



January 3, 2020

Chief, Central New York Remediation Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region II
290 Broadway, 20th Floor
New York, New York 10007-1866
Attention: George Jacob, Remedial Project Manager

RE: JCI Jones Chemicals Inc. Superfund Site; Caledonia, New York;
RD/RA Consent Decree

Dear George,

As required by Section X, Paragraph 30 of the above referenced Consent Decree, attached please find a written monthly progress report for the month of December 2019.

Please contact me at (585) 538-2314 if you have any questions or require additional information.

Very truly yours,

A handwritten signature in blue ink that reads 'Tim Gaffney'.

Timothy J. Gaffney
Executive Vice President

TJG:tg

cc: Elizabeth Leilani Davis, Esq. (USEPA)
Sarah Saucier (NYSDEC)
David Pratt (NYSDEC)
Justin Deming (NYSDOH)
Melissa Doroski (NYSDOH)
Shekhar Melkote (Geosyntec)

**JCI JONES CHEMICALS INC.
CALEDONIA, NEW YORK FACILITY
REMEDIAL DESIGN/REMEDIAL ACTION**

The Monthly Progress Report within consists of the following sections:

- A. Work Performed – December 2019
- B. Summary of Results of Sampling, Tests, and Data
- C. Work Plans, Plans, and Deliverables Completed and Submitted
- D. Work to Be Performed – January 2020 and February 2020
- E. Completion Summary
- F. Modifications to Work Plans or Schedules
- G. Community Relations Plan

A. WORK PERFORMED – DECEMBER 2019

The ground water extraction and treatment system (GWETS) continues to operate 24 hours a day and is currently pumping and treating approximately 300 gallons per minute.

The enhanced soil-vapor extraction and treatment system (SVE) that is being pilot tested ran the entire month of December. Influent and effluent samples will be collected on a periodic basis to measure the effectiveness of the system.

On December 4, 2019 JCI received comments from the Agencies on the Soil Vapor Intrusion (SVI) Sampling Report that JCI's consultant Geosyntec submitted to the Agencies in April 2019 in regards to the proposed sampling plans for the next round of sampling to be conducted in late February/early March 2020. On December 16, 2019 JCI submitted a detailed response to the Agencies on their comments, and is currently awaiting the Agencies review and response to our comments before finalizing the upcoming sampling event.

JCI and Geosyntec continued discussing the feasibility of conducting a pilot test as an enhancement to the current groundwater extraction and treatment system technology, using a newer engineered phytoremediation technology, specifically the *TreeWell*® system. JCI and Geosyntec would like to discuss this further with the USEPA.

B. SUMMARY OF RESULTS OF SAMPLING, TESTS, AND DATA

None.

C. WORK PLANS, PLANS, AND DELIVERABLES COMPLETED AND SUBMITTED

None.

D. WORK TO BE PERFORMED – JANUARY 2020 AND FEBRUARY 2020

Continue the operation, monitoring and maintenance of the GWETS.

Continue the operation of the enhanced SVE system that is being pilot tested.

Continue monitoring and evaluating the effectiveness of the ongoing pilot test on the enhanced SVE treatment of the soil in the source area to determine whether or not to continue and/or expand by installing/connecting additional SVE wells to treat the residual VOCs remaining in the source area.

Discuss with the Agencies conducting a pilot test as an enhancement to the current groundwater extraction and treatment system technology, using a newer engineered phytoremediation technology, specifically the *TreeWell*® system.

Continue planning for the next indoor air sampling event at the site which we are tentatively planning on conducting in late February/early March 2020 (currently awaiting a response

from the Agencies to JCI's December 16, 2019 email on this).

E. COMPLETION SUMMARY

Table 1 and Table 2 present the completion summary of the actions that have been taken toward achieving compliance with the Consent Decree and the Statement of Work.

F. MODIFICATIONS TO WORK PLANS OR SCHEDULES

None.

G. COMMUNITY RELATIONS PLAN

None.

