE

FOR SALE

FOR SALE

FOR SALE

(7021)
4507P

AGE

MATERIAL SAFETY DATA SHEET

NOT FOR SALE

CIBA-GEIGY CORPORATION
PLASTICS & ADDITIVES DIVISION
THREE SKYLINE DRIVE
HAWTHORNE, NEW YORK 10532
(914) 347-4700

FOR FURTHER INFORMATION, PLEASE CONTACT NEW YORK OFFICE

TRADE NAME: THE X-3554 HISPERSER IRON BLUE (POWDER)
BASED ON THE FOLLOWING INFORMATION CONTAINED HEREIN ARE
FAMILY/NAME: HARPTRON BLUE, THE TYPELESS OF IMPURITY OF HARPTRON
RESPECTIVE: PIGMENT BLUE 27, OTHER IDENTICAL
C.I. NO. 77510

PRODUCT TYPE: INORGANIC PIGMENT

HAZARDOUS INGREDIENTS:
CONTAINS A SURFACTANT WHICH MAY CAUSE SKIN IRRITATION IN THE
CASE OF CERTAIN INDIVIDUALS.

PHYSICAL DATA :

APPEARANCE AND ODOR:
DARK BLUE POWDER, ODORLESS
BOILING POINT:
NOT APPLICABLE
DECOMPOSITION TEMPERATURE:
NOT AVAILABLE
EVAPORATION RATE:
NOT APPLICABLE
MELTING POINT:
NOT AVAILABLE
PERCENT VOLATILE:
-0-
SPECIFIC GRAVITY:
APPROX. 2 (H₂O = 1)
SOLUBILITY IN WATER:
MODERATE.
VAPOR DENSITY:
NOT APPLICABLE
VAPOR PRESSURE:
NOT APPLICABLE

FIRE AND EXPLOSION HAZARD DATA :

FLASH POINT: X-3434 HISPERSER IRON BLUE

X-3554 HISPERSER IRON BLUE (POWDER)

NOT APPLICABLE
EXTINGUISHING MEDIA:
WATER
FIRE FIGHTING PROCEDURES-SPECIAL:
NONE REQUIRED.
UNUSUAL FIRE AND EXPLOSION HAZARDS:
TREAT AS A FLAMMABLE DUST IN THE FINELY DIVIDED AND
SUSPENDED STATE.

ACTIVITY DATA :

STABILITY:
STABLE
HAZARDOUS DECOMPOSITION PRODUCTS:
BURNING MAY PRODUCE SMALL AMOUNTS OF AMMONIA AND HYDROGEN
CYANIDE.
HAZARDOUS POLYMERIZATION:
WILL NOT OCCUR.

HEALTH HAZARD DATA :

THRESHOLD LIMIT VALUE:
TREAT AS AN INERT OR NUISANCE DUST
OVEREXPOSURE EFFECTS:
EYE IRRITANT. MAY CAUSE SKIN IRRITATION.
EMERGENCY AND FIRST AID PROCEDURES-EYES:
FLUSH EYES WITH WATER FOR AT LEAST 15 MINUTES.
CALL A PHYSICIAN.
EMERGENCY AND FIRST AID PROCEDURES-SKIN:
IMMEDIATELY WASH WITH MILD SOAP AND WATER. IF IRRITATION
SUBSEQUENTLY RESULTS, CONSULT A PHYSICIAN.

SPILL OR LEAK PROCEDURES :

SPILL PROCEDURES:
SWEEP OR VACUUM AND PLACE INTO CLOSABLE CONTAINER FOR
DISPOSAL. WEAR PROTECTIVE EQUIPMENT SPECIFIED BELOW.
WASTE DISPOSAL METHODS:
DISPOSE IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL
REGULATIONS.

ADDITIONAL PROTECTION INFORMATION :

VENTILATION:
USE LOCAL EXHAUST.
PROTECTIVE GLOVES:
RECOMMENDED
EYE PROTECTION:
PROTECT FROM DUST PARTICLES.
RESPIRATORY PROTECTION:
USE NIOSH APPROVED DUST MASK.
OTHER PROTECTIVE EQUIPMENT:

WEAR PROTECTIVE CLOTHING.

SPECIAL PRECAUTIONS :

HANDLING, SHIPPING AND STORING PRECAUTIONS:

CAUTION!! CONTAINS CHEMICAL AGENT THAT MAY CAUSE IRRITATION.

AVOID EYE, SKIN AND CLOTHING CONTACT.

WASH THOROUGHLY AFTER HANDLING; AND BEFORE EATING, DRINKING
OR SMOKING.

FOR INDUSTRIAL USE ONLY.

ISSUE DATE: 09/23/80
FOR FURTHER INFORMATION, PLEASE CONTACT: ALAN SCHENKEL

THE INFORMATION AND RECOMMENDATIONS CONTAINED HEREIN ARE BASED UPON
DATA BELIEVED TO BE CORRECT. HOWEVER, NO GUARANTEE OR WARRANTY OF ANY
KIND EXPRESSED OR IMPLIED IS MADE WITH RESPECT TO THE INFORMATION
CONTAINED HEREIN.

X-3551 HISPERS IRON BLUE (POWDER)

