

New York State Department of Environmental Conservation

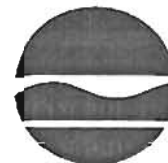
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Joe Martens
Commissioner

MEMORANDUM

TO: Robert Cozzy, Director, Bureau B, DER *[Signature]* **APPROVED**

THRU: Mike Komoroske, Chief, Bureau B *[Signature]*

FROM: Larry Alden, P.E. Bureau B *[Signature]*

SUBJECT: Ward Products, ID 429004 - Change to Remedy

DATE: JUL 28 2011

Contaminated surface soil on the Ward Products site was addressed by an IRM in 2004, prior to the current revision of Part 375. In the IRM, soil cleanup concentrations of 30 ppm for cadmium and 450 ppm for total chromium were selected. The cadmium cleanup number was selected based on site-specific analyses showing probable TCLP failure for samples with higher concentrations. (In other words, cleanup targeted cadmium-contaminated soil that would likely be defined as hazardous waste.) The chromium cleanup concentration was based on the USEPA Preliminary Remediation Goal for chromium in industrial soil for protection of human health.

The Part 375 values for cadmium are 60 ppm and 9.3 ppm for industrial and commercial uses, respectively. For chromium, the values are 800 ppm and 400 ppm for hexavalent chromium and 6,800 ppm and 1,500 ppm for trivalent chromium (industrial and commercial uses, respectively).

Post-IRM samples show several locations where the cadmium concentrations were above the Part 375 commercial soil cleanup objective (SCO), but below the 30 ppm cleanup concentration (as well as below the 60 ppm industrial SCO). This is why the PRAP, ROD, and SMP call for industrial use only.

That being said, the soil IRM removed potentially hazardous waste from the site and the remaining soil at the site was covered with a foot or more of clean soil. The inside of the building is not contaminated, and if it was occupied, the existing sub-slab depressurization system would be operating. The site will be controlled by an environmental easement and a Site Management Plan, and any invasive activities which might disturb the clean soil cover would be required to be conducted in accordance with an excavation plan.

Because the cleanup meets the substantive requirements of a site cleaned up to Commercial



SCOs, the building could be put to commercial use, as opposed to only industrial use specified in the ROD, without compromising the cleanup work already completed. Therefore, the remedy in the ROD will be changed to allow future commercial use of the site, subject to a revised SMP.