TABLE 1: Activities Completion Summary, December 2019
 JCI Jones Chemicals, Inc., Caledonia, New York
 Consent Decree: Remedial Design/Remedial Action

CONSENT DECREE REFERENCE	ACTIVITY	PROJECT DATES			REGULATORY REVIEW			PERCENT COMPLETE	COMMENTS
		Start Date	Scheduled Completion Date	Actual Completion Date	Comments Received	Re-Submission	Approval		
	Consent Decree Lodging Date			08/31/01				100	
	Consent Decree Entry Date			04/24/02				100	
	Consent Decree Effective Date			04/24/02				100	
Section III Paragraph 3	Provide copy of Consent Decree to contractors, subcontractors	08/31/01							Ongoing as needed
Section V Paragraph 9a	Submit to USEPA a Notice to Successors-In-Title	04/24/02	05/15/02	05/17/02			06/05/02	100	Within 15 business days of entry of Consent Decree
Section V Paragraph 9a	Record Notice to Successors-In-Title	06/05/02	06/19/02	06/17/02				100	Within 10 business days of USEPA's approval
Section V Paragraph 9a	Provide USEPA Certified Copy of Notice to Successors-In-Title	06/17/02	07/01/02	06/19/02				100	Within 10 business days of recording notice
Section V Paragraph 9b	Provide grantee and USEPA notice of conveyance of interest in property								30 days prior to conveyance of interest in property
Section VI Paragraph 10a	Notify USEPA of JCI's Supervising Contractor	08/31/01	09/15/01	09/14/01			09/17/01 (Verbal)	100	Within 15 days after lodging of Consent Decree
Section VI Paragraph 15	Notify USEPA for waste shipments > 10 cubic yards								Prior to off-site shipment to out-of-state facility
Section VII Paragraph 16	Periodic review of whether RA is protective of human health and the environment	11/23/10		09/26/11 (First Five-Year Review Report) 10/22/15 (Second Five-Year Review)				100	Every 5 years
Section VIII Paragraph 22	Notify USEPA prior to any sample collection activity	12/13/01	12/13/01	12/13/01			12/13/01	100	Within 28 days prior to sample collection activities
		(For Pre-RD Fieldwork)							
		11/06/03	11/06/03	11/06/03					
		09/08/04	09/08/04	09/08/04					
		04/01/05	04/01/05	04/01/05					
		06/17/05	06/17/05	06/17/05					
		08/19/05	08/19/05	08/19/05					
		04/24/06	04/24/06	04/24/06					
		06/06/06	06/06/06	06/06/06					
		11/02/06	11/02/06	11/02/06					
		03/30/07	03/30/07	03/30/07					
		10/11/07	10/11/07	10/11/07					
		04/01/08	04/01/08	04/01/08					
		10/08/08	10/08/08	10/08/08					
		04/29/09	04/29/09	04/29/09					
		10/19/09	10/19/09	10/19/09					
		05/05/10	05/05/10	05/05/10					
		10/26/10	10/26/10	10/26/10					
		03/07/11	03/07/11	03/07/11					
		06/27/11	06/27/11	06/27/11					
		10/25/11	10/25/11	10/25/11					
		05/03/12	05/03/12	05/03/12					
		10/05/12	10/05/12	10/05/12					
		02/28/13	02/28/13	02/28/13					
		05/01/13	05/01/13	05/01/13					
		11/07/13	11/07/13	11/07/13					
		03/25/14	03/25/14	03/25/14					
		07/03/14	07/03/14	07/03/14					
		10/21/14	10/21/14	10/21/14					
		03/03/15	03/03/15	03/03/15					
		05/04/15	05/04/15	05/04/15					
		02/02/16	02/02/16	02/02/16					
		08/03/16	08/03/16	08/03/16					
		01/18/17	01/18/17	01/18/17					
		08/01/17	08/01/17	08/01/17					
		01/19/18	01/19/18	01/19/18					
		09/06/18	09/06/18	09/06/18					
		1/30/2019	1/30/2019	1/30/2019					
		8/5/2019	8/5/2019	8/5/2019					

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 JCI Jones Chemicals, Inc., Caledonia, New York
 Consent Decree: Remedial Design/Remedial Action

