



1550 Pond Road  
Suite 120  
Allentown, PA 18104  
(610) 435-1151  
(610) 435-8459 FAX

July 15, 2019

**Sent Via Electronic Mail & U.S. Mail**

Mr. Thomas Mongelli  
USEPA – Region 2  
290 Broadway, 19<sup>th</sup> Floor  
New York, NY 10007-1866

**RE: Quarterly Progress Report – April, May, June 2019  
Remedial Design/Remedial Action  
Mercury Refining Superfund Site  
Colonie, New York  
Civil No.: 1:12-cv-01247-MAD-TWD**

Dear Mr. Mongelli:

Attached please find two (2) copies of the quarterly progress report for performance of Remedial Action at the Mercury Refining Superfund Site in Colonie, New York (Site). This progress report is being submitted to the United States Environmental Protection Agency (USEPA) and the New York Department of Environmental Conservation (NYDEC) on behalf of the Mercury Refining Site Remedial Action Group (Group) and in accordance with Paragraph 29 of the August 2012 Consent Decree for Remedial Action and Cost Recovery, Civil No.: 1:12-cv-01247-MAD-TWD (Consent Decree), as subsequently modified by USEPA letter dated May 12, 2015.

As always, please contact me with any questions regarding this progress report or the project activity.

Sincerely,

*de maximis, inc.*

A handwritten signature in blue ink, appearing to read "Geoffrey Seibel", is written over a light blue circular stamp.

Geoffrey Seibel  
Project Coordinator

Attachments: Quarterly Progress Report for Mercury Refining Site (April, May, June 2019)  
2019 Ecological Verification Report  
2018 Periodic Review Report

CC: Mercury Refining Site Remedial Action Group  
Sharon Kivowitz, Esq., USEPA  
Drew Hoffert, NYSDEC  
Muzaffar Rahmani, CDM  
Keith Bogatch, P.E., B&C

FILE: 3232/MERECO Site - 2nd Quarter 2019 Progress Report

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**QUARTERLY PROGRESS REPORT  
SECOND QUARTER 2019  
APRIL, MAY, JUNE 2019  
REMEDIAL ACTION  
MERCURY REFINING SUPERFUND SITE  
COLONIE, NY**

**I. Actions Taken Toward Achieving Compliance with Consent Decree (CD)**

- On April 18th, the 1st Quarter Progress Report for January, February, March 2019 was provided to USEPA.
- Completed 2019 Ecological Verification Sampling Report (for 2018 sampling). Copy of the Report is attached.
- On April 23, held a conference call between representatives of USEPA, Brown & Caldwell and *de maximis* to discuss possible changes in the scope of the future groundwater monitoring plan.
- On June 27, notified NYSDEC of Group's intent to conduct the Emerging Contaminant sampling as required in NYSDEC's April 18, 2019 letter.
- On June 28, submitted to USEPA a proposed modification to the future groundwater monitoring program, consistent with the teleconference on April 23.
- The MERECO Group continued to revise the draft Institutional Control documents submitted to USEPA in 2016 and in response to USEPA's comments. Delays have resulted from being able to obtain legible copies of some of the deeds and other relevant documents from Albany County.
- Brown & Caldwell continued to work with LAND Remediation on developing an approach and schedule for maintenance work in the grassy area at the top of the slope behind the SealMaster property.

**II. Summary of all Sampling Results and all Other Data Received**

- None.

**III. Deliverables, Work Plans, and Plans Completed and Submitted**

- None.

**IV. Actions and Activities Scheduled for the Next Six Months**

- July – continue to work on the IC documents; continue to develop approach for maintenance of area behind Sealmaster property.
- August – possibly discuss the proposed future groundwater monitoring plan with USEPA; submit revised IC documents to EPA pending County response; conduct ground/soil maintenance in grassy area behind SealMaster property.
- September – no activities currently planned. Possible August activities may extend into September.
- October – no activities currently planned.
- November – conduct 5<sup>th</sup> and possibly final round of Ecological Verification Sampling; conduct Periodic Review inspection.

**QUARTERLY PROGRESS REPORT  
SECOND QUARTER 2019  
APRIL, MAY, JUNE 2019  
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COLONIE, NY**

- December – conduct next round of post-remediation groundwater sampling and sampling for Emerging Contaminants as required by NYSDEC.

**V. Delays or Anticipated Delays and Mitigating Action**

- The establishment of institutional controls has been delayed. Please see Section I.

**VI. Proposed or Approved Modifications to Plans or Schedules**

- None.

**VII. Community Relations Plan Support Activities**

- None requested by USEPA.