

STATE OF NEW YORK:
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Implementation of
an Interim Remedial Measure at an Inactive
Hazardous Waste Disposal Site by:

Modification of
Order on Consent
Index # A701518809
Site #754007

HADCO CORPORATION,
Respondent.

WHEREAS:

1. The New York State Department of Environmental Conservation ("Department") is responsible for the enforcement of Article 27, Title 13, of the Environmental Conservation Law of the State of New York ("ECL"), entitled "Inactive Hazardous Waste Disposal Sites".
2. Respondent, Hadco Corporation, hereinafter referred to as Respondent, is a corporation organized and existing under the laws of the State of Massachusetts, manufactures electronic components at its facility in the Village of Owego, Tioga County, New York (the "Site").
3. The Department alleges that the groundwater beneath the Site is contaminated by hazardous wastes including trichloroethylene, 1,2 dichloroethane and 1,2 trans-dichloroethylene.
4. The Site is an inactive hazardous waste disposal site, as that term is defined in ECL section 27-1301(2), and has been listed in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site Number 754007.
5. The Department has identified and classified the site pursuant to ECL

section 27-1305, under classification 2, a "significant threat to the public health or environment - action required".

6. Pursuant to ECL §27-1313(3)(a), whenever the Commissioner of the Department of Environmental Conservation (the "Commissioner") "finds that hazardous wastes at an inactive hazardous waste disposal site constitute a significant threat to the environment, he may order the owner of such site and/or any person responsible for the disposal of hazardous wastes at such site (i) to develop an inactive hazardous waste disposal site remedial program, subject to the approval of the Department, at such site, and (ii) to implement such program within reasonable time limits specified in the order".

7. On February 8, 1989 the Department entered into an Order (Index #A701518809) with Respondent that requires a Remedial Investigation/Feasibility Study for the Site.

8. The Department and Respondent acknowledge that the goal of this Modification of Order on Consent #A701518809 is that Respondent shall implement the Approved Interim Remedial Measure Work Plan (the "IRM Work Plan"), attached to this Modification of Order as Exhibit A.

8. For purposes of this Modification of Order an Interim Remedial Measure is defined as remedial measures that reduce the threat of harm to the public health and/or the environment which are taken prior to the issuance of a Record of Decision by the Department.

9. Respondent, having waived its right to a hearing in this matter in the manner provided by law, hereby consents to the issuance and entry of this Modification

of Order on Consent #A701518809.

NOW, THEREFORE, having considered this matter and being duly advised, it is ORDERED that:

I. Except where specifically modified or amended herein the terms, conditions, obligations and rights reserved under Order on Consent #A701518809 shall remain unchanged and in full force and effect.

II. A. Paragraph III. Table No. 1 (Submittals) of the Order #A701518809 is hereby modified to read as follows:

Table No. 1			
Submittals			
	Consent Order	Days after Receipt	Days to Prepare
Submittal	Paragraph	for Department	and Submit
		Review	Revision
Work Plan	IV	45 Days	30 Days
Report	V	60 Days	30 Days
Feasibility Study	VI	60 Days	30 Days
IRM Report	XXVI	60 Days	30 Days

B. Paragraph XII. (B) of the Order #A701518809 is hereby modified to increase the maximum amount of administrative costs for which Respondent is

responsible for compensating the Department under this Order from \$15,000 to \$16,000.

C. A new paragraph is to be added to the Order on Consent #A701518809.

The Order on Consent #A701518809 is hereby amended and modified to read as follows:

XXVI. Respondent shall implement the Interim Remedial Measure Work Plan (the "IRM Work Plan") in accordance with the terms and schedule contained in the approved IRM Work Plan. Within 60 days after completion of the construction phase of the IRM Respondent shall submit a final engineering report, as built drawings, and a certification that the construction activities were completed in accordance with the Approved IRM Work Plan, by an engineer licensed to practice by the State of New York. The Department reserves the right to require a clarification, modification, and/or amplification and expansion of the report by Respondent if the Department determines, as a result of reviewing data generated by the Approved IRM Work Plan and report, or as a result of reviewing any other data or facts, that further information is required. After receipt of the final engineering report and certification, the Department shall notify Respondent in writing whether it is

satisfied with the quality and completeness of the IRM as
being protective of human health and the environment.

III. The effective date of the Modification of Order on Consent #A701518809
shall be the date it is signed by the Commissioner or his designated representative.

DATED: *March 31* , 1993 New York

Ann DeBarbieri
Deputy Commissioner
New York State Department of
Environmental Conservation

Ann Marie DeBarbieri

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Modification to Order #A701518809, waive its right to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained in this Order.

HADCO CORPORATION

By:

Andrew E. Lietz

Title:

CHIEF OPERATING OFFICER

Date:

3/24/93

STATE OF NH)
COUNTY OF Rockingham) s.s.:

On this 24 day of March, 1993, before me personally came ANDREW E LIETZ, to me known, who being duly sworn, did depose and say that he resides in RYE NH; that he is the CHIEF OPERATING OFFICER of the HADCO corporation, the corporation described herein and that he executed the foregoing instrument on behalf of said corporation, that he represents that he has the authorization to bind the corporation to this Order and that he has signed his name hereto.

Carol W. Warrall
Notary Public

Exp: 6/15/94