CONSENT DECREE REFERENCE	ACTIVITY	PROJECT DATES			REGULATORY REVIEW			PERCENT COMPLETE	COMMENTS
		Start Date	Scheduled Completion Date	Actual Completion Date	Comments Received	Re-Submission	Approval		
Section VIII Paragraph 23	Submit results of sampling, tests, data to USEPA			04/30/02 12/30/03 04/26/05 07/14/05 12/28/05 08/17/06 02/21/07 07/23/07 02/25/08 08/13/08 02/26/09 07/16/09 02/19/10 08/12/10 02/15/11 09/14/11 01/31/12 07/26/12 01/28/13 06/04/13 06/20/13 08/20/13 01/27/14 07/20/14 09/18/14 09/24/14 10/03/14 01/09/15 04/21/15 08/19/15 08/28/15 04/13/16 11/17/16 05/23/17 11/30/17 04/24/18 11/07/18 04/26/19 10/15/19 11/26/19				100	Within 15 days of receipt of results, tests, data
Section IX Paragraph 25a	Provide site access to USEPA for JCI Property	Ongoing						100	Commencing on Lodging Date of Consent Decree
Section IX Paragraph 25b	Refrain from using on-site groundwater for potable use	Ongoing						100	Commencing on Lodging Date of Consent Decree
Section IX Paragraph 25c	Submit Draft Easement to USEPA (Appendix D of Consent Decree) (JCI Property)	04/24/02 03/18/14	06/08/02 05/31/15	06/10/02 02/22/16			3/1/2016	100	Within 45 days of entry of the Consent Decree
Section IX Paragraph 25c	Update title search and record the easement w/ County (JCI Property)			04/04/16				100	Within 15 days of USEPA's approval of draft easement
Section IX Paragraph 25c	Provide USEPA w/ final title and original recorded easement (JCI Property)			04/22/16				100	Within 30 days of recording of the easement
Section IX Paragraph 26a	Obtain access agreements from off-site parties	04/24/02 07/01/11	06/08/02 07/11/11	06/07/02 07/07/11				100	Within 45 days of entry of the Consent Decree
Section IX Paragraph 26b	Obtain restrictive agreements from off-site parties	04/24/02	06/08/02	06/07/02				100	Within 45 days of entry of the Consent Decree
Section IX Paragraph 26c	Submit Draft Easement to USEPA (Appendix D of Consent Decree) (Off-Site Properties)						4/12/2017	100	Within 45 days of request from USEPA
Section IX Paragraph 26c	Update title search and record the easement w/ County (Off-Site Properties)			04/26/17				100	Within 15 days of USEPA's approval of draft easement
Section IX Paragraph 26c	Provide USEPA w/ final title and original recorded easement (Off-Site Properties)			04/26/17				100	Within 30 days of recording of the easement
Section X Paragraph 30	Submit monthly progress report to USEPA	Ongoing						100	Due the 10th of each month
Section X Paragraph 31	Notify USEPA of changes in the schedule of activities								Within 7 days prior to performance of activity
Section X Paragraph 32	Notify USEPA of events during performance of the work that are reportable under CERCLA or EPCRA								Within 24 hours of on-set of event (notify orally)