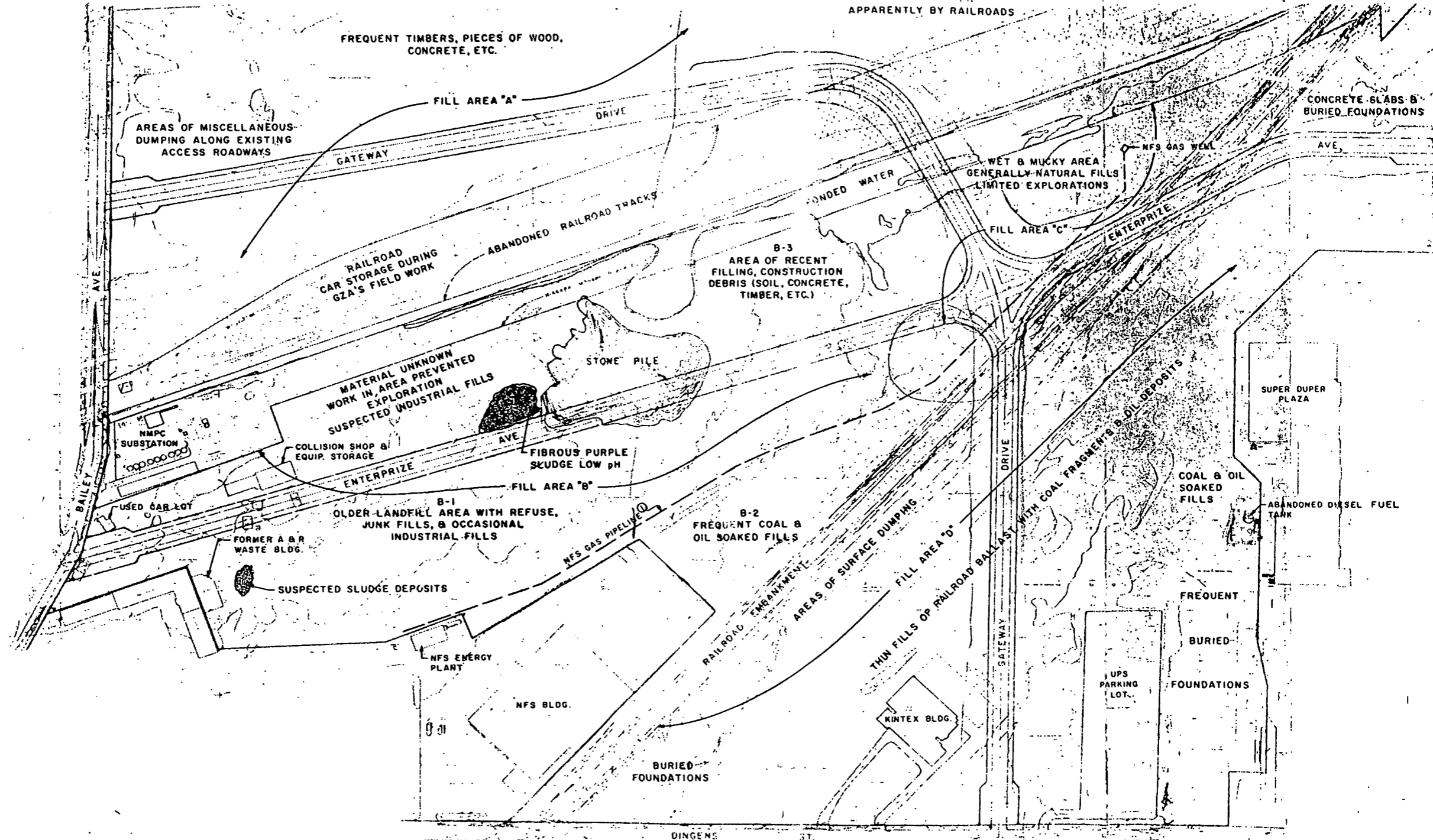
cc IW

**BUFFALO SEWER AUTHORITY
LABORATORY SAMPLE LOG**

SAMPLE SOURCE	Ind Park. Ogden&Dingens	SUBMITTED BY	IW (Labiak)
SAMPLE POINT	001 IW 87-222	DATE SUBMITTED	4/30/87
SAMPLE DATE	4/30/87	RECEIVED BY	JK
TYPE OF SAMPLE	Grab	LAB #	12138
TIMES	9:30 AM	ANALYST(S)	RM. RJ
INTERVALS		CHIEF CHEMIST	JW <i>William's</i>
SAMPLER	Manual	COMMENTS	Black solids
BOTTLES	Glass		
PRESERVATION :	REFRIGERATION HNO3		
	H2SO4 NaOH OTHER		
ANALYSIS BEGAN	5/4/87		
ANALYSIS COMPLETED	5/8/87		

ANALYTICAL RESULTS

PARAMETER	CONCENTRATION	PARAMETER	CONCENTRATION
BOD (5 Day)		MISC	
CHLORINE RESIDUAL			
COLIFORMS, FECAL/100 ml			
COLIFORMS, TOTAL/100 ml			
GREASE & OIL			
HYDROCARBONS			
pH	4.1		
SUSPENDED SOLIDS			
TOTAL SOLIDS			
VOLATILE MATTER			
CYANIDE, TOTAL	0.4 %		
CYANIDE, AMENABLE			
PHENOLS, TOTAL			
ANTIMONY			
ARSENIC			
BARIUM			
BERYLLIUM			
CADMIUM			
CHROMIUM, TOTAL	0.02 mg/g		
COPPER	0.62 mg/g		
IRON	14.3 mg/g		
LEAD	0.45 mg/g		
MANGANESE			
MERCURY			
NICKEL	0.03 mg/g		
SELENIUM			
SILVER			
ZINC			



NEW BU

6/1/87 F.J.J.

COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING

MEMORANDUM

FROM Anthony T. Voell, P.E., Deputy Commissioner **DATE** March 8, 1985
TO Joan E. Loring, Commissioner
SUBJECT New Buffalo Industrial Park - DEP Involvement Chronological Summary

The conclusion from our involvement in this project is that the environmental problems identified on this site can be incorporated into a construction contingency plan and be taken care of at the time of construction. The plan as proposed July 20, 1984, and if amended based on our suggestions, should be adequate for this project.

May 13, 1981 - Anonymous complaint received regarding barrels between Bailey and South Ogden south of William Street.

May 20, 21, 1981 - Field Inspection revealed that barrels were empty and belonged to A&R Waste Metal and Iron Company. Telephone conversation confirmed that they would clean up the empty barrels.

November 25, 1981 - Memorandum to New York State DEC (Peter Buechi) notified him of a landfill observed during the 5/20/81 barrel inspection and requesting that it be added to a list of inactive sites.

December 7, 1981 - DEC memo to DEP confirming the November 25th memo.

March 19, 1982 - Environmental Assessment for the Buffalo Industrial Park prepared by Ecology and Environment Incorporated. Page 3-22 of this report says that there may be some chemical in runoff in Site "A".

April 26, 1982 - Letter from Pat Marin to Roz Paaswell asking for SEQR review by County.

May 5, 1982 - Integrated review performed by DEP.

May 6, 1982 - Letter from Mike Alspaugh to City of Buffalo regarding SEQR concerns (sewers and water system approvals).

May 26, 1982 - Comments from Joe Sciascia and Larry Clare submitted to Mike Alspaugh concerning sewers and air quality.

July 19, 1982 - Telephone conversation between City of Buffalo and Don Campbell regarding the project.

August 2, 1982 - Telephone conversation between the City of Buffalo and Cam O'Conner regarding the project.

September 1, 1982 - Negative Declaration for NBIP appeared in DEC Environmental Notice Bulletin.

February 7, 1983 - Voell and O'Conner met with Ed Umiker, at his suggestion, to discuss soil investigations at NBIP. A sampling program was suggested for the investigation.

February 8, 1983 - DEP inspected NBIP property and prepared an inactive waste disposal site report on NBIP.

February 8, 1983 - Ed Umiker memo to Tony Voell asking for recommendations regarding lab testing related to hazardous wastes.

February 17, 1983 - Letter from ECIDA to City of Buffalo Economic Development regarding E&E Report and hazardous wastes.

February 18, 1983 - Letter from Buffalo Community Development to ECIDA transmitting environmental review record for New Buffalo Industrial Park.

March 9, 1983 - Memo from Voell to Umiker regarding information given to NBIP consultant.

April 26, 1983 - Memorandum Cameron O'Conner to Don Campbell regarding complaint from resident near NBIP.

