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Bayer RCRA Corrective Action Overview

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OU2 Groundwater TAC Meeting

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125 New South Road



Site Operational History

- Manufactured Latex, Plastics and Esters from 1945 to 2002
- Site Placed on NPL (Superfund List) in 1984
- Site Owners and Operators
 - Hooker Chemical purchased Rubber Company of America (RUCO)
 - Occidental Chemical Corporation (OXY) purchased Hooker (site known as OXY-Hooker RUCO)
 - Ruco Polymer Corporation purchased Site in 1982
 - Sybron Chemicals purchased Ruco Polymers in 1988
 - Bayer purchased Sybron Chemicals in 2000
 - Bayer closed site in 2002



Site Operational History

- Manufactured Latex, Plastics and Esters from 1945 to 2002
- Site Placed on NPL (Superfund List) in 1984
 - Operations Resulted in Releases of Hazardous Substances
 - Site Listed on National Priorities List (Superfund List) by EPA
 - Oxy was the Primary Responsible Party for Superfund Cleanup
 - Bayer Required to Perform Site Closure
 - Oxy and Sybron/Bayer Performing Site Remediation Since 1990s



Investigation and Remediation Activities

Oxy's Investigation and Remediation Activities

- Oxy's Activities
 - EPA Required Oxy to Address PCB and VOC Impacts During the Superfund Cleanup
 - Divided into Three Operable Units (OUs)
 - OU 1 Addressed VOC Contamination Soil
 - OU 2 Addressed PCB Contamination in Soil
 - OU 3 Addressed Groundwater
 - Oxy Continues to Remediate the Commingled Organic Groundwater Plume



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Investigation and Remediation Activities

Bayer Investigation and Remediation Timeline

- **2002** – Operations Terminated
- **2002-2004** – RCRA Investigation Performed and Demolition of Above-Ground Structures
- **2005** – First Interim Corrective Measure (ICM) Performed
- **2005-2006** – Foundations Demolished and Material Removed
- **2006** – Second ICM Performed
- **2006-2009** – Subsurface Soil and Soil Vapor Investigations Performed
- **2008-2009** – Site Preparation for and Performance of Third ICM
- **2009-2010** – EPA and DEC Renegotiate Cleanup Requirements
- **Q4 2010** – DEC Requires More Stringent PCB Remediation Standards
- **Q1 2011** – DEC Requires Additional Sampling of Metals
- **Q2 2011** – Off-Site Soil Vapor and Indoor Air Investigation Commenced
- **Q4 2011** – Begin Implementing Final On-Site Soils Remedy????



Projects

- ❑ **Production Operations Discontinued – 2002**
- ❑ **Aboveground Building Demolition – 2003**
- ❑ **RCRA Facility Assessment (RFA) & RCRA Facility Investigation (RFI)**
 - RFA/RFI Work Plan – December 2003
 - RFI Field Investigation – February and October 2004
 - RFI Report – June 2004 (Phase I) and January 2005 (Phase II)
- ❑ **Initial Interim Corrective Measure (ICM)**
 - ICM Work Plan – April 2005
 - ICM Field Activities (PCB-impacted Soil Delineation/Removal in Transformer Area, Gasoline UST Removal, Subsurface Structure Cleaning) – Summer 2005
 - ICM Report – November 2005



Projects

❑ **Foundation Demolition**

- Demolition Work Plan / Stormwater Pollution Prevention Plan (SWPPP) & Notice of Intent (NOI) – August/September 2005
- Pre-Demolition Characterization Sampling – August/November 2005
- Demolition Permit – November 2005
- Foundation Demolition / Additional UST Closure – December 2005 through February 2006
- Demolition Summary Report – April 2007

❑ **Second ICM**

- Area of Concern (AOC) 45 ICM Soil Removal Work Plan / Response to NYSDEC Comments – January/March 2006
- AOC 45 ICM Soil Removal – June/July 2006
- AOC 45 ICM Certification Report – May 2007

❑ **Post-RFI Polychlorinated Biphenyl (PCB) & Volatile Organic Compound (VOC) Soil Delineation**

- Phase I through VI Soil Sampling – December 2005 through April 2007
- Phase VII Soil Sampling (After NYSDEC Approval of CMS Work Plan) – June 2008



Projects

❑ Soil Vapor Investigation (SVI)

- SVI Work Plan – March 2007
- SVI Field Activities – September 2007
- Walk-Through of Adjacent Warehouse Complex (Owned by Simone) – June 4, 2008
- Phase II SVI Field Activities – June 2008
- Phase III SVI Field Activities – February 2009
- Phase IV SVI Field Activities – August 2009
- Conference Call with NYSDEC and NYSDOH to Discuss SVI Activities, Offsite Property Access, and Background Information Search Results – July 30, 2010
- Site meeting with NYSDEC and NYSDOH in which the Agencies Requested Indoor Air and Sub-Slab Soil Vapor Sampling at the Simone Building Complex – September 28, 2010
- “Draft” Vapor Intrusion (VI) Investigation Work Plan Submitted to NYSDEC – January 14, 2011
- Conference Call with NYSDEC, NYSDOH, and Simone to Discuss the “Draft” VI Investigation Work Plan and Access to the Simone Building Complex – March 8, 2011
- VI Intrusion Work Plan Submitted to the NYSDEC – March 23, 2011
- Bayer and Simone Fully Executed An Access Agreement to Allow Access for Performing the VI Investigation at the Simone Building Complex on March 25, 2011
- Sub-Slab and Indoor Air Sampling at Simone – April 27 to May 5, 2011
- Review of VI Investigation Results and Summary Report Preparation – In Progress



Projects

❑ **Corrective Measures Study (CMS)**

- CMS Work Plan submitted – April 2, 2008
- Revised CMS Work Plan – May 21, 2008
- NYSDEC Approval of CMS Work Plan – May 27, 2008
- CMS Soil Sampling (Phase VII Soil Sampling) – June 2008
- “Draft” CMS Report Submitted to NYSDEC (RCRA Corrective Action Group) – August 2, 2010
- “Draft” CMS Report Submitted to NYSDEC (Inactive Hazardous Waste Disposal Site Group) – August 24, 2010
- Bayer Responded to comments on the “Draft” CMS Report from the United States Environmental Protection Agency (USEPA) – September 9, 2010
- Conference Call with Agencies was Held to Discuss and Agree on Final Remedy for the Site – January 12, 2011
- NYSDEC Provided Town of Oyster Bay Comments on the “Draft” CMS Report – March 28, 2011
- NYSDEC Provided Conditional Approval of the “Draft” CMS Report – March 30, 2011
- Metals Soil Delineation Work Plan submitted to NYSDEC – May 27, 2011



Projects

❑ Third ICM (Additional Soil Removal)

- ICM Additional PCB Soil Removal Work Plan – November 5, 2008
- NYSDEC Approval of ICM Work Plan – December 18, 2008
- Pre-Excavation Verification Soil Sampling Field Activities – February 2009
- Pre-Excavation Verification Soil Sampling Summary – May 7, 2009
- Implementation of ICM Soil Removal Activities – Mobilization During Week of 5/11/09
- Completion of ICM Soil Removal Activities – August 2009



Path Forward

- ☐ Implement Metals Soil Delineation
- ☐ Finalize CMS
- ☐ Statement of Basis
- ☐ CMS/CMI Workplan
- ☐ Implement Final CMI
- ☐ Site Management Plan
- ☐ Final Engineering Report
- ☐ Site Closure / Finalize Selling of the Property
- ☐ Vapor Intrusion (Track II) - ?
- ☐ **Site Redevelopment**





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Thank You for Your Attention

