

APPENDIX A

RESPONSIVENESS SUMMARY

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**Tecumseh Redevelopment, Inc.
Operable Unit 02
Solid Waste Management Units S-18b/c, P-9, P-18
(Former Bethlehem Steel Corporation)**

**Site No. 915009
EPA ID No. NYD053585667
City of Lackawanna, Erie County
June 2015**

The proposed Statement of Basis for the referenced site was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was released for public comment on May 6, 2015. The proposed Statement of Basis outlined the remedial measures proposed for the referenced site.

The proposed Statement of Basis was announced by releasing a fact sheet via listserv on May 6, 2015. An announcement was also posted on DEC's webpage for the Tecumseh Redevelopment Site. The web posting included a link enabling the public to directly download the proposed Statement of Basis.

The public comment period for the proposed remedy was held from May 6, 2015 through June 4, 2015. During the comment period, on May 20, 2015, DEC held a public meeting in Lackawanna to present the clean-up plan and answer questions about the proposal.

Questions and comments from the public meeting, are summarized and addressed in the Responsiveness Summary that follows. DEC did not receive any written comments on the remedy for OU02.

Comments from the Public Meeting:

COMMENT 1: How did you arrive at these three Solid Waste Management Units (SWMUs), instead of all 44?

RESPONSE 1: These three SWMUs (OU02) do not currently have any controls in place to isolate the waste material from the environment. The SWMU material has high concentrations of hazardous constituents, is directly exposed, and has the potential to leach those contaminants to the groundwater, so we want to isolate this material from the environment. The Acid Tar Pit (ATP) containment cell will provide controls (cover, containment, leachate collection and treatment) that will address these concerns.

The ATP also still has available volume for this consolidation. The known volume of SWMUs (S-18b/c, P-9, and P-18) and the nature of the materials made these three SWMUs good candidates for consolidation into the ATP. This action is being administered ahead of the remaining SMWUs in the interest of getting the final cover system/cap in place at the ATP.

The other SWMUs at the site will be addressed through future remedy selection actions. Those clean-up proposals will be made available to the public for review and comment, before the Department makes any final determination about remedy selection for the remaining areas.

COMMENT 2: Why are we taking all the bad dirt out of this area?

RESPONSE 2: See Response 1.

COMMENT 3: Are we opening the ATP back up?

RESPONSE 3: No. The ATP has not been fully closed (2016 is the closure date) so the consolidated material will be added on-top of the existing material, and then the final cover/capping system for the ATP will be installed.

COMMENT 4: Why are we limiting this site cleanup to just 3 sites?

RESPONSE 4: See Response 1.

COMMENT 5: City of Lackawanna always feels like they don't get updates, feels like they have to beg for updates. Can there be a continuously open dialogue with the City and DEC?

RESPONSE 5: Yes, the City can contact the Department anytime with questions regarding the site. The Department is also available to meet with the City to discuss the project in more detail. The City has, and will continue, to receive all site related fact sheets and reports relative to the former Bethlehem Steel property. Department records

show 45 documents related to the work to date were provided to the City on November 17, 2014. A list of these documents can be provide upon request.

COMMENT 6: What if the community wants a new plan?

RESPONSE 6: The community has the opportunity to provide written comments to the Department. The comments should be as specific as possible as to what you believe would be a preferable approach.

COMMENT 7: Was the meeting on social media?

RESPONSE 7: The Department issued a fact sheet for this action and meeting announcement electronically via an email listserv. The Department also posted the draft Statement of Basis on it's website.

COMMENT 8: Why was the meeting in the middle of the comment period? And not the very first day?

RESPONSE 8: The Department schedules in this way to provide a period of time for interested parties to review relevant records before the meeting. This helps interested parties better understand the proposed action, the material to be presented at the public meeting, and to be in a position to comment more effectively. The Department also wants there to be some time remaining in the comment period after the meeting so the public can submit any written comments.

COMMENT 9: Why aren't we talking about the entire site? Why just this small part?

RESPONSE 9: See Response 1.

COMMENT 10: We don't know how this fits in with the whole site. How can we comment on this small part when we don't know how this will fit in?

RESPONSE 10: This project will move waste material from three SWMUs, discrete area of site related contamination, currently with limited or no controls in place, into the existing ATP containment cell which will isolate the waste from the environment. The project also will not affect the physical controls in place at the ATP. In addition, these actions will not substantially limit possible clean-up options for the remainder of the site.

COMMENT 11: What other options were considered?

RESPONSE 11: The other options that were evaluated are summarized in Exhibit C of the Statement of Basis. Other options that were considered included: no action; leaving the waste in place at each SWMU location and capping individually; and, excavating the waste and shipping it off-site for disposal.

Much of this information is also contained in the draft Site-wide Corrective Measures Study (CMS) report that the Department has provided to the City of Lackawanna. The Department has offered to meet with the City to further discuss remedial actions for this Site.

COMMENT 12: How can we tell this is the best plan if we don't know the whole part yet?

RESPONSE 12: See Response Nos. 1, 10, and 11.

COMMENT 13: Does DEC take city zoning into consideration?

RESPONSE 13: Yes, the Department considers the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy. For example, for a site that is zoned for industrial use, the Department typically pursues a remedy that will achieve the industrial use recommended soil clean-up objectives specified in Part 375.

APPENDIX B

ADMINISTRATIVE RECORD

ADMINISTRATIVE RECORD

Operable Unit 02
Solid Waste Management Units S-18b/c, P-9, P-18

Tecumseh Redevelopment, Inc.
Former Bethlehem Steel Corporation Site
Site No. 915009
EPA ID No. NYD002134880
City of Lackawanna, Erie County

June 2015

Documents

1. URS Consultants, Inc. *RCRA Facility Investigation (RFI) Report for the Former Bethlehem Steel Corporation Facility, Lackawanna, New York, Parts I through VII*. October 2004.
2. TurnKey Environmental Restoration, LLC in association with Benchmark Environmental Engineering & Science, PLLC. *Corrective Measures Study Work Plan, Tecumseh Redevelopment Site, Lackawanna, New York*. May 2009.
3. TurnKey Environmental Restoration, LLC. *Focused CMS Work Plan for the Acid Tar Pit (ATP) SWMU Group, Tecumseh Redevelopment Site, Lackawanna, New York*. Revised May 2009.
4. Benchmark Environmental Engineering & Science, PLLC in association with TurnKey Environmental Restoration, LLC. *Expedited Corrective Measure Work Plan for Acid Tar Pit SWMU Group, Former Bethlehem Steel Site, Lackawanna, New York – Appendix B; Health and Safety Plan (HASp)*. April 2010.
5. TurnKey Environmental Restoration, LLC in association with Benchmark Environmental Engineering & Science, PLLC. *Engineering Report, Operational Unit OU-2 ATP SWMU Group, Waste Consolidation into ATP-ECM: Waste Characterization Stabilization Assessment and Conceptual design, Tecumseh Redevelopment Site, Lackawanna, New York*. October 2014.