April 27, 1983 - Copy of NBIP profile report given to Sue Barns to Councilman Norman Bakos.

May 19, 1983 - Memorandum Cameron O'Conner to Don Campbell regarding May 12th meeting with Goldberg, Zoino, Consultants (GZA).

June 24, 1983 - Memorandum from County Attorney to Ed Umiker regarding NBIP legislative resolution. Suggests holding off until environmental concerns have been satisfied.

June 24, 1983 - Memo from Larry Clare to Voell and Loring regarding June 24th meeting at City of Buffalo to discuss sampling activities at NBIP.

June 30, 1983 - GZA preliminary geohydrologic report submitted to Buffalo.

July 1, 1983 - Memorandum Voell to Loring regarding action to obtain Legislative authorization on a County contract. Agreed to wait until environmental and soils questions are resolved.

July 12, 1983 - Copy of GZA report received for review by DEP.

July 14, 1983 - Memo Voell to Umiker regarding GZA report questions.

July 21, 1983 - Memorandum Cameron O'Conner to Don Campbell regarding comments on GZA Report.

July 22, 1983 - Memorandum Don Campbell to DEC (Peter Buechi) forwarding a copy of the preliminary assessment of NBIP by GZA and requesting that the site be included on the inventory of hazardous waste sites.

August 2, 1983 - Letter from Umiker to Pat Marin regarding GZA report.

August 5, 1983 - Memorandum Voell to Umiker regarding GZA report.

August 17, 1983 - Letter Olsen and Terzian consultants to Buffalo regarding additional studies on NBIP.

August 22, 1983 - Proposal for additional studies forwarded to DEP for review.

August 26, 1983 - Memo Voell to Umiker regarding soil testing recommendations.

September 16, 1983 - A revised proposal for NBIP submitted to DEP for review.

December 19, 1983 - Telephone conversation Don Campbell indicated to Peter Buechi preliminary results indicate site is generally OK, DEP will send him a copy.

March 27, 1984 - Memorandum Cameron O'Conner to Don Campbell subject comments on Goldberg Zoino final report provided and return to Mr. Umiker.

June 21, 1984 - Request made for DEP review and analytical results of NBIP surface water samples.

July 3, 1984 - Memorandum Voell to John Reed, City of Buffalo, regarding water results.

July 10, 1984 - Memorandum John Reed to Umiker, etc., suggesting setting up a meeting for one last presentation by GZA.

July 20, 1984 - Letter from John Reed to Voell asking for review of a proposed construction contingency plan for NBIP.

July 27, 1984 - Memorandum from Cameron O'Conner to Campbell regarding the comments on the contingency plan.

July 30, 1984 - Letter from Campbell to John Reed forwarding comments on proposed contingency plan.

ATV:s1

COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF ENVIRONMENTAL CONTROL

MEMORANDUM

FROM Anthony T. Voell DATE October 1, 1985
TO Larry Clare, NYSDEC
SUBJECT DEC Inactive Hazardous Waste Site Registry Update
Site 915122 - New Buffalo Avenue and South Ogden Street

I recommend updating the above site information as follows. The information is taken from a January 1984 report prepared by Goldberg Zoino Associates.

Estimated Size - 135 Acres

Site Description:

Suggest the following summary from the site history presented in Chapter 2 of the GZA Report. The 1891 Buffalo City Atlas shows that the property was previously occupied by a Lehigh Valley Railroad Switching Yard with car and locomotive maintenance facilities. It also shows that a brickyard was located near the intersection of Bailey Avenue and Dingsen Street. Examination of aerial photographs and maps subsequent to 1891 shows that fill had been deposited randomly throughout the site. The majority of the filling occurred between the 1920s and early 1950s and was generally concentrated in the area west of the railroad embankment and south of the former Erie and Western rail lines. The current pond in the approximate center of this site was at one time much larger but its size has been reduced by filling. It is not certain who did this filling, but the nearby railroad are suspected. Other potential parties could be some former industries identified on early Sanbourn Fire Underwriters' Map. This may include a former fuel processing facility located near the current NFS Building. This facility manufactured and processed coal, coke and charcoal, and waste residue could likely have been disposed in open areas of the site.

A lumberyard was in operation in the northwestern corner along the railroad tracks bordering the site's northern edge. A 1958 photograph shows a waste processing and recycling facility, presumably for automotive wastes, located on Bailey Avenue north of the Dingen Street intersection. Mounds of apparent fill can be distinguished along the Hall Roads and it is reasonable to expect that much of this material is from the waste processing facility.

MEMORANDUM
Larry Clare
October 1, 1985
Page 2

An extensive hydrogeological investigation was conducted by GZ Associates for the City of Buffalo Department of Community Development. The conclusion of this examination was there are no significant quantities of hazardous waste present at this site. Because of questions raised by DEC, additional investigations are being undertaken by GZA for the City.

Assessment of Environmental Problems

The 1983 investigation by GZA concluded that there were no significant quantities of hazardous wastes at the site and no evidence of migration of contaminants to surrounding properties or the groundwater.

The 1984 GZA report also concluded that industrial waste materials on the site could be managed during construction of the Industrial Park.

Unless the follow-up sampling and investigation uncovers new information, we recommend that this site be given a Classification of 5 - No further action needed.



ANTHONY T. VOELL, P.E.
Deputy Commissioner

ATV:jk

cc: Joan Loring
M. McKeating
J. Hawkins

BUFFALO POLICE DEPARTMENT INTRA-DEPARTMENTAL CORRESPONDENCE

TO Angelo P. Alessandra Chief of Detectives	SUBJECT	DATE 04-30-87
FROM Edward P. Muldowney Lieutenant Commanding Robbery Squad	Re: Special Investigation for Buffalo Urban Renewal Agency	

Sir:

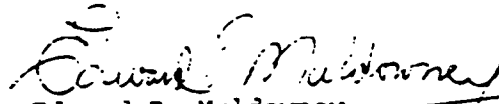
As per your direction, on Monday, April 13, 1987, I ordered Police Officer Michael Donohue assigned to a "Special Detail" from April 14, 1987 through April 23, 1987.

Mr. Michael McKeating of the Buffalo Urban Renewal Agency outlined the scope of the investigation to Officer Michael Donohue. The investigation was to interview as many owners, tenants, and any possible person with information regarding the dumping of waste material in the area of a proposed Industrial Park. This area is bounded by Bailey Avenue, William St, Dings St and South Ogden Street in the City of Buffalo.

Officer Donohue completed his report of the interviews with related material. (See attached.)

Any additional information received in the following weeks will be reported and forwarded to your office.

