

# Mercury Refining, Inc.

## New York

EPA ID#: NYD048148175

### EPA REGION 2

Congressional District(s): 21

Albany

Albany

#### NPL LISTING HISTORY

Proposed Date: 12/1/1982

Final Date: 9/1/1983

## Site Description

From 1956 to 1998, the 1/2-acre Mercury Refining, Inc. site, located in Colonie, New York, was used for reclaiming mercury from batteries and other mercury bearing materials. The site lies in a light industrial and commercial area. The closest residents are about 1/4 mile to the north of the site. Approximately 20,000 people live within a 1 1/2-mile radius of the property; 100,000 live within 3 miles. Local surface water is used for recreation and as a drinking water supply. The nearest downstream supply intake is 1 mile from the site. A tributary to Patroons Creek, which flows to the Hudson River, runs next to the site. Operators dumped waste batteries behind an on-site furnace building until 1980, when these wastes were stored in drums on wooden pallets on paved areas of the site. Tests in the early 1980s indicated that waste was at least 3 feet below the ground surface. The New York State Department of Environment Conservation's Fish and Wildlife Division tested soil in this area in the early 1980s and discovered high levels of polychlorinated biphenyls (PCBs) and mercury in soils and stream sediments. PCBs were found in the insulation of some of the incoming waste material the Company accepted. The site has been partially remediated and the waste disposal methods of the Company have improved. In 1998, Mercury Refining ceased its mercury reclamation activity at the site. Currently, the site serves as a facility for the recovery of precious metals.

Site Responsibility: This site is being addressed through federal actions.

## Threat and Contaminants

Groundwater, sediments and soil are contaminated with heavy metals including mercury, zinc and lead. The soils were also contaminated with PCBs. Although contaminated soil has been excavated and moved off-site, additional contamination remains. The groundwater is contaminated with mercury; however, EPA's Remedial Investigation of the site has determined that the contamination does not move off site, so it is unlikely that people would be directly exposed to groundwater contaminants. Also, there are currently no known domestic uses of groundwater within the area.

## Cleanup Approach

The New York State Department of Environmental Conservation (NYSDEC) issued Mercury Refining a hazardous waste corrective action permit on December 31, 1996. The permit required the Company to remove contaminated soil under an old furnace building located on-site and perform long-term monitoring of on-site soil and groundwater, and off-site soil and sediments in Patroons Creek. Any groundwater, soil or stream sediments which were found to be contaminated were to be remediated. Due to Mercury Refining's failure to complete these actions, the NYSDEC requested EPA to assume the role of lead agency in November 1999. EPA will complete the remediation of the site using Superfund authority. In May 2000, EPA offered Mercury Refining the opportunity to perform a remedial investigation and feasibility study (RI/FS) of the site. However, the Company indicated that it does not have the financial ability to do the study. The RI/FS, therefore, is presently being done by EPA. The groundwater and soil portions of the RI were completed in the summer of 2003. An ecological risk assessment of the site was completed in May 2005. A treatability study is also underway, which will determine whether electrokinetics is a viable technology for remediating mercury contaminated soil at the site. EPA plans on selecting the clean-up remedy for the site by the summer of 2006.

#### Response Action Status

Entire Site: Under a 1985 State consent order, Mercury Refining excavated and removed approximately 2,100 cubic yards of mercury-contaminated soil and debris and 300 cubic yards of PCB-contaminated soil. Contaminated soil was found beneath the furnace building and was left in place after being sealed with plastic sheets. The Site was regraded with clean fill and capped to keep rainwater from spreading any remaining contaminants. The State issued another

consent order on February 8, 1993, which required removal of the contaminated soil under the furnace building and long-term monitoring of on-site soil and groundwater and off-site soil and sediments in Patroons Creek. In December 1996, the NYSDEC issued the Company a hazardous waste corrective action permit for controlling the generation and storage of hazardous waste on-site and for investigating and remediating on- and off-site contamination. The Company failed to comply with the 1993 Order and the permit. After unsuccessfully working to resolve the matter with the Company, the NYSDEC relinquished its position as lead agency to EPA. EPA will complete the remediation of the site under the Superfund Program.

Site Facts: In 1985, a State consent order required the Company to conduct cleanup activities at the site. In 1989, the NYSDEC issued a consent order that required Mercury Refining to curtail any further chemical releases from plant operations to the environment. On February 8, 1993, the NYSDEC issued the Company another consent order, which required cleanup of contaminated soils and long-term monitoring of on-site soil and groundwater and off-site soil and stream sediments in Patroons Creek. In December 1996, the NYSDEC issued a hazardous waste corrective action permit to Mercury Refining, which required the cleanup of any remaining contamination. Any unfinished work required by the State consent orders was subsumed into the permit. In November 1999, the NYSDEC requested EPA to take over as lead agency for the site. EPA is in the process of completing a remedial investigation and feasibility study of the site using federal Superfund authority.

## **Cleanup Progress**

The removal and disposal of approximately 1,820 tons of mercury contaminated soil and 410 tons of PCB contaminated soil during 1985 addressed any immediate risks associated with direct contact. In addition, the PRP completed construction of a new furnace building, with state-of-the-art air pollution control equipment. A remedial investigation and feasibility study of the site and remedy selection will be completed under the federal Superfund Program.

## **Site Repositories**

EPA Superfund Records Center at 290 Broadway, New York, New York

William K. Sanford Town Library, Loudonville, New York.