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MEMO

To:

Steven Scharf, P.E., NYSDEC
Katy Murphy, NYSDEC
Renata Ockerby, NYSDOH
Julia Schneider, Town of Oyster Bay
Bob Foster, Bayer
David Schnelzer, Bayer
Ramon Simon, Bayer
Scott Krall, Bayer

John Brussel, P.E. ARCADIS
David Kingsley, ARCADIS
Gregory McDermott, ARCADIS
Steve Marland, EQ
Kurt Oosterman, EQ
David Kahn, Preferred Env.

From:

Andrew Enigk, ARCADIS

Date:

July 9, 2013

ARCADIS Project No.:

B0032305.0009

Subject:

Bayer MaterialScience LLC – 125 New South Road, Hicksville, New York
Weekly Progress Meeting Summary – June 26, 2013

This memorandum summarizes items discussed during the June 26, 2013 weekly progress meeting for the Operable Unit 4 (OU4) remedial activities being performed at the Bayer MaterialScience LLC (Bayer) site located at 125 New South Road in Hicksville, New York (the Site). The remedial activities are being implemented by Bayer's remedial contractor (EQ) with onsite construction/engineering oversight provided by ARCADIS.

ATTENDEES

The following personnel attended the meeting:

- Steve Scharf – NYSDEC (call-in)
- Renata Ockerby – NYSDOH (call-in)
- Julia Schneider – Town of Oyster Bay (call-in)
- Scott Krall – Bayer (call-in)
- John Brussel – ARCADIS (call-in)
- David Kingsley – ARCADIS (call-in)
- Andrew Enigk – ARCADIS (call-in)
- Greg McDermott – ARCADIS
- Steve Marland – EQ (call-in)
- John Curran – EQ

- Joel Rogers – Impact Environmental

The meeting sign-in sheet is included as Attachment A.

HEALTH AND SAFETY MOMENT

- Dave Kahn indicated that he recently got a minor rash from his skin coming into contact with poison ivy growing onsite. Dave indicated the rash was not serious and that he treated it with a first aid product specifically for poison ivy. The group shared various plant characteristics and health and safety measures related to poison ivy.

SAFETY/SAFE WORK PRACTICES

- EQ indicated that no incidents have occurred except for Dave Kahn getting a minor rash from the poison ivy.

AIR MONITORING

- EQ's air monitoring and sampling subcontractor, Preferred Environmental Services (PES), has been performing community air monitoring during the project work. No volatile organic compounds (VOCs) or particulates have been measured above the action levels in the Community Air Monitoring Plan (CAMP) (i.e., 5 ppm above background for VOCs and 100 micrograms per cubic meter initial action level above background for particulates). PES continues to submit air monitoring results to the project team via e-mail.
- EQ continues to apply water from a "water buffalo" trailer behind a pick-up truck to suppress dust.

REVIEW/APPROVAL OF PRIOR MEETING MINUTES

The minutes for the June 19, and 24, 2013 weekly progress meetings will be distributed prior to the July 10, 2013 meeting.

REVIEW OF WORK PROGRESS

- EQ did not perform any excavation activities since the June 19, 2013 weekly progress meeting.
- EQ received 15 loads of imported clean fill from East Coast Mines and started backfilling "A" Group Excavation Areas 22A, 24A, 25A, 34A, and 37A.
- EQ continued to perform erosion and sediment control inspections.

- EQ's surveying subcontractor continued to conduct post-excavation surveying of the completed excavations.

PROPOSED WORK ACTIVITIES

EQ's anticipates the following activities in the coming week:

- Complete waste soil loading and offsite disposal at the Town of Brookhaven landfill (pending NYSDEC approval). Waste soil may also be transported to an alternative disposal facility identified by EQ and approved by Bayer. EQ indicated they were still working with the NYSDEC central office regarding soil disposal at Brookhaven Landfill. Steve Scharf asked that the project team notify him with the decision.
- Complete removal of "B" Group soils for offsite transportation and disposal.
- Continue surveying post-excavation elevations and verification soil sampling locations/elevations.
- Continue implementation of the CAMP air monitoring and reporting and erosion/sediment control measures inspection, maintenance, and documentation.
- Proceed with backfilling of excavation areas to prepare for the shutdown period following Phase 1 of the OU4 Remedial Action.