Respectfully submitted,


 Edward P. Muldowney
 Lieutenant Commanding
 Robbery Squad

BUFFALO POLICE DEPARTMENT INTRA-DEPARTMENTAL CORRESPONDENCE

TO Angelo P. Alessandra Chief of Detectives	SUBJECT	DATE 4-27-87
FROM Michael T. Donohue, Police Officer Robbery Squad	Special Investigation for Buffalo Urban Renewal Agency	

ATTENTION: Lieutenant Edward P. Muldowney - Robbery Squad

Sir:

Interview of: Meyer Hyman (Hyman Drum and Barrel Co., 878 S. Division St.)

Mr. Hyman stated that his use of the property was to store empty barrels that had contained either tomato products or oil products. He further stated that he had seen some dumping but could not say who. Mr Hyman did state that if I were to check around the building on Howard near Fillmore I would find that there was a purple sledge on this property and also on property at the foot of Bender Street off of Clinton Street. He went on to say that this sludge may be reclaimed copper sledge from the National Aniline (Allied Chemical), South Park and Lee Streets. Mr. Hyman stated that he would not be quoted or give a statement.

A check of the building on Howard near Fillmore showed this to be Bern Metal Co., 328 Howard Street. This property is now vacant and is for sale by Saperston Realty. A check of this property turned up an empty drum, 55 gallon, which was labeled Sodium Cyanide, a large wooden box about 5'x 2½'x 2', of a type used by National Aniline to transport wet dye (press box), also noted a blue color substance on the ground in this area and near the building. A check of the property at the foot of Bender Street also showed that this property was once part of the Bern Metal Co. and also had "For Sale" signs from Saperston Realty. The gate to this property was closed and locked. Talked with Mr. Frank Gladke of 20 Bender Street who stated that he had just moved back to that address after the death of his mother and that Bern had been closed at that time. Talked with Mr. and Mrs. Stanley Noga of 18 Bender Street. Mr. Noga told of seeing a blue to purple substance brought in to the Bern Co. by truck. This substance was in 55 gallon barrels. He further stated that when it would rain, the street would turn different shades of blue. Mr. Noga said that there was a time that he talked with the man he knew to be in charge of the Plant. He asked this person he knew as "Red" why they were bringing this stuff in and dumping it. This man told him that there was money in disposing of it and that there was nothing to worry about. Mr. Noga stated that he can't recall any labelling on the trucks that delivered the blue substance. He stated that this all took place between 10 and 15 years ago.

Interview of: Engelhaupt Sheet Metal Company, 925 Bailey Avenue

Interviewed Pat, Kaier, Secretary, who stated that the owner, Mr. Robert Dailey, was on vacation and would not be back until the first or second week in May. I left my card and asked that she have Mr. Dailey call me upon his return. Later in the day I received a call from Mrs. Kaier stating that she had talked with a Mr. Krouse, one of the Officers of the Company, who told her that the Englehaupt Company had nothing to do with any dumping and didn't know anything about it.

Interview of: Harry Jankowski (Midland Auto Sales, 949 Bailey Avenue)

Located Mr. Jankowski at 112 Ashley Street. Mr. Jankowski stated that he wouldn't be quoted or give a statement. Mr. Jankowski told of Abe Revzin, A & R Waste, disposing of ink and glue materials on the property that had come from the Niagara Printing (Envelope Company) in the Larkin Building on Seneca Street. Mr. Jankowski stated that he had seen a purple sludge in the rear of the property near the pond, but doesn't know where it came from.

Interview of: Santo Bracco, 242 DeWitt Street (former Owner)

Mr. Bracco stated that he knows of no dumping on said property other than stone and earth-type materials. He further stated that the property was wide open between the hours of 6:00 PM and 6:30 AM and that anyone could have dumped on the property between those hours. Mr. Bracco stated that all types of people were going back there; kids drinking and playing in the area of the pond, lovers in cars. He further stated that he didn't spend too much time at the property. He stated that he knew nothing about the business or activity of the other business in the area. Mr. Bracco stated that his old partner, Rocco Guzzo, is in Florida at this time and is not sure when he will return, and that he doesn't think that he could add anything.

Interview of: Mr. George Panepinto, 3109 Third Avenue, Grand Island
(Pinto Equipment, Inc.; Standard Paving, Inc., 51 Perry St.)

Mr. Panepinto stated that the State D.E.C. had copies of all his dumping records and any dumping he had done on the Parcel #3 was stone, curbing and pavement and earth. He did, at this time, indicate on a map of the area (attached) where he knew barrels were buried. He so indicated this by drawing circles on the map. Mr. Panepinto told me of a Watchman that had lived on the property and had gotten sick, went downhill fast. He stated that this man, Al Ende, had recently died. He also gave me the name of Michael Marasco saying that this man had been around the property for many years and could be of some help. Mr. Panepinto told me of aerial photos he had of the property that he had taken at the time he purchased it.

Checked with the Medical Examiner's Office, talked with a Clerk, Mr. Henry Uscak, and learned that Albion Ende, 70 years old, of 2051 Whitehaven Road, Grand Island, had died of Arteriosclerosis and other related heart disease.

Interview of: Mr. Michael Marasco, 408 Frankhauser Road, Williamsville

Told Mr. Marasco that George Panepinto had advised me to contact him in regard to the property in question. Mr. Marasco stated that people had dumped all kinds of things on that land for years, but could not remember any details as to who was dumping or what. It should be noted that Mr. Marasco is 89 years old and blind, and is not well.

On information that the City had a survey of Parcel #3, once owned by Mr. Panepinto, showing that the purple sludge contamination had been located on his former property, Mr. Panepinto was again contacted. When informed that the City had a survey by a licensed Surveyor, showing the contamination on his property, he stated, "I don't know what to say". He stated at this time that he would get copies of the records the State D.E.C. had wanted and supply them for me. He will also get copies of the aerial photos for me. We have an appointment for 5:00 P.M. on April 23. All information received at this time will be forwarded to the proper agency.

Interview of: Mr. Abe Revzin, 155 Denrose Drive, Amherst - 691-6845
(former Owner of A & R Waste, 939 Bailey Avenue)


Mr. Revzin stated that he bought the property where his company was located in 1955 and had it until 1981, when he sold it back to the City from whom he originally purchased it. He stated that he had sold some of the original property to Tops Markets back in the 1960's. Mr. Revzin stated that he didn't allow any dumping other than his company. He stated that the products that he dumped were paper, glue and ink-related. Mr. Revzin stated that he did have a contract with National Aniline at one time to remove scrap iron and lead and nothing else. Mr. Revzin stated that he did know the owner of Bern Metal Company, but that he knew nothing of his business practices. Mr. Revzin went on to say that the Police and Fire Departments were always being called to the property because of fires set in the area of the pond, and that he had called the Police about damage and trespassers dumping trash. Mr. Revzin said that when he sold his property to the City he made available to them all records having anything to do with the property dumping and otherwise. In the course of this interview, Mr. Revzin would tend to get away from the subject and would have to be re-directed. Mr. Revzin further stated that he would do anything he could to help out.

