FACT SHEET
EXPLANATION OF SIGNIFICANT DIFFERENCES
LUZERNE ROAD PCB LANDFILL SITE

Town of Queensbury / Warren County / Registry No. 5-57-010 / February 2008

Prepared by the New York State Department of Environmental Conservation
Division of Environmental Remediation

1.0 INTRODUCTION

The Luzerne Road PCB Landfill (NYS Site No.: 5-57-010) site is located in the Town of Queensbury, Warren County. In March 2005, the New York State Department of Environmental Conservation (NYSDEC) issued a Record of Decision (ROD) which selected a remedy consisting of on-site thermal treatment of soil contaminated with PCBs.

The purpose of this notice is to describe the progress of the remedial cleanup process at the Luzerne Road PCB site and to inform you about a potential change in the selected site remedy. In September 2007, the remedial design and specifications for this project were completed. The design, which was consistent with the ROD, required onsite thermal treatment of all contaminated soils (except the clay liner in the cell) and backfilling of the soils on-site. The clay liner material was to be disposed of in an off-site secure landfill. In December 2007, the NYSDEC opened bids for this project. Only one bid was received and that bid significantly exceeded the cost estimate of the selected remedy contained in the ROD. Due to the high cost of the bid and the lack of sufficient competition, the bid was rejected.

An alternative option has been developed to insure the maximum number of potential bidders and the most cost effective approach, while still providing the same protection of human health and the environment. The alternative option will provide for the portion of the waste containing PCBs greater than 50 ppm to be excavated and disposed off-site in a secure landfill permitted to accept this waste. Soils with PCB contamination equal to or less than 50 parts per million (ppm) will still be treated on-site using low temperature thermal desorption technology as identified in the originally selected remedy.

The Explanation of Significant Differences (ESD) will become part of the Administrative Record for this site. The information here is a summary of what can be found in greater detail in documents that have been placed in the following repositories:

NYSDEC- Region 5
232 Hudson Street
P.O. Box 220
Warrensburg, NY
Appt Requested
(518) 623-1200

NYSDEC
Div. of Environmental Remediation
Remedial Bureau E
625 Broadway, 12th Floor
Albany, NY 12233-7017
Contact: Gerard Burke
at (518) 402-9814
Hours: M-F 8:30 a.m. -4:30 p.m.

Crandall Public Library
251 Glen Street
Glens Falls, NY 12801
Contact: Librarian (518) 386-2243
Hours: M-Th 9 a.m. - 9 p.m.
F 9 a.m. - 6 p.m.
Sat 9 a.m. - 5 p.m.
Sun 1 p.m. - 5 p.m.

Although this is not a request for comments, interested persons are invited to contact the NYSDEC's Project Manager for this site to obtain more information or have questions answered.

2.0 SITE DESCRIPTION AND ORIGINAL REMEDY

Hazardous waste disposal of PCBs at the site have contaminated surface and subsurface soils, and groundwater. The site is listed as a Class 2 site in the New York State Registry of Inactive Hazardous Waste Disposal Sites. A Class 2 site is a site where hazardous wastes present a significant threat to public health or the environment and action is required.

The selected remedy is described in detail in the Record of Decision (ROD). The ROD presents the alternative selected by NYSDEC and NYSDOH and documents the information and rationale used to arrive at the decision. Included in the ROD is a summary of public participation activities, including the holding of a public meeting on January 4, 2005. *The ROD can be reviewed at the document repositories listed above.*

The March 2005 ROD remedy consisted of:

1) Excavation of the soils in the PCB containment cell and excavation of the subsurface soils with PCB concentrations greater than 10 ppm and surface soils with concentrations greater than 1 ppm. . Mobile low temperature thermal desorption units would be brought onto the site to treat the materials.

2) All treated materials would be used as backfill to restore site grades. The site would be restored by grading, placement of topsoil, and seeding of filled areas.

3) Development of a Site Management Plan that addresses residual contaminated soils that may be excavated from the site during future redevelopment.

4) Institutional controls to prevent use of site groundwater and require compliance with the approved site management plan.

5) Since the remedy results in untreated groundwater remaining at the site, a monitoring program would be instituted. This would allow the effectiveness of the soil and waste removal to be evaluated and would be a component of the operation, maintenance, and monitoring program for the site. Annual certification from the property owner, submitted to the NYSDEC, that the institutional controls are still in place.

3.0 CURRENT STATUS

A request for bids based on revised Design Document incorporating the alternate option will be advertised this winter by the NYSDEC. The advertisement for bids based on the revised plans and specifications is currently scheduled for the Winter 2008. The NYSDEC intends to enter into a contract in Spring 2008, implementation is scheduled to start in Summer 2008 and all work should be completed by the end of 2009.

