Brussel, John

From: Brussel, John
Sent: Sunday, August 14, 2005 9:03 PM
To: aabarraz@gw.dec.state.ny.us
Cc: joel.robinson@bayermaterialscience.com; MOLINA, JOSEPH; khmurphy@gw.dec.state.ny.us
Subject: Modification to Demolition Work Plan - Bayer Hicksville
Attachments: Demo WP Modification.pdf; Figure 3_revised.pdf

Alicia:

On behalf of Bayer MaterialScience LLC (Bayer), please find the attached Modification to the Demolition Work Plan for your review. This modification is being submitted in response to the NYSDEC draft comments included in your e-mail correspondence dated 8/9/05. For ease of presentation, each NYSDEC comment is provided in the first attached PDF file, followed by Bayers response. The revised figure referenced in the Modification is in the second attached PDF file.

The Modification includes changes as discussed during our 8/11/05 telephone conference call. The Modification also includes changes to the approach for addressing stormwater per e-mail correspondence between BBL and the NYSDEC dated 8/12/05.

We await NYSDEC approval of the Demolition Work Plan and Modification and are prepared to implement the activities shortly following approval. Please do not hesitate to contact Joel Robinson of Bayer at (412) 777-4871 or myself if you have any questions or require additional information.

-John

John C. Brussel, P.E.
Senior Engineer I
Blasland, Bouck & Lee, Inc.
6723 Towpath Road, Box 66
Syracuse, NY 13214-0066

Tel: (315) 446-2570 (ext. 441)
Fax: (315) 449-4111
JCB@BBL-inc.com

ATTACHMENT 1
MODIFICATION TO THE DEMOLITION WORK PLAN

BAYER MATERIALSCIENCE LLC
125 NEW SOUTH ROAD
HICKSVILLE, NEW YORK

Comments on Section 2.4 – Pre-Demolition Characterization Sampling

Comment 1

The total number of composite samples and discrete samples is insufficient. The building slab floors should be divided into grids and a minimum of one composite sample taken from each grid. The total number of composite and discrete samples for each grid will vary depending on the size and condition of the concrete, but they should be representative of the area being sampled. Discrete samples should focus on areas where cracks and staining (other than from petroleum spills) were observed from previous concrete sampling, as summarized in the table in section 1.3.4 (Previous Concrete Sampling).

Response 1

Additional discrete and composite concrete core samples will be collected to further evaluate the presence and extent of PCBs in the former building concrete floor slabs and concrete-paved areas outside the floor slabs. Under the proposed revised sampling approach, a total of 68 representative discrete samples will be collected (instead of 39 as called for in the Demolition Work Plan). The proposed discrete sampling locations will provide additional coverage across the building floor slabs, coverage in concrete-paved areas outside the slabs where no samples were previously proposed, and coverage in the general areas identified in the table in Subsection 1.3.4 where possible staining/slight staining was noticed by field sampling personnel during the RFI. Discrete samples to evaluate concrete re-use will not be collected from areas where heavy staining is observed, because concrete from such areas will be segregated during demolition for proper offsite transportation and disposal.

Under the revised sampling approach, a total of 12 composite samples will be collected, each formed from four to seven discrete samples. The revised composite sample quantity equates to one composite characterization sample per approximately 310 cubic yards (CY) of concrete anticipated to be generated by the demolition activities. Locations where discrete samples will be collected to generate composite samples are shown as red triangles on the revised version of Figure 3 (see attached PDF file). The purple lines on Figure 3 designate boundaries for each composite sample. As indicated by the purple lines, the actual area of concrete to be characterized by each composite sample is approximately the same (just over 100 feet by 100 feet). An analytical sample summary, which identifies the proposed 12 composite samples, sampling areas, and corresponding number of discrete samples to form each composite, is presented below.