Interview of: Pauline Burke (Gozdziak), 359 Cable Street - 822-3062

Mrs. Burke stated that she and her father, Henry, would go to the area in question to trap animals and to pick mushrooms and dandelions there in the late 1950's and 1960's. She stated that there was a lot of garbage on this property in the area of the pond and elsewhere. She also talked about the purple and blue color sludge around the pond. Mrs. Burke stated that she did see dumping on the site but couldn't give any specifics as to who was doing the dumping. I left her with my card as she said that her brother may be of some help and that she would have him call me. As of this writing, I have not heard from him.

Any new information that is obtained by this Officer will be forwarded to the proper agency through the Office of the Chief of Detectives, Angelo P. Alessandra.

Respectfully,


P.O. Michael T. Donohue
Robbery Squad

MTD/jcw

BUFFALO POLICE DEPARTMENT INTRA-DEPARTMENTAL CORRESPONDENCE

TO Angelo P. Alessandra
Chief of Detectives

SUBJECT

DATE 4/28/87

FROM Michael T. Donohue, Police Officer
Robbery Squad

Special Investigation for
Buffalo Urban Renewal Agency

Attention: Lieutenant Edward P. Muldowney Robbery Squad

Sir:

On 4/28/87, Mr. George Panepinto was again contacted and at this time he furnished me with copies of a completed questionnaire that he had filled out and sent to the State Department of Environmental Conservation. He had filled out this questionnaire in the response to their study of past disposal practices. Mr. Panepinto stated that the information supplied in the questionnaire is backed up by manifests, which are on file in his Company records. Copies of the above mentioned questionnaire are attached. Mr. Panepinto also showed me photos of his property (Parcel #3) which were taken before he sold it. The photos were taken on May 11th, 1983. These photos showed Mr. Panepinto's property free of debris, but showed that there was debris on property for which Niagara Mohawk had an easement and property owned by the Railroad. Mr. Panepinto stated that the Tops Markets wanted to purchase a part of his property in 1980 and had asked permission to do core tests of the soil. Mr. Panepinto stated that he had an agreement with Tops that they could do the tests and that he would be informed of the results. He never received the results and Tops didn't purchase the property. Mr. Panepinto stated that a Thomas Shanahan was the Attorney for Tops in this matter, and was to have sent him the results of the tests. He further stated that a Frank Wagner an Inspector for Niagara Mohawk also did a study of the area for which they had an easement. Mr. Panepinto doesn't know the results of that study. Mr. Panepinto also stated that a Lorenz Trucking had purchased a stone pile, he had left on the property from the City, but knows nothing further of the activity of Lorenz Trucking on the property.

Also on this date had contact with a Mr. Jim Grobe an investigator for the Department of Environmental Conservation. Set up an appointment to meet with Mr. Grobe on Tuesday May 5th, to exchange information on the Bern Metal Co.

Respectfully

Michael T. Donohue
P.O. Michael T. Donohue
Robbery Squad

73. BUFFALO POLICE DEPARTMENT INTRA-DEPARTMENTAL CORRESPONDENCE

TO Angelo P. Alessandra
Chief of Detectives

SUBJECT

DATE 4/28/87

FROM Michael T. Donohue, Police Officer
Robbery Squad

Special Investigation for
Buffalo Urban Renewal Agency


Attention: Lieutenant Edward P. Muldowney Robbery Squad

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Respectfully


P.O. Michael T. Donohue
Robbery Squad



HENRY G. WILLIAMS
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-0001

JUN 5 1986

COPY



Dear Sir/Madam:

In March 1984, the New York State Department of Environmental Conservation sent a questionnaire to you based upon Governor Mario M. Cuomo's Executive Order #33. To date, we have not heard from your company. The purpose of this survey is to continue the Department's ongoing efforts to identify past hazardous waste disposal practices.

Pursuant to the authority established by Section 27-1307 of the Environmental Conservation Law, waste generators and others are required to report on the type, quantities, toxic qualities and locations of hazardous wastes generated, transported and disposed of in the State since 1952, and to identify internal reports, studies or documents relating to the past disposal practices. The information derived from this survey will provide a critical component of information gathering needed to advance the Department's ongoing investigation of inactive hazardous waste sites.

Please be aware that according to Environmental Conservation Law, Article 27, Title 13, failure to respond to a Right-to-Know inquiry is punishable by a civil penalty not to exceed \$25,000, and/or a \$25,000 fine and up to one year imprisonment for a first offense.

The nonconfidential portions of the information will be made available to the public in the manner specified in the Executive Order. The Department will protect the confidentiality of specifically identified information contained in your response to the enclosed questionnaire in accordance with the Public Officer's Law, if such questionnaire is accompanied by adequate justification that such information, if made public, would divulge methods or processes entitled to protection as trade secrets. Such requests and supportive information should be sent with the questionnaire to the Right-to-Know Processing Unit.

Each package contains a questionnaire, instructions and appropriate regulations or tables listing the chemicals or industrial processes of concern. Therefore, you are requested to complete the enclosed questionnaire and return it within 60 days of the date of this letter to:

New York State Department of Environmental Conservation
Right-to-Know Processing Unit
50 Wolf Road
Room 525
Albany, New York 12205

Notes re: NBIP investigation

Karpff - Golbey Zoned

think ~~clay~~ iron based cyanide
Pr. Blue is more granular, sandy
(NBIP) this material is fibrous like found
up magazines
of Prussian Blue this not Nat'l Analise
more material at Pannepant's shop.

Zobin employed at Nat'l Analise 22 yrs
Nat'l Analise deduce cyanide
- blue & smelly
- material at Bern + NBIP are
Nat'l Analise chemicals

O'Connor

blue at Bern is copper sulfate granular
NBIP material is sandy - could
be Prussian blue. Contains Potassium
→ Ferricyanide - use after coal gas prod.

Nat'l Anal. did produce blue after w/cyanide

Says blue mat at Alkft (alluded site)
more granular than copper sulfate
this material is Prussian blue

more granular
cyanide

4/5
8/8
600
NBIP material
is granular

Panneko

bought property in 1977

mounds of purple sludge - bulldozed
to fill low areas

thinks its from Nat'l Aniline

Maliszewski:

Chemical and lot of dumping
on NB IP

lot of dumping on property

Kolodziej

"Chug dump" - spill out paint + lacquer

Edward Hartman

regards gas produced from Cyanide + Prussian Blue

little from Caruso to McKeatz

- probably Prussian Blue

non-haz under normal cond.

New York State Department of Environmental Conservation
Division of Solid and Hazardous Waste
50 Wolf Road
Albany, New York 12233

HAZARDOUS WASTE DISPOSAL QUESTIONNAIRE
INSTRUCTIONS FOR COMPLETING
TRANSPORTER FORM

COPY

DEFINITIONS

Hazardous waste is a waste that appears on the list (See enclosed State and Federal regulations) or satisfies the characteristics promulgated by the Commissioner of Environmental Conservation, pursuant to Section 27-0903 of the Environmental Conservation Law.