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		Start Date	Scheduled Completion Date	Actual Completion Date	Comments Received	Re-Submission	Approval		
Section X Paragraph 33	Provide written report to USEPA for events under Paragraph 32							100	Within 20 days of on-set of event, and within 30 days of conclusion of event
Section XI Paragraph 36	Correct a deficient report							100	Within 30 days of notice of deficiency from USEPA
Section XI Paragraph 38a	Correct a disapproved report							100	Within 14 days of notice of disapproval from USEPA
Section XII Paragraph 42	Notify USEPA of JCI's Project Coordinator	08/31/01	09/15/01	09/14/01			09/17/01 (Verbal)	100	Within 15 days after lodging of Consent Decree
Section XIII Paragraph 45	Establish and maintain financial security	08/31/01	09/30/01	10/03/01 (Letter of Credit)				100	Within 30 days of lodging of Consent Decree
Section XIII Paragraph 46	Obtain additional financial assurance		02/24/14	05/24/14 (Surety Bond)				100	Within 30 days of notice from USEPA
Section XIII Paragraph 47	Reduce the amount of financial assurance	08/20/02 05/06/04 01/12/06 08/02/06 09/20/06	06/01/04	06/18/04			6/18/2004 5/12/2009	100	Anniversary date of entry of Consent Decree
Section XIV Paragraph 50	Conduct pre-certification inspection							100	Within 30 days after conclusion of all work required by the Consent Decree
Section XV Paragraph 51	Notify USEPA of conditions posing an immediate threat							100	Immediate notification to USEPA
Section XVI Paragraph 53	Pay USEPA's Past Response Costs (\$30,688.70)	04/24/02	05/24/02	05/23/02				100	Within 30 days of effective date of the Consent Order
Section XVI Paragraph 54	Pay USEPA's Future Response Costs	08/19/03	06/30/04	09/25/03 10/31/03 01/28/04 02/27/04 06/30/04				100	Within 30 days of the date of each bill requiring payment
		10/01/04	04/30/05	11/01/04 01/31/05 04/29/05				100	
		09/23/05	03/22/06	10/20/05 12/21/05 03/21/06				100	
		12/08/06	06/12/07	01/13/07 03/13/07 03/14/07				100	
		04/09/08	05/09/08	06/12/07 06/12/07 05/08/08 05/08/08 08/08/08				100	
		04/17/14	05/21/14	05/20/14 07/20/14 07/18/14 10/18/14 10/17/14				100	
		08/20/15	09/26/15	01/16/15 01/15/15 04/21/15 09/25/15 09/25/15 11/20/15 11/19/15				100	
		06/04/18	07/04/18	02/20/16 02/19/16 10/12/16 10/12/16 07/04/18 07/03/18				100	
		08/23/19	09/04/18	09/04/18 09/04/18 12/04/18 12/03/18 03/04/19 03/04/19				100	
			09/22/19	09/19/19 11/23/19 11/22/19				100	

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		Start Date	Scheduled Completion Date	Actual Completion Date	Comments Received	Re-Submission	Approval		
Section XVI Paragraph 55	Dispute Future Response Costs Bill	08/19/03	09/18/03	09/05/03 09/25/03			1/26/2004	100	Within 30 days of the date of the bill
Section XVII Paragraph 59	Provide Insurance Policies and Certificates of Insurance to USEPA	12/13/01 04/24/03 04/24/04 04/24/05 09/01/06 09/01/07 09/01/08 09/01/09 09/01/10 11/01/10 01/01/12 01/01/13 11/15/13 11/15/14 11/15/15 11/15/16 11/15/17 11/15/18 11/15/19	01/07/02 04/24/03 04/24/04 04/24/05 09/01/06 09/01/07 09/01/08 09/01/09 09/01/10 11/01/10 01/01/12 01/01/13 11/15/13 11/15/14 11/15/15 11/15/16 11/15/17 11/15/18 11/15/19	02/04/02 05/01/03 05/01/04 05/01/05 09/01/06 09/01/07 09/01/08 09/01/09 09/01/10 11/01/10 01/01/12 01/01/13 11/15/13 11/15/14 11/15/15 11/15/16 11/15/17 11/15/18 11/15/19				100	At least 15 days before starting any on-site work, and annually thereafter on the anniversary of the effective date of the Consent Decree
Section XVIII Paragraph 61	Notify USEPA of delays, and/or force majeure events								Orally within 48 hours; written report within 5 days
Section XVIII Paragraph 63	Dispute USEPA's decision on delays and/or force majeure events								Within 15 days of receipt of USEPA's decision
Section XIX Paragraphs 64-69	Dispute Resolution Procedures								Various timeframes
Section XXIII Paragraph 94	Notify USEPA for any suit or claim for contribution brought by JCI for matters relating to the Consent Decree								Within 60 days prior to initiation of suit or claim
Section XXIII Paragraph 95	Notify USEPA for any suit or claim for contribution brought against JCI for matters relating to the Consent Decree								Within 15 days of service of the complaint; within 10 days of service/receipt of Motion for Summary Judgment; within 10 days of receipt of order settling a case for trial
Section XXV Paragraph 100	Retain records								For 10 years after receipt of USEPA's Certification of Completion of Work
Section XXV Paragraph 101	Notify USEPA of destruction of documents								At least 90 days prior to destruction of documents
Section XXX Paragraph 107	Propose to USEPA JCI's role in Community Relations Plan								No timeframe set

