

Peter Cooper

New York

EPA ID#: NYD980530265

EPA REGION 2 Congressional District(s): 31

Cattaraugus

Gowanda

NPL LISTING HISTORY
Proposed Date: 9/25/1997

Site Description

The Peter Cooper Landfill site consists of an inactive waste disposal area and some areas of contaminated soil at the former Peter Cooper Corporation (PCC) factory in Gowanda, Cattaraugus County, New York. The site surroundings include Cattaraugus Creek to the north-northeast and an associated wetland to the west, residences to the southwest and south, and the remainder of the former PCC factory to the east-southeast. The western portion of the waste disposal area is on property owned by New York State Electric and Gas, and the eastern portion is located on property previously owned by PCC. The site is currently owned by Jimcar Development Inc.

PCC and its predecessor, Eastern Tanners Glue Company, manufactured animal glue in Gowanda from 1904 until 1972, and industrial adhesives from 1972 until the plant closed in 1985. Between 1925 and October 1970, PCC used the northwest portion of the property to pile sludges remaining after the animal-glue manufacturing process. These wastes, known as cookhouse sludge because of a cooking cycle that occurred just prior to extraction of the glue, are derived from chrome-tanned hides obtained from tanneries.

Numerous investigations conducted since 1981 have shown the cover material to be eroded away and waste exposed in some locations, the concrete retaining wall has collapsed, and leachate seeps are discharging into the Creek. The waste material has been shown to contain elevated levels of chromium, arsenic, zinc, and some organic compounds.

Site Responsibility: The site is currently being addressed through enforcement actions.

Threat and Contaminants

Currently, the levels of arsenic, chromium and zinc detected in the soil, leachate and surface water where exposures could occur do not represent a public health concern. Much higher levels of contaminants are present, however, in the subsurface soil. Continued deterioration of the site cover could allow people to be exposed to higher levels of contaminants in the soil, surface water and leachate, and consequently, could pose a health concern in the future.

Cleanup Approach

The site is being addressed in three stages: immediate action for the source area (landfill) and a long-term remedial action focusing on containment of the source and addressing exposure pathways outside the source area.

Response Action Status

Immediate Actions: A containment wall has been constructed to contain exposed waste at the bank of the Cattaraugus Creek, thereby eliminating direct contact with the waste and leachate by fishermen and other recreational users of this popular fishing area.

Entire Site: A Remedial Investigation/Feasibility Study (RI/FS) work plan was prepared by an EPA contractor and submitted to EPA. The RI/FS work plan was then used during negotiations with the Potentially Responsible Parties (PRPs) for possible implementation under an Administrative Order on Consent.

Negotiations with the PRPs concerning an Administrative Order on Consent were unsuccessful. Therefore, on April 5, 2000, EPA issued a Unilateral Administrative Order (UAO). The UAO called for Respondents, the Wilhelm Enterprises Corporation (former owner/operator), the New York State Electric & Gas Company (the current owner of a part of the Site), and fourteen generators of hazardous substances that was disposed of at the Site to perform a Remedial Investigation/Feasibility Study. The UAO became effective on May 1, 2000. Letters of Intent to Comply were submitted

by the PRPs on May 9, 2000. The RI/FS was performed by Benchmark Environmental Engineering and Science, PLLC and Geomatrix Consultants, Inc, consultants for the PRPs, subject to EPA oversight.

Site Facts: On October 24, 1996, New York State Electric and Gas signed an Administrative Order on Consent with EPA and agreed to construct erosion control measures, including a retaining wall, in order to prevent a mass release of waste materials from the landfill into Cattaraugus Creek. This action was initiated on January 13, 1997 and was completed on January 31, 1997.

Cleanup Progress

Construction of the retaining wall has made the Peter Cooper site safer.

The Proposed Plan was released to the public in July 2005. A notice of the Proposed Plan, commencement of the public comment period, and the public meeting date was published in the Dunkirk Observer and the Penny Saver on July 30, 2005. The public notice established a thirty-day comment period from July 30, 2005 to August 28, 2005. An extension to the public comment period was requested. As a result, the comment period was extended to September 26, 2005. EPA held a public meeting on August 10, 2005 at the Gowanda Central High School, 24 Prospect Street, Gowanda, New York, to present the findings of the RI/FS and to answer questions from the public about the Site and the remedial alternatives under consideration.

The Record of Decision was issued on September 30, 2005. The major components of the selected remedy include the following:

- Excavating three hot-spot areas and consolidating them within the Elevated Fill Subarea, then capping the 5-acre Elevated Fill Subarea with a low permeability barrier cap, consistent with the requirements of 6 NYCRR Part 360, including seeding with a mixture to foster natural habitat.
- Post-excavation confirmatory soil sampling;
- Backfilling of excavated areas with clean fill;
- Collecting the leachate from the seeps, pretreating the leachate as necessary, then discharging the leachate to the Village of Gowanda collection system for further treatment and discharge. As a contingency, if treatment of the leachate by the Village not available, it would be treated on site and discharged to Cattaraugus Creek. Since the installation of the cap should reduce leachate generation, the volume of seep leachate requiring treatment is anticipated to be reduced or eliminated over time. The specific treatment and disposal option will be further evaluated during the remedial design phase;
- Installing a groundwater diversion system to limit groundwater migration through the Elevated Fill Subarea. However, should additional data collected in the remedial design phase of the project support the conclusion that the installation of a diversion wall will result in a minimal increase in the collection of contaminants by the leachate collection system, the diversion wall would not be installed;
- Installing a passive gas venting system for proper venting of the 5-acre Elevated Fill Subarea;
- Stabilizing the banks of the Cattaraugus Creek;
- Performing long-term operation and maintenance including inspections and repairs of the landfill cap, gas venting, and leachate systems;
- Performing air monitoring, surface and groundwater quality monitoring; and • Evaluating Site conditions at least once every five years to determine if a modification to the selected alternative is necessary.

The remedy also includes institutional controls for limiting future use of the Site and the groundwater to ensure that the implemented remedial measures will not be disturbed and that the Site will not be used for purposes incompatible with the completed remedial action. To ensure that the engineering and institutional controls remain in place and effective for the protection of public health and the environment, an annual certification, commencing from the date of implementation, must be made by the parties responsible for the remediation.

Following negotiations with the Potentially Responsible Parties (PRPs) for implementation of the remedial action, the Site will enter the Remedial Design and Construction Phase. The Consent Decree with the PRPs is expected to be finalized by March 2008.

Site Repositories

Village of Gowanda Free Library, 56 W. Main Street, Gowanda, New York

Seneca Nation of Indians Library, 3 Thomas Indian School Drive, Irving, New York