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Ex-Quackenbush CEO to pay in waste case

Hager reaches agreements with EPA, Herkimer

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HERKIMER — More than four years after a federal cleanup crew hauled a mish-mash of toxic material from the defunct H.M. Quackenbush factory on Prospect Street, the building still remains vacant.

Now that a former H.M. Quackenbush executive has agreed to pay the village of Herkimer to redevelop the site it left behind, that could all change, village officials said.

Frederick Hager, former chief executive officer, chairman and majority shareholder of H.M. Quackenbush, will pay the village \$75,000 to redevelop the property and remove any unaddressed contamination.

Hager also will pay the U.S. Environmental Protection Agency more than \$225,000 plus interest for the \$1.9 million cleanup in 2006, according to a settlement announced Monday by the federal agency.

"I'm pleased that the EPA was able to recover some of the resources it spent," village Deputy Mayor Gary Hartman said. "But I'm more pleased that we're able to secure money to improve that site. It's not going to go a long way in the context of contamination, but it can make a real impact."

Hager could not be reached for comment Monday. The \$225,000 amount reflects what he is able to pay, federal officials said.

The EPA first inspected the 56,000-square-foot plant in August 2005 - a month after the company closed. Inspectors found improperly high levels of hydrogen cyanide gas, which was being released into the busy downtown area surrounding the building.

The state Department of Environmental Conservation had asked Quackenbush to clean the site, but the company refused, according to O-D archives. At that point, the state called in the EPA to take over the cleanup.

The federal agency removed 700 drums of muriatic acid, sulfuric acid, solvents and other corrosive materials from the facility as well as 50 one-ton bags of waste debris, including cyanide.

Some of those acidic chemicals were corrosive enough to burn through concrete in a matter of hours, according to O-D archives.

"This financial settlement illustrates the strength of our Superfund program and the requirement that the polluter pays," EPA Regional Administrator Judith Enck said. "Using money from the Superfund program, EPA took action and completed and paid for this cleanup in 2006. We then took steps to recover as much money as possible from the party that is responsible for the pollution."

Chris Beck, executive director of the Universal Brownfield Revitalization Corporation, a non-profit agency assisting Herkimer in navigating the hazardous waste cleanup, said there's still more to be done at the site.

Although the EPA conducted a cleanup of hazardous substances that posed an immediate threat to the public, the building is not yet safe to be occupied, Beck said.

"The village is no longer at risk, but it's far from being useable," Beck said. "There was quite a precarious situation there for a period of time. Hopefully, this funding can help the village move forward."

With new funding dedicated to the site, Hartman said it could be a prime spot for new development.

"Our thought process was we should secure funds to clean it up and get a private individual interested," Hartman said. "It's a great location."

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