OPEN DISCUSSION

- The NYSDEC inquired if the Toxic Substances Control Act (TSCA) regulated PCB waste and New York State hazardous waste soil surrounding sampling locations V-RD-223 and V-RD-243 was going to be removed for offsite disposal prior to the shutdown. ARCADIS indicated that the plan was to remove the soil from the two locations and transport it offsite for disposal prior to the shutdown and that other TSCA areas not yet delineated will be addressed in Phase 2 of the OU4 Remedial Action.
- The NYSDEC inquired if there were extensive arsenic exceedances found during the Phase 1 soil delineation sampling activities. ARCADIS indicated that the arsenic exceedances were more extensive than anticipated and that the arsenic impacted soil will be addressed as part of the second phase of the remedial action after proposed additional delineation soil sampling is completed.
- ARCADIS indicated that additional verification soil sample results were received from EQ and that PCBs were found at concentrations exceeding the 10 ppm soil cleanup level at the property boundaries at sampling locations V-RD-223D (adjacent to Simone property) and V-RD-243D (adjacent to Long Island Railroad property). Impact Environmental (Impact) inquired if additional sampling will be performed on to the eastern side of V-RD-223D on Simone property, and ARCADIS indicated that no

additional offsite sampling was proposed because there is asphalt pavement located offsite immediately adjacent to sampling location V-RD-223D.

- Impact notified the project team that New South Road Realty (NSRR) decided they do not want the Administration Building conveyed as part of the property sale agreement with Bayer and would prefer that it be demolished. Impact indicated it will start negotiations with Bayer regarding demolition of the building.
- Impact inquired if there was a schedule for completing the remedial activities at the site. ARCADIS indicated it was working on a schedule with Bayer and that additional remedial activities are anticipated based on the recent soil delineation findings. ARCADIS also indicated it anticipates the first phase of the OU4 remedial activities to be completed within the next few weeks.
- Impact asked the NYSDEC if the engineering controls described in the OU4 Record of Decision, which includes installation of a sub-slab depressurization system under future buildings at the site, will be addressed in the Site Management Plan (when it is prepared). Impact also noted that it feels the financial obligation of the vapor mitigation system is Bayer's responsibility. The NYSDEC indicated that typically the sub-slab depressurization systems are the responsibility of the developer, but the NYSDEC does not determine responsibility. The NYSDEC also indicated that an Environmental Easement will be prepared for the site.
- ARCADIS asked Impact if future development plans have been prepared for the site, and Impact indicated that no plans have been prepared.
- The NYSDOH requested that sub-slab characterization soil sampling be performed in the Administration building if it is determined that it will be demolished. The NYSDEC asked that the Administration building garage be inspected for floor drains prior to sampling. ARCADIS indicated that the pre-demolition survey would include concrete slab sampling, which would provide a preliminary indication of potential sub-slab conditions.

Upon receipt of this memorandum, please notify Mr. Andrew Enigk of ARCADIS at 315.671.9548 within 5 days if you believe that any portion of this summary does not accurately reflect issues discussed/resolved during the June 26, 2013 meeting, or if additional items should be recorded in this summary. If modifications are made, a follow-up memorandum will be distributed.

Attachment A

Sign-In Sheet

WEEKLY MEETING SIGN-IN
REMEDIAL DESIGN IMPLEMENTATION
BAYER MATERIAL SCIENCE, LLC
125 NEW SOUTH ROAD
HICKSVILLE, NEW YORK

DATE: 6/26/13

[illegible]