4.0 Description of Significant Differences

The selected remedy in the March, 2004 Record of Decision specified:

> "Excavation of the soils in the PCB containment cell and excavation of the subsurface soils with PCB concentrations greater than 10 ppm and surface soils with concentrations greater than 1 ppm. Mobile low temperature thermal desorption units would be brought onto the site to treat the materials. "

The proposed change is that the NYSDEC will bid the project with two alternatives for the portion of the waste containing PCBs greater than 50 ppm:

1) the soil will be treated with low temperature thermal treatment using on-site units and backfilled on-site; or

2) the soil will be excavated and disposed off-site in a secure landfill permitted to accept this waste.

The contract will be awarded based on the lowest price by a responsive responsible bidder. The selected alternative proposed by that bidder for either on-site treatment or off-site disposal will then be implemented. Wastes and soils containing less than 50 ppm PCBs will continue to be treated in on-site low temperature thermal desorption units.

If the selected bidder uses the off-site disposal option, it is anticipated that the project schedule would be reduced by approximately 3 months. Additional truck traffic will be generated from the site during normal working hours. Under the original remedy, there was a quantity of soil at the site which could not be processed in the low temperature thermal treatment unit and would have been disposed off-site. However, if the off-site disposal option is selected, the quantity of materials that will be disposed off-site will be increased.

The elements of the revised remedy are:

1. Excavation of the soils in the PCB containment cell and excavation of the subsurface soils with PCB concentrations greater than 10 ppm and surface soils with concentrations greater than 1 ppm. Mobile low temperature thermal desorption units would be brought onto the site to treat the materials with PCB concentrations less than 50 ppm. For soils with PCB concentrations greater than 50 ppm, two alternatives will be allowed:

   a) the soil will be treated with low temperature thermal treatment using on-site units and backfilled on-site; or

   b) the soil will be excavated and disposed off-site in a secure landfill permitted to accept this waste. Clean soil would imported for backfill. Clean soil would constitute soil that meets the Division of Environmental Remediation's criteria for backfill or local site background. Non-vegetated areas (buildings, roadways, parking lots, etc.) would be covered by crushed stone at least 6 inches thick.

2. All treated materials would be used as backfill to restore site grades. The site would be restored by grading, placement of topsoil, and seeding of filled areas.

3. Imposition of an institutional control in the form of an environmental easement that would require (a) limiting the use and development of the property to commercial use, which would also permit industrial use; (b) compliance with the approved Site Management Plan; (c) restricting the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by NYSDOH; and (d) the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls.

4. Development of a Site Management Plan which would include the following institutional and engineering controls: (a) management of the site to restrict excavation below the treated soils demarcation layer, pavement, or buildings. Excavated soil would be tested, properly handled to protect the health and safety of workers and the nearby community, and would be properly managed

in a manner acceptable to the Department; (b) monitoring of groundwater; (c) identification of any use restrictions on the site.

5. The property owner would provide a periodic certification of institutional and engineering controls, prepared and submitted by a professional engineer or such other expert acceptable to the Department, until the Department notifies the property owner in writing that this certification is no longer needed. {Note that an environmental easement which will trigger periodic certifications can only be amended or extinguished by the Commissioner.} This submittal would: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and (c) state that nothing has occurred that would impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the site management plan unless otherwise approved by the Department.

6. Since the remedy results in untreated hazardous substances remaining at the site, a long-term monitoring program would be instituted. Groundwater will be monitored on a periodic basis. This program would allow the effectiveness of the PCB removal to be monitored and would be a component of the long-term management for the site.

The remedy will remain protective of human health and the environment because all contaminated materials will either be treated on-site or removed for off-site disposal. The remedy, as modified by this ESD, is protective of human health and the environment and meets the goals originally included in the March 2004 ROD. The New York State Department of Health (NYSDOH) concurs with the modified remedy.

5.0 SCHEDULE AND MORE INFORMATION

It is the intention of the NYSDEC to begin construction activities in 2008. Construction completion is anticipated as Fall 2009. If you have questions or need additional information, you may contact any of the following:

➢ For Technical Questions

Mr. Gerard Burke, P.E.
Project Manager
NYS Dept. of Environmental Conservation
625 Broadway, 12th Floor
Albany, NY 12233-7017
(518) 402-9814

➢ For Site-Related Health Questions

Wendy Kuehner
Project Manager
NYS Department of Health
Flanigan Square
547 River Street, Room 300
Troy, NY 12180
(518) 402-7870