

New York State Department of Environmental Conservation

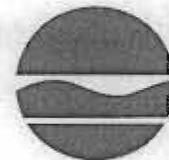
Division of Environmental Remediation

Remedial Bureau B, 12th Floor

625 Broadway, Albany, New York 12233-7016

Phone: (518) 402-9768 • Fax: (518) 402-9773

Website: www.dec.ny.gov



Joe Martens
Commissioner

June 17, 2011

Wayne Baldwin
Manager, Regulatory Affairs
Bayer MaterialScience LLC
8500 West Bay Road
Baytown, TX 77520-9730

Dear Mr. Baldwin:

**Re: Bayer MaterialScience LLC, Hicksville, NY; USEPA ID No. NYD002920312;
Metals Soil Delineation Work Plan, June 9, 2011**

The New York State Department of Environmental Conservation (the Department) reviewed the work plan referenced above. In accordance with 6 NYCRR 375-1.6(d), Work Plans and Reports, the Department requests that the work plan referenced above be modified to address the following comments.

- Include in the work plan the historical aerial photograph referred to as Attachment A. *- OK 1P.4*
- The spacing of 100 feet for samples M-S1 through M-S14 is acceptable. However, the work plan should include language that allows for adjustment of locations based on field conditions such as the presence of stained soil, odors, distressed vegetation, etc. *- OK 1P.5*
- The sampling protocols do not indicate if samples will be composited. Samples can be composited, with each composite comprised of three to five discrete samples from representative locations. This should be clarified in the work plan. *- OK 1P.6*
- On page 5, last paragraph, the following text should be revised for clarification purposes, "(which corresponds to the anticipated final excavation depth proposed for the final remedy for the site)". The Department recommends that the text be changed to "(which corresponds to the anticipated final excavation depth proposed for the soil mound in this area)". *- OK 1P.6*
- The work plan should include a schedule with dates and the corrected version of Table I. *3 - OK*



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Within 30 days of this letter's date, Bayer must modify the work plan and submit it to the Department for approval. If you have any questions, please contact me at aabarraz@gw.dec.state.ny.us or (518) 402-9690.

Sincerely,



Alicia Barraza
Environmental Engineer
Bureau B

cc: Ramon Simon, Bayer MaterialScience
John Brussel, Arcadis
Andrew Enigk, Arcadis
Dale Carpenter, USEPA Region 2
Tom Taccone, USEPA Region 2
R. Ockerby, DOH
F. Navratil, DOH
S. Scharf, DEC
S. Dewes, DEC
K. Murphy, DEC