Hazardous waste disposal is the discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous waste into or on any land or water so that such waste or any of its related constituents may enter the environment, be emitted into the air, or be discharged to any waters, including groundwaters.

Hazardous waste disposal site is any area or structure used for the long term storage or final placement of hazardous waste, including dumps, landfills, lagoons and artificial treatment plants, wells, pits, etc.

Hazardous waste generation is the act or process that produces hazardous waste (as defined in section 27-0903 of the Environmental Conservation Law) and first causes hazardous waste to become subject to regulation.

INFORMATION

Additional information relating to filling out this questionnaire may be obtained by writing to: NYSDEC, RTK Processing Unit, 50 Wolf Road, Albany, NY 12233 or by calling toll free from within New York State, 1-800-453-0440 or from areas outside New York State (518) 457-4115.

PART-1

Name and address of both the physical location of your plant or facility and the mailing address if a pre-address label is not attached to the form or if the label is incorrect. The EPA identification number is requested if known. The name and telephone number of a contact person is requested if different from the individual signing the form on Line-5.

Line-1a

If any hazardous waste was transported by your company or firm from January 1, 1952 through December 31, 1981, check the "Yes" box and answer the remaining questions, complete the disposal site information on the reverse side of the form and return using the self addressed envelope with return postage.

If the answer to line-1 is "No", then complete the remaining questions in part-1 and return using the self addressed envelope.

Line-1b

During the survey period your company may have been renamed, changed owners or changed operators. If so, you are requested to provide the name of the previous company, and name, address and telephone numbers of the previous owners/operators for the entire period of the survey. To the extent known, you are also requested to give all information regarding hazardous waste transportation from all the previous owners/operators during the entire period of the survey. Attach additional sheets if necessary.

Line-2

If any hazardous waste was transported by your company before 1952 check the appropriate response.

Line-3

List the description or identification of any internal reports or studies, including the dates of these reports or studies relating to the disposal practices of all facilities mentioned in this survey.

New York State Environmental Facilities Corporation

50 Wolf Road, Albany, N.Y. 12205 / (518) 457-4100

Henry G. Williams
Chairman

Terence P. Curran, P.E.
Executive Director

COPY



July 7, 1986

Dear Madam/Sir:

The Community Right to Know Surveys (Generator and Transporter Hazardous Waste questionnaires) were sent out on June 5, 1986, requesting that they be completed and returned by August 5, 1986.

This note is a reminder that as of July 7, 1986, your forms have not been received and that the deadline is drawing near. We have enclosed a copy of the correct instruction form for your company as some original packets included inappropriate material. You should also have received state and federal hazardous waste regulations, a letter of transmittal, a special duplication notice and a business reply envelope.

If you have any questions or problems, please telephone us toll free at 1-800-453-0440 or 1-518-457-4115.

Yours truly,

Pickett T. Simpson, P.E.

Hazardous Waste Program Mgr.

Enc.

8/1/86
HARRY CHIC
ANT
10/1/86

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID AND HAZARDOUS WASTE

50 WOLF ROAD
ALBANY, NEW YORK 12233

TRANSPORTER FORM
PART - I

HAZARDOUS WASTE DISPOSAL QUESTIONNAIRE

COPY

PLEASE COMPLETE AND RETURN TO THE ABOVE ADDRESS, ATTENTION: RTK PROCESSING UNIT, ROOM 525

COMPAN	T0901716	ICS CODE EPA ID NUMBER	
COMPAN	Pinto Equipment Rental, Inc.	STATE	ZIP CODE
COMPAN	51 Perry St.		
COMPAN	Buffalo NY		
PLANT N	14203	CONTACT NAME	TELEPHONE
PLANT ADDRESS (if different) STREET	CITY	STATE	ZIP CODE
PRINCIPAL BUSINESS OF PLANT			

PLEASE ANSWER QUESTIONS 1 THRU 5

a) SINCE JANUARY 1, 1952 THRU DECEMBER 31, 1981, HAVE YOU OR ANY PREVIOUS OWNERS/OPERATORS OF THIS COMPANY TRANSPORTED ANY HAZARDOUS WASTE? (SEE INSTRUCTIONS) YES X NO

IF ANY HAZARDOUS WASTE HAS BEEN TRANSPORTED PLEASE COMPLETE TRANSPORTED FORM PART II

b) HAS THE COMPANY LISTED ABOVE CHANGED ITS NAME OR IDENTIFICATION BECAUSE THERE WAS A CHANGE IN OWNERSHIP, CORPORATE NAME OR OPERATOR NAME, ETC. IF YES, LIST THE NAMES BY WHICH THE COMPANY HAS BEEN IDENTIFIED SINCE JANUARY 1, 1952 TO THE PRESENT. INCLUDE NAMES AND ADDRESSES OF PREVIOUS OWNERS / OPERATORS. YES NO X

COMPANY NAME AND ADDRESS

OWNER/OPERATOR NAME AND ADDRESS

DATES

c) DID YOUR COMPANY TRANSPORT ANY HAZARDOUS WASTE BEFORE 1952? YES NO X

d) DESCRIBE THE DOCUMENTS FROM WHICH DATA IN PART II WAS OBTAINED (SEE INSTRUCTIONS).

DOCUMENT DESCRIPTION

DATES

N/A

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT INFORMATION SUPPLIED IS TRUE AND COMPLETE. FALSE STATEMENTS SUBMITTED ON THIS DOCUMENT ARE PUNISHABLE PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

George J. Panepinto President 8-20-86
NAME OF OWNER/OPERATOR, PARTNER OFFICER OR AUTHORIZED REPRESENTATIVE TITLE DATE
George J. Panepinto 716-854-6666
SIGNATURE BUSINESS PHONE

NAME Pinto Equipment Rental, Inc.		TRANSPORTER ID T0901716
ADDRESS 51 Perry Street		
CITY Buffalo	STATE NY	ZIP 14203

TRANSPORTED FROM
PART-II



DATE 8-20-86

1. HAZARDOUS WASTE DISPOSAL SITE (SEE INSTRUCTIONS)	2. NAME OF FIRM/COMPANY THAT PRODUCED INDUSTRIAL WASTE (SEE INSTRUCTIONS)	3. DATES OF RECEIPT (MM/YY)	4. DESCRIPTION OF HAZARDOUS WASTES DEPOSITED AT THIS LOCATION (SEE INSTRUCTIONS)	5. TONS RECEIVED DATE	6. TONS DISPOSED DATE	7. TONS RECEIVED DATE
Newco Chemical Waste Systems, Inc. 4626 Royal Avenue Niagara Falls (Niagara Co) NY 14303	Mobil Oil Corporation 635 Elk Street Buffalo (Erie Co) NY 14210	5/79 5/79	Dirt with Kerosene	-	15.25	x
"	"	5/79 5/79	Production Waste (catalyst)	-	78.27	x
"	"	9/79 10/79	Production Waste (T.C.C. Catalyst)	-	517.16	x
"	"	9/79 10/79	Storage tank cleaning bottoms	-	39.30	x
"	"	9/79 9/79	Waste clay and kerosene	-	21.16	x
"	"	9/79 9/79	Hydr carbon mixture in sand	-	81.23	x
"	"	10/79 10/79	yard sewer waste	-	12.65	x