Composite Sample ID	Sampling Area	Sampling Location	Number of Discrete Samples
COMP-1	Plant 3	Truck Scale Area and Western Half of Plant 3	4
COMP-2	Plant 3	Eastern Half of Plant 3 and Slabs to the East	5
COMP-3	AOC 24 Tank Farm	Tank Farm Area and Shed to the North	6

Composite Sample ID	Sampling Area	Sampling Location	Number of Discrete Samples
COMP-4	Plant 2	Western Half of Plant 2 and Nearby Slabs	6
COMP-5	Plant 2	Eastern Half of Plant 2 and AOC 34 Cooling Water Foundations	7
COMP-6	Pilot Plant	Pilot Plant and Nearby Slabs	4
COMP-7	Plant 1	Western End of Plant 1 and Nearby Slabs	6
COMP-8	Plant 1	West-Central Portion of Plant 1 and Nearby Slabs	6
COMP-9	Plant 1	East-Central Portion of Plant 1 and Nearby Slabs	6
COMP-10	Plant 1	Eastern End of Plant 1 and Nearby Slabs	6
COMP-11	Warehouse	Warehouse and Slab to the West	5
COMP-12	E & SE of Plant 1	Concrete-Paved Areas East and Southeast of Plant 1	7
		Total Number of Discrete Samples:	**68**

As indicated above, areas of concrete flooring exhibiting heavy petroleum staining will be transported for proper offsite disposal. Bayer had originally planned to collect discrete PCB concrete samples (uncomposited) to evaluate disposal requirements for the heavily-stained concrete. However, upon further consideration and discussion with the NYSDEC during an August 11, 2005 conference call, Bayer may instead elect to first remove the stained concrete and then collect one or more composite samples to characterize the concrete (as-generated) for disposal. Bayer will coordinate with the anticipated disposal facilities to see that the necessary analytical data is provided.

♦ ♦ ♦

Comment 2

There are also concrete areas outside of the floor slabs where no sampling or insufficient sampling is proposed. These areas should also be divided into grid(s) for composite samples, as described above.

Response 2

Under the revised sampling approach described in Response 1, sample coverage is now provided in each area outside the concrete floor slabs.

♦ ♦ ♦

Comment 3

Areas of concrete that appear to be contaminated with petroleum spills cannot not be used as fill material, with the exception of concrete pavement that has come into contact with petroleum products through normal vehicle use of the roadway. This is in accordance with NYCRR 360-8.6(b).

Response 3

Acknowledged.

♦ ♦ ♦

Comment 4

In accordance with NYCRR 360-8.6(b) Bayer must provide 30 day notice of intent to reuse the concrete and other solid wastes generated on site as grade adjustment. All information required under this section must be provided in the notice.

Response 4

The Demolition Work Plan includes all of the information required for a notice-of-intent letter to the NYSDEC Region 1 office and the Town of Oyster Bay as outlined in 6 NYCRR Part 360-8.6(b) for site exemption from regulation under Part 360, except:

- the name of the contractor (or potential contractors) to be retained by Bayer to perform the demolition activities; and
- the intended use of the filled area and schedule for implementing such use (i.e., interim grade adjustment until RCRA corrective action activities are completed and property transfer takes place).

Accordingly, following NYSDEC approval of the Demolition Work Plan as amended by this Work Plan Modification, Bayer will submit a letter to the NYSDEC regional office (with a copy of the letter and the Demolition Work Plan/Work Plan Modification to the town clerk at the Town of Oyster Bay) providing the additional information required under 6 NYCRR Part 360-8.6(b) that is not already in the plan. The notice-of-intent letter will also include an updated/more detailed version of the project schedule included in Section 3 of the Demolition Work Plan.

As discussed during the August 11, 2005 telephone conference call, Bayer has already met with the Town of Oyster Bay to discuss the proposed demolition activities/fill re-use and reactivation of the demolition permit previously granted by the Town for aboveground and belowground demolition. It is our understanding that the permit will be reactivated by the Town pending NYSDEC approval of the Demolition Work Plan.