TABLE 2:

Activities Completion Summary, December 2019
 JCI Jones Chemicals, Inc., Caledonia, New York
 Statement of Work

ACTIVITY	PROJECT DATES			REGULATORY REVIEW			PERCENT COMPLETE	COMMENTS
	Start Date	Scheduled Completion Date	Actual Completion Date	Comments Received	Re-Submission	Approval		
Notify USEPA of JCI's Supervising Contractor	08/31/01	09/15/01	09/14/01			09/17/01 (Verbal)	100	Within 15 days of lodging of Consent Decree
Submit Remedial Design Work Plan to USEPA	09/17/01	10/17/01	10/17/01	11/28/01	12/05/01	12/13/01	100	Within 30 days of USEPA's approval of JCI's Supervising Contractor
Submit Final Design Report for Remedial Work Elements I and II	12/13/01	03/13/02	04/30/02	08/05/02 01/09/03 02/25/03	10/16/02 02/10/03 03/03/03	03/04/03	100	Within 3 months of USEPA's approval of the Remedial Design Work Plan
Award contract for Remedial Action	03/04/03	04/18/03	05/09/03				100	Within 45 days of USEPA's approval of the Final Design Report
Submit Remedial Action Work Plan to USEPA	05/09/03	06/23/03	06/13/03			8/5/2003	100	Within 45 days of awarding the Remedial Action contract
Complete construction of Remedial Work Elements I and II	08/05/03	02/05/04	03/30/04				100	Within 6 months of USEPA's approval of the Remedial Action Work Plan
Submit Operation and Maintenance Manual to USEPA for Remedial Work Element II	08/05/03	01/05/04	09/16/04				100	No later than 30 days prior to the scheduled completion date of Remedial Work Element II
USEPA and JCI to conduct pre-final inspection for each Remedial Work Element	Discuss w/ USEPA						100	At least 14 days prior to completion of construction of each Remedial Work Element
USEPA, NYSDEC and JCI to conduct final inspection of Remedial Work Element I								Within 30 days after JCI has met the Performance Standards for Remedial Work Element I
Submit Draft Remedial Action Report for Remedial Work Element I to USEPA								Within 30 days of the final inspection of Remedial Work Element I
Submit Draft Interim Remedial Action Report for Remedial Work Element II to USEPA		09/22/06	09/22/06	9/26/2006	9/28/2006	9/29/2006	100	Within 45 days after USEPA determines construction is complete
Continue remedial action and monitoring activities for Remedial Work Element II	09/29/06						Ongoing	Upon USEPA's approval of Interim Remedial Action Report for Remedial Work Element II
Submit Notice of Completion and Final Remedial Action Report to USEPA for Remedial Work Element II								Within 30 days after JCI has met the Performance Standards for Remedial Work Element II for the third consecutive year
Submit Post-Remediation Monitoring Plan to USEPA for Remedial Work Element II								Within 45 days after JCI has met the Performance Standards for Remedial Work Element II for the third consecutive year
Conduct Post-Remediation Monitoring for 3 years								Upon USEPA's approval of Post-Remediation Monitoring Plan
Submit Notice of Completion for Post-Remediation Monitoring to USEPA								Within 5 days of completion of post-remediation monitoring

TABLE 2:

Activities Completion Summary, December 2019
 JCI Jones Chemicals, Inc., Caledonia, New York
 Statement of Work

ACTIVITY	PROJECT DATES			REGULATORY REVIEW			PERCENT COMPLETE	COMMENTS
	Start Date	Scheduled Completion Date	Actual Completion Date	Comments Received	Re-Submission	Approval		
Submit Final Report for Post-Remediation Monitoring to USEPA								Within 45 days of completion of post-remediation monitoring
USEPA and JCI to conduct Pre-Certification Inspection								Within 60 days after JCI concludes that all phases of work have been completed
Submit written report to USEPA stating that all work has been completed								After the Pre-Certification Inspection has been completed