NAME Pinto Equipment Rental Inc		TRANSPORTER ID 10901715
ADDRESS 51 Perry Street		
CITY Buffalo	STATE NY	ZIP 14203

TRANSPORTER FORM
PART-II



DATE 8-20-86

1. HAZARDOUS WASTE DISPOSAL SITE (SEE INSTRUCTIONS)	2. NAME OF FIRM-COMPANY THAT PRODUCED INDUSTRIAL WASTE (SEE INSTRUCTIONS)	3. DATES OF SHIPMENT (MONTH) (YEAR)	4. DESCRIPTION OF HAZARDOUS WASTES DEPOSITED AT THIS LOCATION (SEE INSTRUCTIONS)	5. EPA WASTE CODE	6. WASTE DISPOSED OF QUANTITY OF WASTE (TONS)	FORM LIQUID SOLID SLUDGE
Newco Chemical Waste Systems, Inc. 4626 Royal Ave, Niagara Falls (Niagara Co) NY 14303	Mobil Oil Corporation 635 Elk Street Buffalo (Erie Co) NY 14210	10/79 10/79	Insulation Waste	-	10.70	x
Cacos International, Inc. 56th St. Niagara Falls (Niagara Co) NY 14304	Mobil Oil Corporation 635 Elk Street Buffalo (Erie Co) NY 14210	6/80 5/81	Production Waste (TCC Catalyst)	-	482.68	x
"	"	6/80 11/80	Storage Tank Cleaning Bottoms	-	94.85	x
"	"	6/80 5/81	Contaminated Earth with oil	-	1590.84	x
"	"	6/80 11/80	Insulation Waste	-	32.34	x
"	"	6/80 5/81	Waste Clay and Kerosene	-	78.24	x
"	Niagara Mohawk Power Corporation 525 Washington Street Buffalo (Erie Co) NY 14203	8/80 8/80	Creek Bottom sediment	-	76.67	x

NAME Pinto Equipment Rental Inc		TRANSPORTER ID T0901716
ADDRESS 51 Perry Street		
CITY Buffalo,	STATE NY	ZIP 14203

TRANSPORTER FORM

PART-II



DATE 8-20-86

1. HAZARDOUS WASTE DISPOSAL SITE (SEE INSTRUCTIONS)	2. NAME OF FIRM/COMPANY THAT PRODUCED INDUSTRIAL WASTE (SEE INSTRUCTIONS)	3. DATES OF SHIPMENT (MONTH) (YEAR)	4. DESCRIPTION OF HAZARDOUS WASTES DEPOSITED AT THIS LOCATION (SEE INSTRUCTIONS)	5. EPA WASTE CODE	6. WASTE DISPOSED OF QUANTITY OF WASTE (TONS)	FORM LIQUID SOLID GASEOUS
Cecos International Inc 56th St. Niagara Falls (Niagara Co) NY 14304	Mobil Oil Corporation 635 Elk Street Buffalo (Erie Co) NY 14210	11/80 11/80	Furnace Ceramics	-	21.67	x
"	"	5/81 5/81	TBT Clay	-	21.15	x
"	"	5/81 5/81	ASB Insulation	-	4.75	x
"	"	5/81 5/81	TCC Catalyst	-	146.44	x
"	"	9/81 11/81	Slop oil Emulsion Solids	K0-49	2,221.16	x
"	"	9/81 11/81	Hazardous Waste, Solid, N.O.S.	K0-51	619.30	x
"	"	12/81 12/81	Gas contaminated soil, N.O.S.	-	5.55	x

Interview with James F. Riley

On May 6, 1987 at approximately 10:00 P.M., I spoke with James F. Riley of 37 Roanoke Parkway, Buffalo, New York, phone number 824-0704 D.O.B. 4-2-28.

Mr. Riley stated that he worked as a truck driver at Bern Metal for about 1 to 1 1/2 years during 1981-2. He stated that the owner was called Red. When I asked him about the purple sludge at the company he stated this was from the copper sulfate sludge which was picked up from Buffalo Color formerly Allied Chemical. He stated that he made frequent pick ups of this material from Buffalo Color and bought it back to Bern. Sometimes he would take loads of drums to a company in Cleveland (he couldn't remember the name). Other times he said this sludge which was a powdery, granular material was loaded into railroad gondola cars behind Bern Metal but he wasn't sure where it was shipped. He stated that when this material was poured from the drums into the railroad gondola cars there was always some spillage and that's why the ground at Bern was purple. I asked him if he had ever done or observed any dumping in the area of the N.B.I.P. and he responded no. Furthermore he stated it would be totally out of character for Red (real name G. Bernard Arywitz) to handle any scrap material he couldn't sell at a profit. According to Mr. Riley, Red had been in the scrap business all his life and would only pick up materials he could get rid of at a profit. He stated he was a shrewd businessman who would not dump something he could sell. I asked him about other employees I could talk to and he said there were two long term employees there who probably could help me. The foreman was named Roy (didn't know his last name) and the crane operator was named Jim (also didn't know last name). He said he saw Roy a few years ago at the Thruway Mall and he said Jim was working at the laundromat on Fillmore near Broadway as a janitor (this business was also owned by Red according to him).

I checked this laundromat and the cashier said Jim Wagner had been fired for coming in drunk over a year ago and she had no idea where he lived. She stated the owner of the business was Pette Arywitz (wido of Bernard) 51 Chapelwoods West Williamsville, New York 14221.

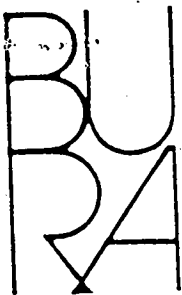
INTERVIEW WITH LONNIE F. LINDNER

On 5-7-87 at approximately 10:00 a.m. I interviewed Lonnie F. Linder of 4369 Chestnut Ridge Road, Amherst D.O.B. 8-18-44 at his place of business DeWald Florist, 1773 Genesee Street, Buffalo. Mr. Lindner stated he worked at Bern Metal as a purchasing agent from 1975 to 1981. When asked what he knew about the purple sludge he stated it came from Buffalo Color and was shipped to buyers both here in the U.S. and abroad. He stated the last big shipment he remembers going out west to either China or Japan. This load was sent in drums via a truck from Bern Metal to the Buffalo Harbor where it was loaded on a ship. He said other shipments were loaded on railroad cars behind the plant and there was always some spillage on the ground which accounted for the discoloration. He denied any knowledge of any dumping by Bern at N.B.I.P. He stated that pick ups from Buffalo Color/Allied Chemical was in effect long before he started at Bern and Mr. Arywitz knew everything about them but he was deceased. He stated that in regard to any cyanide he was not aware of Bern ever handling any and that while he worked there the County was on site several times sampling the sludge and had found it to be safe. When I asked him about ex-employees Roy and Jim, he said their names were Royal Lynch and Jim Wagner but he had no idea where they now lived. He said Mrs. Bette Arywitz had nothing to do with her husband's business and none of his children (1 son and 1 daughter) ever worked there and both lived out of state. He could not give me the names of any other employees who might be helpful

INTERVIEW WITH ROYAL LYNCH

-On 5-8-87 at approximately 9:00 a.m. I interviewed Royal Lynch, 37 Reed Street, Buffalo, New York, phone number 852-4153 D.O.B. 3-4-35.

