New York State Department of Environmental Conservation
Route 86, Ray Brook, New York 12977

Tel. No. (518) 891-1370

Thomas C. Jorling
Commissioner

July 5, 1988

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JUL 05 1988
DEPT. OF ENVIRONMENTAL CONSERVATION
REGIONAL ENGINEER — REGION 5
RAY BROOK, NEW YORK 12977

Mr. Gary Litwin
Chief, Eastern Section
Bureau of Exposure Investigation
New York State Department of Health
2 University Place
Albany, New York 12203

RE: Van Raalt Knitting Mill/Saratoga Knitting Mill Site
Case No.: R5-0558-87-9

Dear Gary:

Attached for your information is a copy of the revised draft Order on Consent which has been sent to the Respondents in the above-entitled matter.

Thank you for your assistance in this matter.

Sincerely yours,

Steven L Brewer
Steven L. Brewer
Assistant Regional Attorney
Region 5

Signed in the absence of writer to avoid delay in mailing

SLB
Attachment

cc: D. Corliss
D. Steenberge

New York State Department of Environmental Conservation
Route 86, Ray Brook, New York 12977

Tel. No. (518) 891-1370

ENVIRONMENTAL CONSERVATION
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JUL 8 1988
88-867
ENVIRONMENTAL QUALITY
WARRENSBURG

Thomas C. Jorling
Commissioner

CERTIFIED MAIL #P 443 497 738
RETURN RECEIPT REQUESTED

June 30, 1988

Evan J. Spelfogel, Esq.
Summit, Rovins & Feldesman
445 Park Avenue
New York, New York 10022

RE: Van Raalt Knitting Mill/Saratoga Knitting Mill Site
Case No.: R5-0558-87-9

Dear Evan:

Enclosed is an original revised draft Order on Consent for your review in the above-captioned matter. A copy is enclosed for your files.

If the Order is acceptable to you, please have your clients properly execute the original and return it to me. Upon receipt, I will send it to Albany for final review and signing by the Commissioner. If the Order is not acceptable or you wish to discuss it further, please contact me at your earliest convenience. Additionally please feel free to have your consultant contact Dan Steenberge at (518) 891-1370 for technical input and guidance.

At this time, I will also take the opportunity to formalize in writing the substance of some of our many telephone conversations and to formally respond on behalf of Regional Director Monroe to your letter to him of January 26, 1988.

In October 1987 I sent you a previous proposed draft Order on Consent. As you know, we were unable to agree on an acceptable cleanup level. The cleanup level of 5 ppm in the October Order was chosen because it was practically achievable and because it was believed at the time to be sufficiently conservative to address any significant environmental or health concerns. Since that time, DEC Regional staff have further consulted and obtained more specific guidance from the Department of Health regarding

any remedial work. Because the Saratoga Knitting Mill Site ("Site") involves PCB contamination inside the mill, it represents a unique and technically complicated situation which has required careful consideration and substantial staff review time. The current draft Order reflects technical input from both the Department of Health and DEC Regional technical staff.

As we previously discussed, contrary to your original understanding and representation in your letter to Mr. Monroe, I did not agree last November that reduction of detectable levels of PCB's below 5 ppm was relevant only if the Site was going to be used for residential purposes. I am not competent to make a technical determination of that nature. I did, however, acknowledge that certain technical staff had at one point or another referred to 50 ppm as a possible cleanup level. I also agreed to provide to technical staff for their review your letter of November 25, 1987 which represented that plans to convert the Site to a residential use had been discarded.

Finally, as I previously orally advised you in an effort to clear up any possible misunderstanding, it is not legally necessary to first have a signed Consent Order to perform cleanup or remedial activities at the Site. While it is DEC policy to encourage one to enter into a Consent Order, the owner of an inactive hazardous waste site or his representative(s) is free to perform whatever cleanup or remedial activities he deems appropriate without a Consent Order so long as there is compliance with all Federal, State and local laws, rules and regulations. However, cleanup or remedial activities not performed pursuant to a Consent Order are at the Respondent's own risk in that the work is not DEC approved or sanctioned. Consequently, site cleanup or remedial activities not performed pursuant to a Consent Order may have more difficulty gaining final DEC approval after completion and ultimately the site may have greater difficulty being delisted.

Thank you for your patience and cooperation in this matter.

Sincerely yours,

Steven L. Brewer
Assistant Regional Attorney
Region 5

SLB

cc: T. Monroe
J. Periconi
C. Ferrentino
D. Corliss
W. Colden
D. Steenberge

STATE OF NEW YORK
DEPARTMENT OF HEALTH
Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

David Axelrod, M.D.
Commissioner

June 10, 1988

RECEIVED
JUN 20 1988
Dept. of Environmental Conservation
REGIONAL ENGINEER - REGION 5
RAY BROOK, NEW YORK 12977

Mr. Dan Steenberge
Air Pollution Control Engineer
New York State Department of
Environmental Conservation
Route 86
Raybrook, New York 12977

Dear Mr. Steenberge:

I am forwarding for your review and/or inclusion in the Van Raalte Consent Order the following references:

1. 40 CFR Part 761 PCB Spill Cleanup Policy: Final Rule (Apr. 2, 1987)
2. EPA-560/5-86-017 (May/86) Field Manual for grid sampling at PCB Spill Sites to Verify Cleanup.
3. EPA-560/5-85-026 Verification of PCB Spill Cleanup by Sampling and Analysis
4. Determination of PCB in Ambient Air NYSDOH APC26.1
5. Indoor and Outdoor Air PCB Sample Collection Technique APC-26A
6. Binghamton State Office Building Re-entry Guideline: PCBs

The NYSDOH method for collecting wipe samples will be forwarded ASAP. NYSDOH lab personnel do not believe that the analytical protocol for wipes (hexane extraction) is documented at the federal or state level.

Any questions, feel free to call (518) 458-6310.

Sincerely,

James Madigan

James Madigan
Program Research Specialist III
Bureau of Environmental Exposure
Investigation

sms/81620510

ATTACHMENT

cc: Mr. Tramontano
Mr. Litwin

SAMPLE COLLECTION PROCEDURE FOR

AREA SURFACE WIPES

This procedure is used as a qualitative estimate of particulate deposition on surfaces. An area of one square meter or less, measured accurately, is wiped with a piece of Whatman #40, 11.0cm diameter filter paper. The wipe is analyzed for the suspected contaminant.

Procedure

1. Measure accurately an area of one square meter or less.
2. Put on disposable gloves. Using one circle of filter paper, wipe the area in one direction, and then go over the same area, wiping perpendicular to the first direction.
3. Fold the filter paper so that the particulates are inside of the folded filter circle. Roll up the filter and push it into a screw-cap glass test tube. Label the tube with site identification and data collected.
4. Fill out ~~a Tox 5~~ AN ACC-1 form for each wipe submitted .

5/18/82

RECEIVED
JUN 20 1988
Dept. of Environmental Conservation
REGIONAL ENGINEER - REGION 5
RAY BROOK, NEW YORK 12977

Area Wipe's Equipment List

Item	Quantity
Whatman filter paper, #40, 11 cm	1 Box, 100
Plastic carrier	1
Medium disposable gloves	1 box
Large disposable gloves	1 box
~~Tox-5~~ ACC-1 forms	20
Black marking pen	1
Beaker to hold test tubes	1
Glass screw-cap test tubes	10
18" ruler	1
Clipboard	1
Pad of paper	1
Pens	2
Pencils	2
Sample collection method	1