♦ ♦ ♦

Comment 5

Characterization sampling is proposed for the eight existing C&D debris stockpiles. Explain what areas this debris came from and if it includes any concrete from petroleum spills.

Response 5

The debris in the eight existing C&D debris stockpiles was generated in 2003 and came from demolition of the concrete and masonry walls associated with the former Plant 1, 2, and 3 buildings. The debris does not include flooring. There are no known petroleum impacts to the wall material C&D debris in the stockpiles.

♦ ♦ ♦

Comments on Section 2.6 – Erosion and Sedimentation Control

Comment 6

Bayer states that the Erosion and Sedimentation Control Plan is considered a complete Stormwater Pollution Prevention Plan (SWPPP) for the purposes of obtaining coverage under NYSDEC "General Permit GP-02-01 for Stormwater Discharges from Construction Activities". To clarify, if Bayer has an approved demolition work plan administered under RCRA, and has submitted a SWPPP that meets the substantive requirements of General Permit GP-02-01, then Bayer does not need to obtain permit coverage under GP-02-01. However, since the demolition activities will disturb more than five acres, Bayer must develop a SWPPP that also includes water quantity and water quality control components (post-construction stormwater controls). Information regarding the process for General Permit GP-02-01 can be viewed at http://www.dec.state.ny.us/website/dow/PhaseII.html and http://www.dec.state.ny.us/website/dow/toolbox/toolbox.htm In addition, any questions regarding General Permit GP-02-01 should be directed to Angus Eaton, NYSDEC Division of Water, at (518) 402-8123.

Response 6

Based on an August 11, 2005 telephone conversation with Mr. David Gasper of the NYSDEC Division of Water (who responded to questions in Mr. Angus Eaton's absence) and further review of SPDES stormwater requirements, an SWPPP will be needed for the demolition work to be performed at the Hicksville site. As agreed in e-mail correspondence between the NYSDEC Division of Water and BBL dated August 12, 2005, the SWPPP will need to include relatively straight-forward erosion and sedimentation control measures, but does not need to include water quantity and water quality control measures because the demolition activities will result in the creation of no new impervious areas at the site. Per NYSDEC guidance, water quantity and water quality control measures are "post-construction" practices needed to minimize water quantity and water quality impacts from increases in imperviousness (construction of buildings, roadways, parking lots, etc.). Such measures would presumably be needed in connection with site redevelopment, but not at this time.

Per the August 12, 2005 e-mail correspondence between the NYSDEC Division of Water and BBL, Bayer will not need to obtain permit coverage under General Permit GP-02-01 provided that Bayer prepares a SWPPP meeting the substantive permitting requirements of GP-02-01 and demolition is performed in accordance with a NYSDEC-approved work plan administered under RCRA (i.e., approved Demolition Work Plan). A Notice of Intent (NOI) will need to be submitted to the NYSDEC, which will affirm that a SWPPP has been prepared for the site and will be implemented prior to the commencement of demolition activities.

Bayer is agreeable to preparing the SWPPP and NOI in accordance with the requirements outlined above, as discussed with the NYSDEC Division of Water.

♦ ♦ ♦

Comment 7

A copy of the full SWPPP may also need to be submitted to the local authority in Nassau County.

Response 7

Pursuant to Item 52 of the NYSDEC's "Frequently Asked Questions About Permit Requirements of the SPDES General Permit (GP-02-01) for Stormwater Discharges from Construction Activities" available at

www.dec.state.ny.us/website/dow/toolbox/swguid.html, a copy of the full SWPPP will be provided to the "local jurisdiction" (i.e., the Town of Oyster Bay).

♦ ♦ ♦

Comment on Section 2.9 – Air Monitoring

Comment 8

Any exceedances should be recorded, along with actions taken.

Response 8

Acknowledged. Exceedances and actions taken will be recorded in the project field notebook by the onsite observer.