Mr. Lynch stated that he worked at Bern Metal from 1963 to 1981. He stated that he primarily worked at the 328 Howard Street location. When asked about the purple sludge he stated that he remembered handling the material many times over the years and never had any ill effects from it. He stated it was messy and hard to wash off but no one ever got sick from it. He was not aware of any dumping of material at N.B.I.P. or of Bern Metal ever handling any cyanide waste. He stated that another long term Bern employee, James Wagner, lived at 249 Cambridge Avenue off Delevan near Bailey in Buffalo



Buffalo Urban Renewal Agency
920 City Hall, Buffalo, New York 14202-3376
716-855-5035

James D. Griffin, Chairman

Mike Donahue

855-4511

823-0386

April 16, 1987

tuers A.M.

meeting - call Otto

John Spagnoli, Regional Director
New York State Department of
Environmental Conservation
600 Delaware Avenue
Buffalo, New York 14202

Dear Mr. Spagnoli:

A detective from the Buffalo Police Department has been assigned to this Division to investigate the source of the cyanide-bearing purple sludge at New Buffalo Industrial Park, and to identify the generators and transporters of it.

In the course of his investigation, he developed a witness who told him that the same company which dumped the purple sludge at the New Buffalo Industrial Park site also dumped it at 22-23 Bender Street and 328 Howard Street.

Yesterday afternoon, the B.U.R.A. Engineer, R. Frandina, and I visited the site at 328 Howard Street. It is an abandoned industrial warehouse. Apparently it was a waste recycling company. We observed the following items which I am calling to your attention pursuant to the reporting requirements of the Environmental Conservation Law:

1. An empty, partially crushed 55-gal. drum on the ground which bore the markings: "Cyanide 98/99% NaCN Gross 108.4 kg. New 100.0 kg. Keep Dry." The drum was stained purple on the inside.

2. Broken and crumbling asbestos pipe covering material lying on the ground outside.

3. Inside the building near the front overhead door, a 55-gal. drum turned on its side and open, with a white powery substance that may be asbestos spilling out.

In the light of the above observed hazardous materials, I call this to your attention for whatever action you deem appropriate.

Letter to John Spagnoli
Re: 328 Howard Street
April 16, 1987
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In any event, however, I request that you retrieve the drum marked cyanide and perform laboratory tests on it, to determine if it is the same substance found in the ground at New Buffalo Industrial Park. This could be of vital importance to our attempt to locate the PRP's for the waste at NBIP.

Very truly yours,

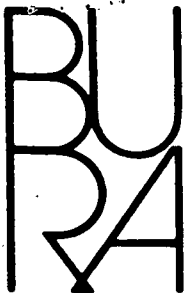
Michael P. McKeating

MICHAEL P. McKEATING
Director of Development

cc: F. Fadel
G. Dudek, Esq.
P. Burke, Esq.

*Aspiral Walia
DEC
or
TYgent*

- Have file -



Buffalo Urban Renewal Agency
920 City Hall, Buffalo, New York 14202-3376
716-855-5035

James D. Griffin, Chairman

April 13, 1987

Peter Burke, Esq.
Saperston & Day
Goldome Center
One Fountain Plaza
Buffalo, New York 14203

Re: Potentially Liable Parties,
New Buffalo Industrial Park.

Dear Peter:

A search of the acquisition records for the New Buffalo Industrial Park has revealed the following as a partial list of Potentially Liable Parties for the purple sludge contamination at the New Buffalo Industrial Park:

PARCEL 3

Former Owner:

George J. Panepinto
3109 Third Avenue
Grand Island, New York
773-2711

Vice Pres. & Comptroller:

Joseph F. DiMaio
50 Endicott Drive
Eggertsville, New York 14226
838-2548

Former Tenants:

Pinto Equipment & Rental Inc.
1/k/a 66 Bird Avenue
Buffalo, New York 14213

Standard Paving Inc.
1/k/a 66 Bird Avenue
Buffalo, New York 14213

Hyman Drum & Barrel Co.
878 S. Division Street
Buffalo, New York 14206
825-2398

Buffalo Downtown Dump Service & Supply

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Re: P.L.P.'s, New Buffalo Industrial Park
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PARCEL 2

Former Owners:

Rocco Guzzo
5705 Dover Road
Lakeview, New York
627-7642

^Santo Bracco
1/k/a 242 DeWitt Street
Buffalo, New York

above owned 1/2 interests as tenants in common.

Former Tenants:

Elaine Giamo
51 Paradise Lane
Tonawanda, New York

Connie Nowak &
Marguerite Bondanella

^Harry Jankowski d/b/a
Midland Auto Sales
949 Bailey Avenue

**Apparent Easement
to Haul Road:**

^Englehaupt Sheet Metal
925 Bailey Ave.
Robert Dailey, Owner
823-4212

PARCEL 4

Owner:

Bailey Terminal Corporation
939 Bailey Avenue
Abe Revzin, President
1/k/a 155 Denrose Drive
Amherst, New York

A & R Waste
939 Bailey
Abe Revzin, Owner

Others:

Marinero Paving Co.

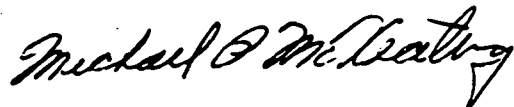
Niagara Envelope Co.
701 Seneca Street

Letter to Peter Burke Esq.
Re: P.L.P.'s, New Buffalo Industrial Park
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(Identified in a meeting with Pat Marren
and Abe Revzin on 7/13/83 as generators
of hazardous wastes found on site.
Copy of memo of meeting attached.

The above information represents at this time a list of the
P.L.P.'s whose identities appear in our acquisition and relocation
files for Parcels 2, 3 and 4, which appear at this time to be the
likely sources of the purple sludge. In addition, some as yet unknown
quantity of it is on Parcel 5, which was owned by Niagara Frontier
Services, Inc., 60 Dingens Street, owner of Tops Markets.

Very truly yours,



MICHAEL P. McKEATING
Director of Development