



Ms. Alicia Barraza
New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
Bureau of Solid Waste and Corrective Action
625 Broadway
Albany, New York 12233-7258

Subject:

Bayer MaterialScience LLC
125 New South Road
Hicksville, New York
USEPA ID#: NYD002920312
Monthly Progress Report – November 2010

Dear Ms. Barraza:

On behalf of Bayer MaterialScience LLC (Bayer), enclosed is the November 2010 monthly progress report for the above-referenced site. The report was prepared in accordance with reporting requirements outlined in Paragraph IV of the December 2002 Order on Consent (File #R1-20011022-212) between Bayer and the New York State Department of Environmental Conservation (NYSDEC).

If you have any questions regarding the attached report, feel free to contact Ramon Simon of Bayer at 281.383.6149 or the undersigned.

Sincerely,

ARCADIS

John C. Brussel, PE
Principal Engineer

Copies:

Ms. Katy Murphy, New York State Department of Environmental Conservation
(via e-mail)
Ms. Renata Ockerby, New State Department of Health (via e-mail)
Mr. Wayne Baldwin, Bayer MaterialScience LLC (via e-mail)
Mr. Ramon Simon, Bayer MaterialScience LLC (via e-mail)
Mr. Glenn Sabadosa, Bayer MaterialScience LLC (via e-mail)

ARCADIS
6723 Towpath Road
P.O. Box 66
Syracuse
New York 13214-0066
Tel 315.671.9120
Fax 315.449.4111
www.arcadis-us.com

ENVIRONMENT

Date:
December 8, 2010

Contact:
John C. Brussel, PE

Phone:
315.671.9441

Email:
John.Brussel@arcadis-us.com

Our ref:
B0032305.0004 #5

Imagine the result

MONTHLY PROGRESS REPORT – NOVEMBER 2010

RCRA CORRECTIVE ACTION PROGRAM BAYER MATERIALSCIENCE LLC 125 NEW SOUTH ROAD HICKSVILLE, NEW YORK

ACTION THIS MONTH

- A conference call with the New York State Department of Environmental Conservation (NYSDEC), New York State Department of Health (NYSDOH), United States Environmental Protection Agency (USEPA), representative of the Town of Oyster Bay, Bayer, and ARCADIS was held on November 16, 2010 to discuss agency comments on the “draft” Corrective Measures Study Report (“the CMS Report”).
- ARCADIS began preparing a “hybrid” alternative to the proposed alternatives presented in the CMS Report per discussions during the November 16, 2010 conference call.
- ARCADIS responded to November 18, 2010 e-mail correspondence from the NYSDEC requesting clarification on the proposed handling of remaining soils at the Hicksville site impacted with semi-volatile organic compounds (SVOCs) and metals. The response was sent to the NYSDEC in November 23, 2010 e-mail correspondence from ARCADIS.
- ARCADIS continued preparing a work plan for the vapor intrusion (VI) investigation at the Simone Development (Simone) warehouse facility east of the Bayer site. The work plan will describe: (1) a building reconnaissance and product inventory (to look for potential migration pathways and potential volatile organic compound (VOC) sources inside the building); (2) an interview with building facility manager(s) to discuss information about the building construction and operations; and (3) sampling of sub-slab soil vapor and indoor air (at locations adjusted, as needed, based on findings of Steps 1 and 2).
- ARCADIS continued preparing a letter responding to the NYSDEC, NYSDOH, and USEPA comments on the CMS Report.

DELIVERABLES THIS MONTH

- No project related deliverables (as described/identified above) were submitted to the NYSDEC or NYSDOH in November 2010.

ACTION NEXT MONTH

- ARCADIS will complete preparation of a “hybrid” alternative and provide it to Bayer for review prior to submitting to the Agencies.
- ARCADIS will continue to prepare a letter responding to agency comments on the CMS Report, and once agreement is reached between the NYSDEC and Bayer on a “hybrid” alternative, ARCADIS will revise and finalize the CMS Report for NYSDEC review and approval.
- ARCADIS will complete preparation of the above-mentioned VI investigation work plan.

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BAYER MATERIALSCIENCE LLC
125 NEW SOUTH ROAD
HICKSVILLE, NEW YORK**

- Bayer has no further options to pursue access to Simone property for indoor air and sub-slab sampling and requests NYSDEC and/or NYSDOH assistance.

SCHEDULE CHANGES

- There were no significant schedule changes in November 2010.