♦ ♦ ♦

Comment on Section 2.10 – Demolition Debris Handling

Comment 9

C&D debris should not be staged on portions of the existing concrete floor slab/pads, as they do not allow for collection of liquids. Material staging areas should be used at all times, as described in this section. Any exceptions this requirement should first be discussed with DEC.

Response 9

Non-exempt C&D debris will be direct-loaded for offsite transportation and disposal to the extent possible. However, as discussed with the NYSDEC on August 11, 2005, the non-exempt C&D debris may be temporarily staged on portions of the existing concrete floor slabs/pads (covered if precipitation is forecast) as a short-term measure only. Alternatively, the non-exempt C&D debris may be placed in a lined material staging area and covered as appropriate.

♦ ♦ ♦

Comment on Section 2.13 – Site Restoration

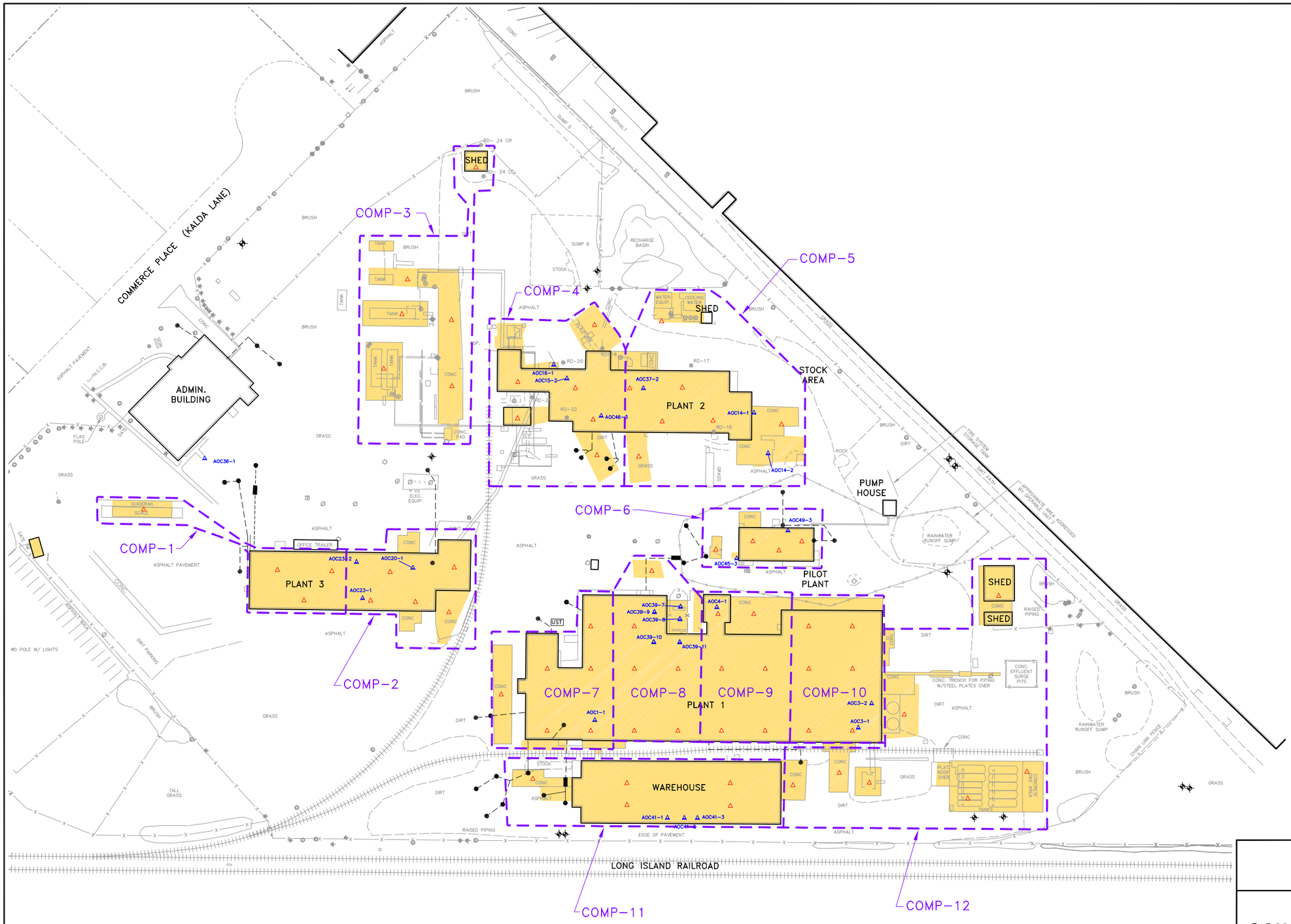
Comment 10

Areas where fill material is placed on-site should be documented in the Demolition Report for future reference.

Response 10

Acknowledged.

♦ ♦ ♦



LEGEND:

- PROPOSED CONCRETE SAMPLING LOCATION FOR COMPOSITE
- EXISTING RFI CONCRETE CHARACTERIZATION SAMPLING LOCATION
- PROPOSED BOUNDARY FOR DISCRETE SAMPLES USED TO FORM ONE COMPOSITE SAMPLE
- SEPTIC TANK
- LEACHATE PIT
- EXISTING MONITORING WELL LOCATION
- APPROXIMATE LIMITS OF CONCRETE PADS AND CONCRETE PAVED-SURFACES

NOTES:

1. BASE MAP ADAPTED FROM A DRAWING ENTITLED "AREA OF CONCERN MAP", FIGURE 1-2, BY ENSR CORPORATION. PISCATAWAY, NJ, AT A SCALE OF 1"=60', DATED 2/14/03.
2. LOCATIONS OF SEPTIC TANKS AND LEACHATE PITS ARE BASED ON ELECTROMAGNETIC, GROUND-PENETRATING RADAR, AND FIELD SURVEY ACTIVITIES PERFORMED BY BBL, AND THE FOLLOWING FIGURES:
   A) "REFERENCE DRAWING OF THE HOOKIER/RUCO SITE PLANT UTILITIES: OUTDOOR PIPING" BY LEGGETTE, BRASHEARS & GRAHAM, INC. OF WILTON, CT DATED 3/20/91, AT A SCALE OF 1"=30'.
   B) "EXTRUDER BUILDING & PARKING AREA PILOT PLAN & DRAINAGE DET." BY CRAWFORD & RUSSELL, INC. OF STAMFORD, CT, LAST REVISION 5/9/61, AT A SCALE OF 1"=30'.
   C) "SITE PLAN" BY CARL V. LINN, ENGINEER OF NEW YORK, NY, DATED 12/2/53, AT A SCALE OF 1"=50'.
   D) "N.P.D. BUILDING DRAINAGE WATER" BY HOOKER CHEMICAL CORPORATION OF HICKSVILLE, NY.
   E) "SITE PLAN" BY RUCO POLYMERS CORPORATION OF HICKSVILLE, NY, DATED 9/21/82.
3. RFI CONCRETE CHARACTERIZATION SAMPLING LOCATIONS WERE SURVEYED BY BBL, INC. DURING OCTOBER 2004.

0 50' 100'
GRAPHIC SCALE

BAYER MATERIALSCIENCE LLC
125 NEW SOUTH ROAD
HICKSVILLE, NEW YORK

PROPOSED & EXISTING CONCRETE SAMPLING LOCATIONS

BBL BLASLAND, BOUCK & LEE, INC. engineers, scientists, economists

FIGURE 3

X: 32303X01.DWG
L: ON=*, OFF=REF
P: PAGESET/SYR-DL2B1
8/12/05 SYR-85-GMS RCB PGL
32305001/32305B05.DWG